

HAYSVILLE HOMETOWN MARKET

Vendor Handbook 2023

Farmer's markets and market vendors are subject to inspection by the Kansas Department of Agriculture (KDA) and KS Department of Health and Environment (KDHE) and must follow their regulations for food safety outlined in **Guidelines for Food Sales at Farmers Markets** (available at www.ksda.gov) and in **Rules, Regulations, and Resources for Farmers' Markets in Kansas** (available at www.kansasruralcenter.org).

I. Objectives

- A. To provide a place where producers of fresh produce and homemade goods can sell directly to consumers.
- B. To advise local consumers of the availability of locally produced, high quality, fresh produce, and other farm products. Local produce is defined as being grown in Sedgwick County and counties adjoining Sedgwick.
- C. To encourage greater producer participation in the direct marketing of produce.
- D. To encourage increased production of quality products for local consumption.

II. Who May Sell

- A. Only Kansas growers or producers may sell. A grower or producer is any vendor offering for sale articles that have been raised, grown, or produced only by himself, members of his/her family, or persons in his/her employ.
- B. All vendors must have on file with Haysville Hometown Market a Vendor Registration Form and have paid the annual fees.

C. VENDOR CATEGORIES

Only vendors in the following categories are permitted to sell at the Haysville Hometown Market:

Producers

Producers who raise the produce or plants that they sell at the Haysville Hometown Market. Producers may include someone who processes produce grown by the vendor into a value-added product such as jams or cider. Producers may also include someone who raises the basic ingredient(s) of a product, but who must send it out for fundamental processing before creating the value-added product. Such vendors might include those producers selling emu oils, frozen/smoked meat, etc. Produce that is not grown in Kansas must be properly marked from what State.

Processors

Processors are persons or entities offering food products (such as baked goods, jams, cheeses, meat products, etc.) that have added value to their product through some sort of "hands-on" processing. Processing must meet all federal, state,

county, and local requirements. All appropriate permits and licenses shall be displayed whenever a processor is selling at the market.

Value-Added Crafters

Value-added crafters are persons or entities that craft with their own hands the products they offer for sale at the Haysville Hometown Market.

Prepared-Food Vendors

Prepared-food vendor's offer freshly made foods, available for sale and immediate consumption on-site at the Haysville Hometown Market. Prepared-food vendors shall possess and maintain all required state, county, and local permits. All appropriate permits and licenses shall be displayed whenever a prepared-food vendor is selling at the market.

Flea Market

Flea Market Vendors offer new and used inventory – from practical garage sale items to one-of-a-kind items.

D. RESTRICTED

1. The handing out of just information to promote a business.
2. Any alcoholic beverages and/or tobacco products.
3. Any products not found acceptable by the Market Manager, Planning & Zoning Administrator, or the Haysville Historic Committee.

III. What May Be Sold

- A. Only fresh agricultural produce may be sold. Produce should be mature but not overripe, void of decay, have a good external and internal appearance, and must be clean and free of contamination.
- B. Fresh farm eggs may be sold at the Haysville Hometown Market. The eggs **MUST** be clean and free from cracks. If containers are used for the sale of eggs, they **MUST** be either new or relabeled with the producer's name and address. Eggs must be maintained at or below 45 degrees F. Vendor shall be registered with the Kansas Department of Agriculture and have license(s) as needed. Eggs may be displayed if hard-boiled. These eggs may **NOT** be sold.
- C. Certain products have not received approval from the local health authorities for inclusion at farmers' markets, and others require special handling and treatment.
 1. No potentially hazardous food will be sold at the Haysville Hometown Market. Potentially hazardous foods include milk and milk products, freshly slaughtered meats, poultry, fish, and shellfish. Baked goods that contain cream, meringue, or custard are **NOT** allowed.
 2. Home-canned fruit and vegetables will **NOT** be sold at the Haysville Hometown Market. If a tomato has been split, cut, juiced, blended or in any way processed, it may not be sold. No salsas, sauces, salads, condiments, fresh, frozen, or canned are permitted.

3. Anyone wishing to sell such prohibited items and products **MUST** check with the local health department and become certified on an individual basis. Anyone already certified may sell such items at the Haysville Hometown Market upon presentation of certification to the market manager. The transportation, display, storage, and sale of such items must be in compliance with Kansas health codes and regulations.
4. Fresh meat, fish, or dairy products are prohibited. Sales of frozen meats are allowed if from an inspected source, labeled properly, and maintained frozen. No live animals are permitted for sale or display.
5. Processed foods – this includes baked goods, jams, jellies, and honey. Every food in package form **MUST** bear specific information on its label;
 - (a) common and usual name of product,
 - (b) name and address of manufacturer,
 - (c) contents of the package,
 - (d) a list of all ingredients, in the order of their preponderance,
 - (e) common allergens such as peanut butter or nuts **MUST** be noted.

Labeling information may be obtained from the Bureau of Food and Drugs, Dept. of Health and Environment, Topeka, Kansas 66620. Baked goods must be individually wrapped and protected from contamination.

- D. Crafts will be allowed, but must be made by exhibitor or member of immediate family.
- E. Vendors of commercial products that are not homemade/homegrown may be allowed to have a booth only after approval from a market manager.
- F. Flea Market Vendors - No guns, weapons, ammunition, explosives, live animals, drugs, drug paraphernalia, illegal or questionable items, or trademarked/counterfeit merchandise. If you bring any of these items, you will be asked to leave the market.
- G. Mobile Food Vendors – Those who wish to participate will need to fill out a Mobile Food Vendor Form with the City and pay only the Mobile Food Vendor Fee.

IV. How May Produce/Products Be Sold

- A. Produce can be sold by weight, volume, or count. If selling by weight, your scales must have a current inspection certificate for trade. Therefore, selling by count or volume may prove to be easier. However, you may want scales to give the customer an idea of the weight of the volume sold. Such a scale should be marked “For Estimate Only.”
- B. Lettuce and other salad greens may never be bagged in advance. It must be brought in bulk and bagged at the time of sale. If other produce is bagged for customer convenience, the vendor must post a sign to “wash before using”.
- C. Melons and other produce **MUST** be sold whole (no halves or slices).

- D. Vendors are responsible for their own sales tax or any applicable licensing, permits, and liability insurance. To get a sales tax number, contact the State of Kansas Tax Division at: (785) 368-8222.
- E. Vendors have the responsibility to establish prices at a fair market level.
- F. Vendors should have adequate cash/coins to provide change and should provide sacks, or packaging, for customers.

V. Fees

- A. All fees are for the Haysville Hometown Market Season.

\$40 RESERVED BOOTHS UNDER THE PERGOLA (There are only 13 booths available to be reserved. See VI A for more information.)

\$35 NON-RESERVED BOOTHS FEE – OUTSIDE PERGOLA/PATIO (Paying this amount does not guarantee the vendor a booth under the market structure.)

\$25 VINTAGE DAYS ONLY – FOR ALL 3 SATURDAYS.

BOOTHS ARE ASSIGNED BY THE MARKET MANAGER.

- B. If you have any questions regarding what fee you should pay, please contact the City of Haysville at 316-529-5900.

VI. Booths

- A. The Haysville Hometown Market is composed of 13, 10' x 10' stalls with a concrete base, semi-shade structure, vehicle access, and electricity (if needed). Space in front of the stalls or to the sides (on the grass) will be utilized if all stalls have been taken on any given market day.
 1. Vendors who have reserved a stall the previous year will get first choice of that same stall for the following year if Market **fees are paid in full by the first Friday in May**. If a vendor who had reserved a stall from the previous year does not pay for the same stall on or before **First Friday in May** they forfeit the right to first choice of that stall. These stalls then become available to **other vendors**.
 2. A vendor not using their reserved stall on a particular day shall inform the market manager(s) by at least **one hour before market starting time (7:00 am)**. A reserved stall unoccupied by the original renter **½ hour (7:30 am)** before opening of the market will be declared **vacant and available** if no prior notice was given nor received by the market managers.
 3. If a vendor with a reserved stall **does not call or is a no-show** at the Market more than two times during the season, they will **forfeit their reserved stall**. **NO EXCEPTIONS!**

VII. Booth Appearance

- A. Each vendor **MUST** post a sign in a conspicuous manner in his/her stall area, identifying the vendor/company by name. Tax number should be displayed and available upon KDA inspection.
- B. All vendors should prepare on poster board or cardboard in large print a list of their products and prices, or in some other way indicate the prices of various products and whether priced with or without tax.
- C. Vendors shall keep their booth neat and clean and attractive including beds of transporting trucks. Vendors are responsible for cleaning in and around their booth at the end of the day and placing trash in appropriate receptacles. **Do not leave any items or trash at the end of the day!**
- D. Booth space in the paved Market area is approximately 10' x 10'. Tents or shade structures may be used if they fit within your assigned booth.
- E. Vendors are responsible for providing, setting up and tearing down tables, chairs, booths, and product displays.

VIII. Exchanges and Refunds

- A. Exchanges of produce and/or refunds on produce will be left to the discretion of the vendor.

IX. Sanitation and Health Requirements

- A. All food items **MUST** be stored and displayed at a "reasonable" distance above the ground (minimum of 6 inches).
- B. No pets are permitted within the farmers' market.
- C. Samples may be given provided they are kept in covered containers. Knives, cutting boards, etc., must be immediately washed and cleaned up after each use. Individuals preparing samples must be clean, presentable, and free of any communicable disease.
- D. Vendors shall **NOT** use tobacco products at or around the booth/Market. If you or someone at your booth is going to smoke you **MUST** stand at least 15' behind the Market.

X. State Taxation

- A. You **WILL** be responsible for assessing each purchaser in Haysville 8.5% of their total purchase price for the Kansas State Sales tax. The Kansas Department of Revenue requires all farmers' market vendors to obtain a Kansas Sales Tax number.

XI. Conduct

- A. Vendors at the market shall conduct themselves in a pleasant and courteous manner. Vendors shall avoid using all unduly loud, vulgar, profane, or otherwise disagreeable language. They shall further avoid all appearance of having been or being in a drinking or intoxicated condition. They shall further avoid any belligerent action or actions that lead to or promote disputes, disagreements, slander, or altercations with other vendors, prospective customers, visitors, entertainment, or any other person on the market premises. Each vendor should arrange products to avoid customers from invading neighboring vendors' space. Vendors faced with any before mentioned actions, shall first bring the action to the attention of a market manager for resolution. Vendors not wishing to, nor adhering to, following these procedures may be removed from the market for an unspecified term. The grievance procedure is under a separate section of these market regulations, *Complaints and Disagreements*.
- B. Children of a vendor shall be the responsibility of the vendor, appropriately watched and supervised.

XII. Schedule

- A. The Haysville Hometown Market will begin on the first Saturday in June. The official end day will be the last Saturday in August.
- B. The Haysville Hometown Market will be open at 8:00 AM and will close at 12:00 PM. **All vendors MUST arrive 30 minutes BEFORE the Market opens (i.e., by 7:30 AM)** and have set up completed and be ready to sell at 8:00 AM. Vendors **MUST** remain set up until 12:00 PM unless they sell out.

XIII. Complaints and Disagreements

- A. Any complaint, grievance, or disagreement arising from a consumer and/or vendor, shall be immediately related to a market manager and in such detail deemed necessary by the manager. If the situation cannot be rectified on the spot, the matter shall be referred to the Haysville Historic Committee for resolution.

XIV. Enforcement of Rules

- A. The vendor will be issued a written notice of specific rule(s) violation(s).
- B. A 2nd written notice will result in a suspension of 30 days from the market.
- C. A final notice will revoke vendor privileges for the remaining market year; any fees paid will be forfeited.
- D. The Haysville Hometown Market reserves the right to cancel any contract due to failure to comply with the given rules outlined in the handbook.

All vendors and vendor merchandise is subject to review and approval by the Hometown Market and market managers. Hometown Market reserves the right to refuse any vendor application or merchandise.

The market managers have all authority to enforce all rules and any occupants failing to comply shall have their spaces declared vacant at the discretion of the Haysville Historic Committee.

(Form Modified 02/01/23)