



**The Food Trust  
Farmers Markets Program  
2020 Vendor Handbook**

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## I. Introduction

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### **About The Food Trust**

Founded in 1992, The Food Trust is a nationally recognized nonprofit dedicated to ensuring that everyone has access to affordable, nutritious food and information to make healthy decisions. Headquartered in Philadelphia, The Food Trust works with neighborhoods, schools, grocers, farmers and policymakers in the city and across the country to develop a comprehensive approach to improved food access that combines nutrition education and greater availability of affordable, healthy food.

### **The Food Trust Farmers Market Overview**

The Food Trust's Farmers Market Program operates a network of farmers market locations in the Greater Philadelphia region, including Clark Park Farmers Market, Philly's oldest year-round market, and Headhouse Farmers Market, one of the city's largest outdoor market. Many of The Food Trust's farmers markets are located in neighborhoods that otherwise lack access to healthy foods; these markets accept Supplemental Nutrition Assistance Program (SNAP) benefits and Food Bucks to make fruits and vegetables more affordable to everyone.

### **The Food Trust Farmers Market Team and their Roles**

The Farmers Market team includes Farmers Market Managers and three office-based Farmers Market staff. Market Managers are onsite at the Farmers Market each week and are responsible for assigning vendor space, opening and closing the market, operating a wireless point-of-sale (POS) machine that accepts the SNAP, ensuring vendors have posted signs and prices and are following the market rules, talking with customers, and reporting customer and farmer suggestions and questions to The Food Trust. The Market Manager also promotes the market, organizes special events, schedules market volunteers, arranges educational activities and handles problems on site.

### **Contact Information**

The Food Trust  
1617 John F. Kennedy Blvd., Suite 900  
Philadelphia, PA 19103

Email: [farmersmarket@thefoodtrust.org](mailto:farmersmarket@thefoodtrust.org)  
Phone: 215-575-0444  
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### **About the Vendor Handbook**

The policies, rules, guidelines and procedures outlined in The Food Trust Farmers Markets Program 2020 Handbook ("Vendor Handbook"), as may be modified or modified from time to time in writing by The Food Trust ("Rules") ensure the success, safety and efficiency of the Farmers Markets. All vendors agree to comply with the Rules when submitting an application to sell. Vendors are also responsible for complying with local, state and federal laws, ordinances and regulations ("Legal Requirements").

**Failure to comply with the Rules or Legal Requirements could result in penalties as outlined in this Handbook.**

**New Vendor Orientation**

There will be a mandatory orientation conference call for new vendors and their staff in early spring.

## II. Vendor and Product Guidelines

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### General Guidelines

- All vendors must be an active owner/operator of the business named on the application. All businesses must be located and doing business in Pennsylvania (PA), New Jersey (NJ), New York (NY), Maryland (MD) or Delaware (DE).
- Requests for adding, discontinuing or making any other changes to your list of products or ingredients after vendors have been issued their Farmers Market placement must be submitted to The Food Trust's office in writing and will be reviewed for approval.
- Buying in/reselling is not permitted unless The Food Trust determines the resold items will fill a gap in the market. The Food Trust will grant individual vendors permission to resell items. Resold items must be clearly labeled with the farm, town or county of origin, relevant production methods and should be clearly distinct from the goods sold from the vendor's farm. If the vendor does not receive approval to sell a product that was not produced by the vendor, the produce must be removed from the vendor's sales area.
- The Food Trust reserves the right to prohibit the sale of any product or deny anyone the privilege of selling at any of The Food Trust's Farmers Markets at any time.
- The Food Trust reserves the right to visit any farm or establishment used by vendors with advance notice to inspect the production of products sold at the markets. Farmers Market placement may be revoked if a visit reveals discrepancies between the vendor's farm or business practices and The Food Trust's Rules or Legal Requirements.

### Product Eligibility

Products sold at The Food Trust's Farmers Markets are limited to five categories, listed below as Sections A through E. Vendors may only sell products listed on their application and approved by The Food Trust. Returning vendors must include a detailed list of products each year, clearly noting if they are intending to add or remove products they sold the previous year. All products must be grown or produced in PA, NJ, NY, MD or DE.

#### A. Farm Fresh Products

- a. **Definition:** Fresh fruits and vegetables, herbs, nuts, honey, dairy products, poultry, mushrooms, meats, fish and shellfish sold directly by the farmer/producer. Also including in this category are fresh cut flowers, nursery stock and plant starts.
- b. **Requirements:** The Food Trust prioritizes fresh farm products grown, produced or foraged in PA, NJ, NY, MD or DE, and grown, produced or foraged by the vendor who is selling them, on land actively managed by the vendor. Upon approval, The Food Trust does allow exceptions to round out market offerings or to provide culturally appropriate produce. Exceptions to this requirement may

be considered by The Food Trust in accordance with the General Guidelines, above.

#### **B. Value-Added/Prepared Farm Foods**

- a. Definition:** Foods processed/prepared and sold by the producer (farmer/fisher/rancher/forager) of the main raw ingredients. Examples include: preserves, jams, jellies, cider, wine, beer, distilled spirits, syrups, salsas, smoked or canned meats or fish, dried fruit, flours, and salad dressings. Also includes farm foods such as roasted peppers that are processed on market day or other foods prepared for immediate consumption or take-home. Wines, cider, beer and spirits in this category must be estate grown.
- b. Requirements:** All value-added or processed farm foods must be made from raw products and ingredients, the majority of which are grown/produced by the farmer/producer who is making and selling the product.

#### **C. Dried Flowers, Crafted Farm Products**

- a. Definition:** Non-edible bouquets, wreaths, roping, arrangements and displays of fresh and dried flowers, vegetables, vines and gourds created by the grower/producer of the raw materials. Other non-edible crafted products will be considered on a case-by-case basis.
- b. Requirements:** The Food Trust prioritizes items grown or foraged locally and produced by the vendor.

#### **D. Processed Foods**

- a. Definition:** Foods created by vendors who are not farming or producing the raw ingredients themselves (*i.e.* processors). Examples include preserved foods, wines, beers, spirits, baked goods, confections, pasta and related take-home foods. These foods are not prepared on-site at the markets.
- b. Requirements:** Processed foods must be produced/created/cooked by the vendor from raw ingredients. The Food Trust gives priority to processed/prepared food vendors who purchase at least 20% of their raw ingredients from PA, NY, NJ, MD or DE farms. All locally sourced ingredients should be clearly listed in the vendor's application to sell and must be communicated truthfully to The Food Trust and to the public thereafter.

#### **E. Prepared Foods**

- a. Definition:** Foods freshly made and available for immediate consumption onsite at the markets by vendors who are not farming or producing the raw ingredients themselves (*i.e.* prepared food vendors). Examples include sandwiches, tamales, crepes.
- b. Requirements:** The Food Trust gives priority to processed/prepared food vendors who purchase at least 20% of their raw ingredients from PA, NJ, NY, MD or DE farms. All locally sourced ingredients should be clearly listed in the

vendor's application to sell and must be communicated truthfully to The Food Trust and to the public thereafter.

**F. Additional Products**

- a. **Craft Products:** The Food Trust reserves limited placements for vendors of craft products at Farmers Markets. Priority will be given to small businesses and start-up businesses that are based in the Farmers Market community. Please contact The Food Trust to request a separate craft product application.
- b. **Promotional Merchandise:** Vendors may sell their own shopping or grocery bags, T-Shirts or other promotional merchandise without prior approval from The Food Trust.
- c. **Products with Health Claims:** In order to protect the health of our communities, The Food Trust does not allow the sale of medicinal products that make health claims, including CBD products.

### III. Determining Farmers Market Vendor Participation

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The Food Trust issues Farmers Market placements based on the unique demands of each market's customer base, with the goal of providing a well-balanced mix of high-quality products. Given the many (sometimes conflicting) factors that must be considered in determining vendor mix, it is not possible to accommodate every request for selling space at a particular market, specific stall locations within the markets, nor protection from competition.

#### Criteria for Market Placement

- Priority for space in the markets is given to vendors with Farm Fresh Products, Value-Added Foods, and Processors;
- Commitment to local sourcing;
- Commitment to providing vendors who best represent the community served.
- Product type, quality and customer demand;
- Vendor history of following the Rules;
- Reported sales history;
- Whether or not the vendor is primarily a direct-market business;
- Commitment to The Food Trust Farmers Markets and consistent attendance;
- A record of no outstanding balances payable to The Food Trust;
- The Food Trust strives to include a healthy mix of experienced vendors while also providing opportunities for new vendors. Processed and prepared food vendors whose businesses have grown to include multiple sales outlets and bricks and mortar operations are given lower priority than start-up businesses

#### Transfer of Space

The Food Trust does not guarantee or contract for market space to any farmer or business outside of the current year. Vendors may not sublet stall space. If a vendor sells its business, the vendor cannot transfer your market spaces to the new owner without the pre-approval of The Food Trust.

#### Additional Markets/Dates

Vendors who wish to add markets or dates after their placement has been issued must send a written request to The Food Trust office. Food Trust staff will review and respond in writing.

#### Cancelling or Changing Market Participation

The Food Trust carefully reviews all applications and strives to maximize every inch of selling space. The Food Trust receives many applications and is unable to place all vendors who apply. Vendors who make last-minute cancellations negatively impact the market and their fellow vendors, who could have taken that space.

If a vendor must cancel, the vendor must give notice of a minimum of 7 days for a market with more than two vendors or 14 days for a market with two or less vendors.

**Consistent Attendance**

Consistent attendance is essential to the success of the markets. Vendors who fail to keep their commitments to their placement dates jeopardize the success of the market; tardiness or absence of the vendor could result in fees, fines and penalties.

## IV. Market Registration and Fees

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### Application Fee

There will be no application fee in 2020. Starting in 2021, all vendors will pay a yearly, non-refundable application fee at the time of the application.

### Payment of Fees by Vendor

The Food Trust **does not** subtract EBT and/or Food Bucks transactions totals owed to vendors from market fees. Total market fees for each date must be paid by vendor within 60 days of receipt of invoice. Payments must be made by ACH transfer or Paypal. Discrepancies should be addressed to [farmersmarket@thefoodtrust.org](mailto:farmersmarket@thefoodtrust.org) or calling 215-575-0444.

The Total Market Fee will be incurred for each scheduled market during the 2020 season (May 1, 2020 – April 30 2021). The Total Market Fee to be paid by each vendor will be *either*: 1) a daily market fee, or 2) a percentage of their gross sales fee, *whichever is greater*.

- **Daily Market Fee**

Applicable to the following Vendors:

- New Farmers Market Vendors
- Vendors for whom 3% of their 2019 average weekly sales were less than the Daily Market Fees listed below (determined by market location).

Market	Daily Market Fee
Headhouse	\$50 per market day
Clark Park, Fidler Square, Fairmount	\$45 per market day
All other markets	\$35 per market day

- **Percentage of Gross Sales Fee**

Applicable to the following Vendors:

- Returning vendors with 3% of reported 2019 average weekly sales greater than Daily Market Fees listed above.
- Returning vendors with incomplete reports of 2019 sales

Vendor	Gross Sales Fee
Returning Vendor with complete 2019 reported sales	[2019 Weekly average sales] x [0.03] *Not to exceed \$70 per market day
Returning Vendor with incomplete 2019 reported sales	\$70 per market day *until 2019 sales are completely reported

- **Total Daily Market Fee exceptions:** Vendors experiencing financial hardship may apply for an exception to the Daily Market Fee structure presented above. On a case-by-case basis, The Food Trust may grant exceptions or reductions to the minimum Total Daily Market Fees.

**Payment of Fees by The Food Trust**

The Food Trust will issue EBT or Food Bucks reimbursement within 60 days following the end of the month in which the fees were incurred via Paypal or ACH transfer.

**Vendor Sales Report**

Vendors must report daily gross sales to The Food Trust. Gross sales include all cash, credit, debit and cash equivalent sales PLUS the value of any: (a) on-site CSA pick-ups, pre-orders, special orders; (b) bulk/wholesale orders, invoiced orders; and (c) all revenue from Food Bucks, WIC & Senior FMNP checks, gift certificates and other coupons. Vendors who fail to report accurate sales may be audited and may be subject to fees, fines or penalties

## V. Licenses, Permits, Insurance and Other Requirements.

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All vendors are required to submit current copies of any permits and licenses applicable to the sale of your products with The Food Trust Farmers Market Program Food Vendor Application 2020 (“Application”). Proof of insurance must also be submitted at the time of the application. Copies of these documents must also be carried with the vendor or the vendor’s staff to each market where the vendor sells. Meat and poultry vendors must provide names of processing facilities used and may be asked to provide documentation of transactions for processing services.

### **Legal Requirements**

Vendors are obligated to follow all legal requirements (“Legal Requirements”) required for participating in The Food Trust 2020 Farmers Market Program. The information contained in this Vendor Handbook relating to any local, state and federal laws, ordinances, requirements and regulations is informational only. If the vendor has any questions as to its Legal Requirements, The Food Trust recommends consulting with legal counsel.

### **Insurance**

All vendors must obtain and maintain a General Liability and Product Liability insurance policies. All alcohol vendors are also required to have liquor liability insurance. Vendor’s insurance policies must provide a minimum of \$2 million coverage and must add The Food Trust as an Additional Insured.

### **Indemnification**

Each vendor agrees to indemnify, defend and hold harmless The Food Trust against any and all claims, losses, damage, injury, costs, charges, liability or exposure arising from the vendor’s participation in The Food Trust 2020 Farmers Market Program.

### **Activity License**

Except nonprofit organizations, every vendor must have a valid Commercial Activity License (formerly Business Privilege License) with the City of Philadelphia. For information and an application, visit the Philadelphia Department of Licenses and inspections on-line website<sup>1</sup>, visit the Municipal Services Building Lower level (1401 John F Kennedy Blvd). For information, the City of Philadelphia has an information service that can be reached by calling 311.

### **Taxes**

Retail sales taxes and Business and Occupation taxes are the responsibility of the vendor.

- Vendors attending markets in the City of Philadelphia are required to pay a Business Income and Receipts Tax (BIRT). All vendors are responsible for accurately reporting and filing sales and tax information with the City of Philadelphia. For more information, The Food Trust recommends consulting a tax professional or contacting the City of

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<sup>1</sup> <https://www.phila.gov/departments/departments-of-licenses-and-inspections/>

Philadelphia's Department of Revenue by phone ((215) 686-6660), email ([revenue@phila.gov](mailto:revenue@phila.gov)), or [online](#)<sup>2</sup>.

- Certain types of products are subject to PA Sales Tax. Vendors are responsible for compliance with these requirements. Guidance available [here](#)<sup>3</sup>.

### **City of Philadelphia Food Safety Requirements**

Representatives from the City Department of Public Health may conduct periodic health code inspections at all farmers markets in the city. Market staff is required to check for compliance. Details [online](#)<sup>4</sup>.

- **Food Safety Certificate:** Required for vendors preparing food onsite for sale at market.
- **Food Storage:** Containers must be cleaned and food must be stored a minimum of 6" off the ground, with exception of ice chests. Regulations available [online](#)<sup>5</sup>.
- **Sampling:** Philadelphia Department of Public Health guidelines must be followed at vendor booths for food demonstration and sampling: [City of Philadelphia Regulations for Governing Food Establishments](#)<sup>6</sup> and [Market Operator guide](#)<sup>7</sup>.
  - Sampling at market is a privilege, not a right. Vendors who demonstrate compliance with all sampling and handwashing guidelines may receive permission to provide samples. Sampling must take place within the boundaries of the vendor's assigned space.
  - Precut Products: Processed and potentially hazardous foods such as whole shell eggs, dairy, meat and cheese must be pre-cut at a licensed facility. Tomatoes and melons may not be sampled at any time.
  - Canned Products: Products may be opened one jar at a time with disposable utensil for customer use.
  - Refrigeration: Temperature control must be provided for all products requiring refrigeration.
  - Alcohol: Vendors shall prevent the consumption or possession of alcoholic beverages by, any minor or visibly intoxicated person. Vendors shall without exception require and inspect lawful indemnification of each prospective customer before permitting a sample of the alcoholic beverage.

### **State License for Vendors**

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<sup>2</sup> <https://ework.phila.gov/revenue/>

<sup>3</sup> [www.agriculture.pa.gov/consumer\\_protection/FoodSafety/Retail%20Food/Documents/Farmers%20Market%20Guide%20to%20Licensing%20and%20Sales%20Tax.pdf](http://www.agriculture.pa.gov/consumer_protection/FoodSafety/Retail%20Food/Documents/Farmers%20Market%20Guide%20to%20Licensing%20and%20Sales%20Tax.pdf)

<sup>4</sup> <https://www.phila.gov/documents/farmers-market-forms-and-guides/>

<sup>5</sup> <https://www.phila.gov/departments/board-of-health/food-safety-and-nutrition-regulations/>

<sup>6</sup> <https://www.phila.gov/departments/board-of-health/food-safety-and-nutrition-regulations/>

<sup>7</sup> <https://www.phila.gov/services/permits-violations-licenses/get-a-license/business-licenses-permits-and-approvals/food-businesses/operate-a-farmers-market/>

Market participants must comply with the regulations within their respective state including regulations pertaining to the harvesting, food preparation and safety, and labeling of products for products brought to and sold at The Food Trust's Farmers Market. All farmers and businesses must include a copy of all applicable reports, permits and licenses required by the health department of the state or county from which the products originated with the application. All permits and licenses must be kept current for the entire market season.

- Some farmers may be required to provide copies of current state licenses allowing them to produce and sell particular products. Required licenses and laws include, but are not limited to: PA Egg Refrigeration Law, Permit to sell Milk or Milk products, Milk Processing Plant License, Pesticide Applicator License, Honey Bee Hive Registration and Organic Certification.

### **Fish and Shellfish**

- Vendors who sell fish or shellfish must have all proper licenses as required by [Philadelphia Department of Public Health](#)<sup>8</sup> and [PA Department of Agriculture's Registration and Shellfish Certification](#)<sup>9</sup>.
- Aquaponics operations must be licensed by the local Animal Health Bureau and [PA Department of Agriculture](#)<sup>10</sup>.

### **Processed Foods**

All processed food must be made in an inspected, licensed commercial kitchen. Vendors who sell processed foods are responsible for understanding and meeting all PA and City of Philadelphia Department of Public Health requirements for processing and selling food.

### **Alcohol Sales**

The [PA Liquor Control Board](#)<sup>11</sup> (PLCB) must license all businesses selling or sampling alcoholic beverages. All vendors must also acquire a Farmers Market Permit from the PLCB. Sampling at farmers markets is limited by the PLCB. All alcohol vendors must check photo identification prior to sampling.

All vendors selling alcoholic beverages and/or providing samples of alcoholic beverages shall comply with all federal, state, and local laws regulating the sale and consumption of alcoholic beverages, including the Pennsylvania Liquor Code, the regulations of the Pennsylvania Liquor Control Board, and all laws relating to health, safety, food handling, and the environment. All such vendors shall prevent the sale of alcoholic beverages to, or consumption or possession of alcoholic beverages by, any minor or visibly intoxicated person. All such vendors shall without exception require and inspect lawful indemnification of each prospective customer before permitting the purchase of alcoholic beverages and/or a sample of the alcoholic beverage. In

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<sup>8</sup> [https://www.phila.gov/media/20190301123356/Food\\_Regulations.pdf](https://www.phila.gov/media/20190301123356/Food_Regulations.pdf)

<sup>9</sup> [https://www.agriculture.pa.gov/consumer\\_protection/FoodSafety/manufacturing-packing-holding-distribution/Pages/Seafood%20HACCP%20and%20Shellfish%20Certification.aspx](https://www.agriculture.pa.gov/consumer_protection/FoodSafety/manufacturing-packing-holding-distribution/Pages/Seafood%20HACCP%20and%20Shellfish%20Certification.aspx)

<sup>10</sup> <https://www.agriculture.pa.gov/Animals/AHDServices/licenses-certificates/Aquaculture%20Licensing/Pages/default.aspx>

<sup>11</sup> <https://www.lcb.pa.gov/Pages/default.aspx>

addition, all such vendors will provide adequate staffing for their tent and the staff will be trained and/or certified with respect to responsible alcohol practices (for example, Responsible Alcohol Management Program (“RAMP”)-certified or Training For Intervention Procedures (“TIPS”)-trained). Any vendor who believes that a customer or prospective customer either is a minor attempting to purchase and/or sample alcoholic beverages or is a customer or prospective customer who is visibly intoxicated must immediately report such customer or prospective customer to The Food Trust’s market manager.

## VI. Farmers Market Rules

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### Penalties

At the complete discretion of The Food Trust, any infraction or violation of the Rules or Legal Requirements may be subject to penalties imposed on the vendor.

- A first violation will result in a verbal warning;
- A second violation will result in a written warning and an associated fine;
- A third violation may result in additional fines or the suspension or termination of the vendor's placement at The Food Trust Farmers Market.

An infraction deemed to be sufficiently serious by The Food Trust may result immediate termination, without prior notice, warnings or fees and fines.

Examples of the fees and fines that may be imposed are set forth in Appendix II.

### Farmers Market Staff

Farmers Markets should be staffed by the principal owner of the farm or business. The principal owner may send family members, partners or employees to the market in their place, but are responsible for having their on-site representatives aware of, and comply with, all of The Food Trust Rules and Legal Requirements. All representatives of the vendor's business must have reasonable knowledge of the vendor's farm or business operation and must be able to answer questions from the public and market staff.

### Canopy Weights

The Food Trust requires all vendors to secure tents with weights or ropes to prevent accidents. Vendors without proper weights or ropes will not be allowed to set up a tent. Tent weights must weigh 25 pounds each and be tightly secured to each tent leg or where two legs meet. Vendors who choose to use ropes or straps to secure their tents must be confident in the security and safety of their system. The Food Trust reserves the right to not allow vendors to set up tents or to ask vendors to take down tents when there are very high winds. No buckets, glass receptacles or other hazardous or unstable items can be used as weights. Any damage incurred or caused by a vendor due to inadequately secured tents will be at the expense of that vendor. Each vendor is encouraged to speak with its insurance agent to find out if his or her liability coverage is adequate to cover the liability of an accident involving a tent at market.

### Punctuality and Attendance

- Market hours:
  - Market sites are not permitted or insured by The Food Trust outside of contracted hours;
  - Vendors are not allowed to set-up before the set-up time at each market;

- Vendors must be set up and ready to sell by the opening time. Vendors who arrive less than 30 minutes prior to market start time will receive a warning, and subsequent violations will incur a penalty.
- Attendance:
  - You must call the Market Manager’s cell phone to communicate last-minute emergency cancellations for market days.
  - Any vendor who fails to attend three of their scheduled market dates during the season without advance notice will lose their Farmers Market placement.

**Inclement Weather**

All Food Trust Farmers Markets are open rain or shine. However, certain weather conditions (high winds, heavy snow, excessive heat, etc.) may necessitate the official closure of a market (with or without prior notice). If it is determined that severe weather conditions could compromise the safety of vendors and shoppers, this closure will be at The Food Trust’s discretion. Vendors may also cancel participation at a Farmers Market due to inclement weather and they will not incur a fee if cancellation is provided two hours before weekday markets or before 5 p.m. the day before weekend markets.

**Signage**

All vendors are required to post a sign identifying the name of the farm/business represented and where it is located, as is required by law in Philadelphia. All products sourced from other farms and food businesses must be identified and labeled. Vendors should display signs before sales begin. Signs must not obstruct foot traffic.

Price signs are required. Vendors can have individual signs or a full price list sign.

**Product Labeling**

The City of Philadelphia’s Department of Public Health requires all goods for sale must be clearly labeled on the product or a placard at the market stall with the following information:

- Vendor name,
- Name of city and state where the item was produced;
- Product name,
- Ingredient statement in descending order of predominance,
- Net weight of product,
- Price,
- Inspection seal (for USDA Products).

For more information, visit the [PA Department of Agriculture Farmers Market and Farm Stand General<sup>12</sup>](#).

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<sup>12</sup>[www.agriculture.pa.gov/consumer\\_protection/FoodSafety/Retail%20Food/Documents/Farmers%20Market%20General%20Guidelines.pdf](http://www.agriculture.pa.gov/consumer_protection/FoodSafety/Retail%20Food/Documents/Farmers%20Market%20General%20Guidelines.pdf)

No false or misleading statements, health claims or designation of quality, grade, trademarks or trade names. Organically certified vendors must display their organic grower's certification. If vendor's farm is not certified organic, vendor may not use the word "organic" to describe vendor's business or products.

### **Vendor Stall Space**

Vendors must supply their own tables, scales, bags, shade structures and other items needed to display products and serve customers. Vendor tables, signage, sampling and vehicles must not extend beyond the boundaries of the stall space. The intention is to create a visually enticing, legal, safe market for customers, and enable all vendors to maximize their selling space.

### **Vendor Vehicles – Loading, Unloading and Parking**

Some markets can accommodate on-site vehicles. Vehicles that cannot be in the vendor's selling space must be offsite no later than 30 minutes before the market opens and be parked at the parking site designated for vendors. Unreliable vehicles are a safety hazard and cannot be allowed on market sites.

Where applicable, no moving vehicles are allowed in the market sites until after closing time. Vendors will load up and vacate the site no later than one hour after the market is closed. Any exceptions must be cleared with the Market Manager.

### **Staff Space Safety and Clean-Up**

Vendors are required to maintain their individual selling space in a clean, safe and sanitary manner. Market staff has complete authority to close a booth if these standards are not met.

- Canopies and attached awnings should be clean, in good repair and set up in a safe height from customers' heads. Patio umbrellas are not permitted.
- Tent poles, canopy legs and boxes must not obstruct foot traffic flow or spill outside of the booth footprint. Care must be taken when setting up or taking down displays.
- Vendors are responsible for complete clean-up of their space at the close of the market. This includes collecting all trash or garbage from their stall and sweeping up any product debris left on the ground. Vendors may not dispose of food waste or boxes in on-site garbage cans or dumpsters.
- Vendors should bring their own tarps, brooms, dustpans and waste bags.
- The Food Trust recommends cashboxes be secured to your selling table. Consider regularly transferring large bills to a locked vehicle during market.
- The Food Trust is not responsible for loss or damage of property.

### **Packaging**

All vendors must comply with the City of Philadelphia plastic bag ban effective July 2, 2020 ([Chapter 9 of The Philadelphia Code](#)<sup>13</sup>). Vendors are encouraged to supply customers with shopping bags with handles.

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<sup>13</sup> <https://phila.legistar.com/LegislationDetail.aspx?ID=3991978&GUID=557D6EA0-A360-46A4-8E44-B0BEDA304B46&Options=ID%7CText%7C&Search=190610-A>

## **Quality of Products**

- Vendors are expected to bring the highest quality of produce and products to market.
- Vendors are responsible for the safety of their food and cannot sell adulterated food. Foods that require special considerations (such as elderberries, mushrooms that must be cooked, parts of plant that are toxic) must have appropriate signage and/or the seller must verbally inform all customers of these considerations. This also includes information about ripeness (for e.g., if fruit is very ripe and must be consumed immediately, or fruit that needs several shelf days to fully ripen).
- Low quality, inappropriately under/overripe, or otherwise inferior products are noticed by consumers and the media, and undermine The Food Trust's efforts to bring shoppers to the farmers markets.

## **Scales**

Vendors selling produce by weight must provide their own scales and by law must be certified by the City of Philadelphia [Department of Licenses and Inspections<sup>14</sup>](#) or call (215) 686-8686 as required by Chapter 9-1403 and 9-1802 of the Philadelphia Code.

## **Children**

Vendors must supervise any children that accompany them to the Farmers Market at all times. Set-up and take-down can be especially dangerous. The Food Trust takes no responsibility for children's safety or whereabouts, nor for any damage they cause.

## **Vendor Issues**

All vendors should direct any concerns or issues about vendor's participation in The Food Trust Market Program first to the Market Manager (not Volunteers).

- Vendor concerns must be communicated respectfully.
- Due to the busy nature of market day, not all concerns may be able to be addressed that same day. If a vendor deems their concern to be significant, they should follow up with a phone call or email to the Market Manager during the week. Market Managers may work with The Food Trust staff when sorting out these concerns.
- Vendors may contact The Food Trust office if they feel their concern was not addressed appropriately or bears immediate notice by administrators.

## **Courtesy and Conduct by the Vendor**

Vendors and vendor's employees are the public face of the market and your business. Every interaction or conversation a vendor has with the public affects the reputation of all fellow vendors and all farmers markets – either enhancing or undermining. Positive attitudes are essential to attracting customers and creating thriving businesses and thriving markets. The markets are community events where many diverse people are gathered to shop and sell. Vendors and their representatives are expected to conduct themselves in a respectful, safe, courteous and harmonious manner with customers, The Food Trust market staff and with each other.

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<sup>14</sup> <https://business.phila.gov/scales-license/>

### **Anti-Harassment and Non-Retaliation**

Inappropriate vendor conduct or any harassment (including, but not limited to discriminatory harassment or sexual harassment) create an environment that is inconsistent with The Food Trust's commitment to appropriate conduct and its anti-harassment and non-discrimination policies ("Policies"). Any infraction is cause for penalties, up to and including immediate termination at the market.

Vendors are encouraged to adopt and enforce anti-harassment and non-retaliation policies and train their staff accordingly. A sample form of policy will be provided by The Food Trust at the mandatory vendor training.

The Food Trust staff is required to report incidents of suspected harassment. The Food Trust will promptly investigate all reports.

### **Customer Complaints**

Customer complaints regarding individual vendors will be discussed with the vendor, and vendors may be required to respond. If The Food Trust receives numerous complaints about a vendor, The Food Trust has the right to revoke that vendor's Farmers Market placement.

### **Refunds**

Customers who have a legitimate complaint about the product they purchase should be given a full monetary refund or replacement of equal value. If a customer wishes to exchange only a partial bag of produce, only partial credit is due. Complaints that seem unfounded or excessive may need to be mediated by Market Managers.

### **Substance Abuse**

No one under the influence of alcohol or any controlled or illegal substance may be on the market premises. Any violation may result in the termination of the Vendor's Farmers Market placement.

### **Hawking**

Calling attention to your products in a loud, repetitive, public manner is prohibited.

### **Marketing**

Vendors may not occupy booth space at the markets for the primary purpose of marketing products sold at other venues (e.g. grocery stores). No signage pointing shoppers to other sales venues is allowed.

### **Vendor Dress**

Vendors are requested to wear appropriate attire and appear neat and tidy at the Markets. Vendors must wear shirts and shoes at all times.

### **Vendor Music**

Vendors may play music or radios in their stall space during set-up and take-down, but should be aware of volume and other vendors' ability to transact business without any audio interference. Market Managers may ask you to turn it down or off, either because of complaints, or for other considerations of appropriateness, courtesy and good functioning of the Market.

**Smoking**

Smoking is not allowed anywhere on the market sites at any time.

## Appendix I – Market Currencies

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### Cash Sales

Vendors are responsible for all cash sales and for making change.

### SNAP/EBT

Customers are allowed to purchase all food except ready-to-eat meals/foods, flowers and alcohol with SNAP benefits.

- All vendors are required to accept EBT (also referred to as Food Stamps or ACCESS).
- The Food Trust maintains wireless POS terminals at markets that accept SNAP/ACCESS cards and reimburses vendors on a monthly basis for transactions. Vendors are responsible for signing off on their EBT sales total at the end of each market. The Food Trust's Market Manager processes all EBT transactions at market.



### Food Bucks

All produce vendors must accept Food Bucks. Food Bucks can be redeemed only on fresh fruits or vegetables. Change cannot be given for Food Bucks.

- Expired Food Bucks cannot be redeemed nor will they be reimbursed.
- Vendors are responsible for writing their vendor number on Food Bucks redeemed at their stand, keeping track of their Food Bucks sales total, and signing off on their sales total at the end of each market.
- Food Bucks may only be redeemed at The Food Trust markets and official redemption sites, unless prior authorization has been given. The Food Trust oversees the Food Bucks program and reimburses vendors on a monthly basis for redeemed Food Bucks.



### Food Bucks RX

Food Bucks RX are prescriptions written by medical partners in Philadelphia. Recipients must first redeem the prescription for Food Bucks at the Market Manager table and then may use the Food Bucks as described above.

### FMNP (Farmers Market Nutrition Program) WIC and Senior Checks

The Food Trust requires farmers to obtain authorization to accept PA FMNP vouchers. Once approved to take FMNP vouchers, the checks can be deposited directly into your bank account.

- In PA, contact the PA Department of Agriculture for an application - Sandy Hopple ([shopple@pa.gov](mailto:shopple@pa.gov) or 1-800- 468-2433) or [online](#)<sup>15</sup>.

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<sup>15</sup>[www.agriculture.pa.gov/Food/food\\_assistance/Farmers%20Senior%20Farmers%20Market%20Nutrition%20Program/Pages/default.aspx](http://www.agriculture.pa.gov/Food/food_assistance/Farmers%20Senior%20Farmers%20Market%20Nutrition%20Program/Pages/default.aspx)

## Appendix II – Examples of Possible Fees and Fines for Infractions

Infraction*	Fee or Fine
<p>Attendance violations</p> <ul style="list-style-type: none"> <li>• Tardiness</li> <li>• Cancellation after the cut-off time for one-off markets (due to illness or weather)               <ul style="list-style-type: none"> <li>○ Weekend market: 5pm the day before the market</li> <li>○ Weekday market: two hours before the market</li> </ul> </li> <li>• Cancellation after the cut-off time For the remainder of the season:               <ul style="list-style-type: none"> <li>○ Markets with &gt;2 vendors: less than 7 days prior</li> <li>○ Markets with 2 or less: less than 14 days prior</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• \$10 per violation</li> <li>• Total Daily Market Fee</li>   <li>• Daily Market Fee for the markets in the 7 or 14 day notification period</li> </ul>
<p>Stall space and display violations</p> <ul style="list-style-type: none"> <li>• Leaving behind excess waste</li> <li>• Organic grower’s certificate is not displayed</li> <li>• Parking/Leaving your vehicle in a loading area during market</li> </ul>	<p>\$20 per violation</p>
<p>Safety violations</p> <ul style="list-style-type: none"> <li>• Health Department violations</li> <li>• Refusal to take down tent</li> <li>• Refusal to stop sampling</li> </ul>	<p>\$25 per violation</p>
<p>General guidelines and reporting violations</p> <ul style="list-style-type: none"> <li>• Falsifying product information (Any of the following: sourcing from growers that are not local, usage of the word “organic” to describe produce that is not certified organic )</li> <li>• Failure to get written approval from TFT office staff when adding new products</li> <li>• Refusal to accept ALL market currency (EBT, FMNP, Food Bucks, Cash)</li> <li>• Failure to submit Monthly Sales Reports on time</li> </ul>	<p>\$40 per violation</p>

\*This is not an exhaustive list of violations or possible penalties. The Food Trust reserves the right in its sole discretion to impose additional penalties which are reasonable if there are infractions or violations of appropriate vendor conduct.