

The 9th West Farmers Market Vendor Handbook – 2023

General Market Information

Dates and Times: Mid June to Mid October Sundays, 10:00 am to 3:00 pm
Jordan Park outside the International Peace Gardens 1060 South 900 West Market Product

Categories

Growers

- Gardeners (defined as produce grown on one acre or less of land space)
 - Farmers (defined as produce grown on more than one acre of land space)
 - Both categories sell whole, raw vegetable, fruit, and nut produce. •
- The grower, a relative of grower, or an employee of grower must be the seller. Resale of produce is not allowed.

Processed Food Vendors

- Edible products that are prepared in a location not at the market site • Examples of processed foods are: breads, preserves, cheese, frozen tamales, etc.
- The producer, a relative of the producer, or an employee of producer must be the seller. Resale of products is not allowed without prior approval.
 - Certain Specialty food items that are of unique or cultural value, such as olive oil or yerba matte, will be considered by the Selection Committee for entry to the market. Businesses registered with Buy Local First seeking to market specialty foods will be given priority.
 - All processed food vendors must have a current Food Handlers Permit.
 - Important! Please be aware that all processed foods must be prepared in accordance with Salt Lake Valley Health Dept. regulations.

Prepared Food Vendors

- Must have an SLCHD event permit and be in compliance to Salt Lake County Health Codes
- Edible products that are prepared at the 9th West Farmers Market site. • Examples of prepared foods are: hamburgers, salads, coffee, tacos, sandwiches, etc.
 - All prepared food vendors must comply with the Health Department and Department of Agriculture standards and hold current Food Handlers Permits. Contacts are listed on the last page of this handbook for obtaining Food Handlers Permits. You will also find the contact information for the Dept. of Agriculture and Salt Lake Valley Health Department so that you can insure that you will be in compliance with all requirements for prepared food vendors.

Artisans and Craft Vendors

- Arts and crafts products must be handmade by the vendor, a relative of the vendor who sells the products. Resale of arts and crafts is not allowed. Items which are purchased and then assembled into a finished product are allowed.
- By signing the vendor verification form (located in the vendor application packet), all vendors agree to the guidelines of selling only what they produce themselves.
- Examples of arts and crafts products are: handmade soaps and lotions, handmade bags and purses, handmade greeting cards and other original artwork for home decorating, handmade candles and potpourri, handmade jewelry, etc. Local Businesses (Buy Local First members) Local businesses, which are members of Buy Local First Utah, may apply as vendors either to sell their products at the Market, or to advertise their products and/or services
- The Buy Local First Utah campaign seeks to promote economic and business development and will support and enhance the ability of these businesses to succeed and prosper.
- Local businesses will be restricted to once a month unless prior approval has been made, in order to allow as many businesses as possible to participate, and to afford market customers exposure to a broad range of local businesses.

Non-Profits

- Local non-profits may apply for booth space to promote their mission and to raise awareness in the community about the services and programs they offer.
- Non-profits may set up donation jars, sell products to raise money for their organization, and put out sign-up sheets to allow interested members of the public to get more involved with the organization.
 - Each non-profit will be allowed free booth space as often as they wish, with the condition that they inform through calendar of events, websites, or newsletters that they will be with us.
 - All non-profits that participate in the Market are required to help further promote the Market by listing/linking the 9th West Farmers Market on their website. If a non-profit does not have a website, this does not apply.

Youth Entrepreneurs

- To qualify as a youth entrepreneur, vendors must be 17 years old or younger.
- All products sold must be created by the vendor. Resale of products is not allowed.

Yard Sale Day Vendors

On the last day of each month, we have a Yard Sale Day. Regular vendors of the market may bring yard sale items on that day each month without any extra charge. If yard sale vendor only, the fee is for your booth space, same dimensions as one of the regular vendors. No medications, partially used products, weapons, fireworks, explosives, or food items should be sold by the vendor, due to health and safety issues.

Market Entertainers and Performers

- Those wishing to do some type of performance at the market must complete the Entertainer/ Performer application, which is separate from the main Vendor Application.
- Performers who sell any performance merchandise, such as CD's, posters or tee shirts, are responsible for their own taxes.
- Performers are allowed to put out a "tip jar" during their performance. • Performers are encouraged to bring their own signage and any other information about their performance that they would like to share with the public audience.
- A small portable PA system is available with power

Market Participation

Market Attendance and Booth Assignment

- In order to be assigned a permanent space at the Market, vendors must commit to attend the entire market, Vendors who commit to at least 15 market dates to the entire season will receive a 50% discount on the vendor fee. For those committing to 10 to 14 market dates during one season, they will receive a 30% discount. The total amount must be paid in advance.
- A permanent space is beneficial to a vendor because it creates consistency for customers, who will know exactly where to go each week to find specific products. Customers are more likely to return each week to a booth that they know will be in the same place each time.
- However, we recognize that some produce is simply not available during certain times of the season, so vendors will not be able to attend if they do not have produce that is in season.
- If you are unable to commit to all market dates, simply select the dates you will be available to attend and we will assign you a booth accordingly. However, we will not be able to guarantee that you will be given the same space at each market.

Sellers at the Booth

Items sold at the 9th West Farmers Market are to be sold by the maker, grower or artist, a family member of said maker/grower/artist, or employee of said maker/grower/artist. We feel this is important for the customer to be able to connect with the vendor and their products. Family members or farm representatives are also allowed to sell their own products at your booth. (example, if you have a booth selling crocheted items, and your child makes jewelry and wants to sell with you, it is allowed. Please make sure you list their products on the application, even if they are only going to be there a few times.) If you have a Market day where you or a member of your family/farm cannot be present, please contact the Market Management to make other arrangements. Contact information for the 9th West Farmers Market can be found on the last page of this handbook. Signage

- We strongly encourage you to make your own signs to create as strong a presentation as possible. Not only do colorful and eye-catching signs add to the visual sense of the Market, but research at Farmers' Markets indicates that those vendors whose presentation is organized and whose signage is clear and easy to read sell more products. Also, advertise where you will be on any social media you are connected with: Facebook, Twitter, websites, calendars, and more. We will post monthly flyers on line, you are welcome to copy the flyers to your own sites and email.

Booth Aesthetics

- Customers are more likely to patronize booths that are organized, approachable and visually appealing. This means that the more unique style that you can add to your booth to set it apart from other booths, the more likely you are to profit.
- Some helpful tips on booth display and design are available from People's Market at any time, and are also a part of our orientation and trainings. Organic Growers

General Market Policies

1. The 9th West Farmers Market welcomes all regardless of race, creed, color, sex, gender, religion, sexual orientation, age, nationality or marital status.
2. The 9th West Farmers Market reserves the right to refuse participation to vendors who do not comply with Market rules and regulations or do not meet Market standards which include, but are not limited to, following all local, city, state, and federal laws and regulations.

3. Booth size is approximately a 10x10 space. Booth space should have 4 feet distance between each.
4. Vendors must notify the Market Management by phone or email at least 24 hours in advance if they will not be attending the Market.
5. Market staff has the authority to move and reassign vendor spots to enhance or facilitate Market operations.
6. Vendors are responsible for maintaining a clean and safe booth space during the Market and for cleaning their space before leaving. There are trash and recycle cans in the park and should be used. If you leave garbage behind, the market reserves the right to add a \$20 per week clean up fee to the vendor.
7. Price, terms of sale, etc. are between buyer and seller only.
8. Vendors are asked to list all items to be sold on the Application, for the jury committee to approve, even if vague, such as jewelry, crocheted items.
9. Any vendor who the Market staff feels is not complying with the Market rules may be asked to leave.
10. All sellers agree to abide by fair business practices. Selling should be done at your booth, not wandering about the market, in front of other vendor booths. Processed food vendors are allowed to go to each booth and give out samples of their product to our vendors.
11. Any required sales tax collection and remittances are the sole responsibility of the sellers.
12. The 9th West Farmers Market/People's Market is not liable for any injury, theft, or damage to either the buyer or seller, or their property, arising from or pertaining to preparation for or participation in the 9th West Farmers Market. Regardless of whether such injury, theft, or damage occurred prior, during, or after the 9th West Farmers Market, sellers further agree to indemnify and hold the 9th West Farmers Market/People's Market harmless for and against any claims for such injury, theft or damage.
13. Seller assumes full liability for the products they market or sell and hereby agrees to hold the 9th West Farmers Market/People's Market harmless against any claim of injury or damage by any buyer, seller, or other persons resulting from the use, consumption, disposition, display, or marketing of seller's products.
14. The Market opens at 10:00 am. Please do not sell any products before this time! We ask that all vendors be set up and ready to sell by 10:00am. Market personnel will be on sight by 8:00am each Sunday to begin set up.
15. See the Market staff if you do not have an assigned space. Please do not choose your own space.
16. Vendors may not drive or park their vehicles on the grass. No exceptions. Farmers with trucks may back their trucks against the curb and set up a table on the grass from which to sell their produce.
17. Market will go on rain, snow or shine. When weather is storming, we have the option of using the covered picnic area.
18. All tents/canopies must be secured to the ground with weights. Staking is not permitted. Any vendor not prepared with appropriate weights will be required to take down their canopy for safety.
19. All permits (temporary sales tax license, food handlers' permits, business license, etc.) are the sole responsibility of the vendor.
20. The 9th West Farmers Market believes your participation is critical to all of our events. We will try to accommodate your needs and requests to the best of our ability. The efforts you take in preparing for each one of our events is greatly appreciated. Please Note:
 - Food handlers permits are required for food vendors, and processed foods must be prepared in a certified commercial kitchen.
 - The 9th West Farmers Market accepts food stamps. All raw and processed food vendors will need to be prepared to accept food stamp tokens in addition to cash payment methods. The process is easy, free, and will be fully explained to these vendors prior to the beginning of the Market. We also have credit/debit card services for vendors who do not have their own. Even if you have your own credit card service, if a customer is using the wooden People's Market

tokens, the vendor is to accept the tokens. Tokens can be turned in to the Market booth for cash. Any vendor with over \$35 in tokens will be paid by check from the Market. Only processed food, food producing plants and seeds, meeting the criteria may be purchased with the food stamp tokens.

9th West Farmers Market Vendor Fees and Booth Location Payment needs to be made at the time of application. Any vendors who have not paid in advance will not be allowed to set up at the Market until payment is made.

Payment Options

- All fee payments must be submitted upon receipt of invoice and before the date of the Market the vendor will be attending.
 - If you wish to commit to all market days and receive a reserved booth space and the 50% discount, you must pay the total discounted fee before the first market. Same with the 10-14 week discount of 30%, fees must be paid in advanced of first date.
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Refund Policy

The 9th West Farmers Market expects a solid commitment from vendors in order to plan for and operate a highly successful Market, and we would prefer to not have to refund any fees. We ask that all vendors exercise consideration for the Market when they are making their commitments to market dates. No refunds will be given after the market begins.

Booth Location

You will need to check in at the 9th West Farmers Market Administration Booth prior to each market you attend in order to be assigned a booth space. Please do not select your own space! The Market Administration Booth will be located in an area that is easy to recognize when you enter the Market. Priority is given to those who are committed to being full or partial regular vendors, produce vendors, prepared food vendors, and those requiring electricity,

Rates

Arts/Crafts, Food Vendors: \$20 per Sunday
Home Gardeners: card table sized area \$5 per Sunday
Youth Entrepreneur (no discount) \$1 per Sunday
Buy Local First Businesses (no discount) \$20 per Sunday
Non-Profits FREE
Market Entertainers/Performers FREE

Important Contact Information and Resources

Salt Lake Valley Health Department (Food Handlers Permits and Commercial Kitchens, listed under Environmental Health Division) Food Protection 788 East Woodoak Lane (5380 South) Murray, UT 84107 Phone # (801) 313-6625 or 313-6620 Fax # (801) 313 6609 Website www.slvhealth.org

Utah Department of Agriculture (for information on Cottage Kitchens laws) Division of Regulatory Services (801) 538-7124 ag.utah.gov Utah's Own Program (801) 538-4913 www.utahsown.org Organic Food Program (801) 538-7141. For the new laws on Homemade Food, see below or go to <https://le.utah.gov/~2018/bills/hbillint/HB0181S02.pdf>

Salt Lake City Business Licensing 451 South State Street #218 Salt Lake City, UT 84111
Phone # (801) 535-6644 Fax # (801) 535-7750

State of Utah Tax Commission Special Events Division 2 10 North 1950 West Salt Lake City, UT
84134 Phone # (801) 297-6303 Fax # (801) 297-6358

NEW VENDOR CATEGORY AS OF 2019

WE HAVE OPENED THIS NEW CATEGORY IN COMPLIANCE WITH THE 2018 CHANGE IN THE LAW ON HOMEMADE FOOD. THIS CATEGORY MUST FOLLOW THE LAW AS WRITTEN. VENDOR FEE FOR THIS CATEGORY IS THE SAME AS PROCESSED FOOD.

1 HOME CONSUMPTION AND HOMEMADE FOOD ACT 2 2018 GENERAL SESSION 3 STATE OF UTAH

10 LONG TITLE 11 General Description: 12 This bill modifies Title 4, Utah Agricultural Code. 13 Highlighted Provisions: 14 This bill: 15 < defines terms; and 16 < states that home-based producers may be exempt from certain state, county, or city 17 regulations regarding the preparation, serving, use, consumption, or storage of food 18 and food products that are: 19 C produced and sold within the state; 20 C sold directly to an informed final consumer; and 21 C for home consumption. 22 Money Appropriated in this Bill: 23 None 24 Other Special Clauses: *HB0181S02* 2nd Sub. (Gray) H.B. 181 02-06-18 12:54 PM – 2 – 25 None 26 Utah Code Sections Affected: 27 ENACTS: 28 4-5a-101, Utah Code Annotated 1953 29 4-5a-102, Utah Code Annotated 1953 30 4-5a-103, Utah Code Annotated 1953 31 4-5a-104, Utah Code Annotated 1953 32 4-5a-105, Utah Code Annotated 1953 33 34 Be it enacted by the Legislature of the state of Utah: 35 Section 1. Section 4-5a-101 is enacted to read: 36 CHAPTER 5a. HOME CONSUMPTION AND HOMEMADE FOOD ACT 37 4-5a-101. Title. 38 This chapter is known as the “Home Consumption and Homemade Food Act.” 39 Section 2. Section 4-5a-102 is enacted to read: 40 4-5a-102. Definitions. 41 For purposes of this chapter: 42 (1) (a) “Commercial establishment” means a wholesale or retail business that displays, 43 sells, manufactures, processes, packs, holds, or stores food, drugs, devices, or cosmetics. 44 (b) “Commercial establishment” does not include a: 45 (i) direct-to-sale location; or 46 (ii) direct-to-sale farmers market. 47 (2) “Direct-to-sale farmers market” means a public or private facility or area where 48 producers gather on a regular basis to sell directly to an informed final consumer fresh food, 49 locally grown products, and other food items that have not been certified, licensed, regulated, 50 or inspected by state or local authorities. 51 (3) “Direct-to-sale location” means a farm, ranch, direct-to-sale farmers market, home, 52 office, or any location agreed upon by both a producer and the informed final consumer where 53 a producer sells a food or food product to an informed final consumer. 54 (4) “Home consumption” means the use or ingestion of homemade food or a 55 homemade food product within a private home by a family member, an employee, or a 02-06-18 12:54 PM 2nd Sub. (Gray) H.B. 181 – 3 – 56 nonpaying guest. 57 (5) “Homemade food product” means a food product that is prepared in a private home 58 kitchen that can be used, or prepared for use, as food or nonalcoholic drink, subject to the 59 limitation described in Subsection 4-5a-105(1). 60 (6) “Informed final consumer” means an individual who: 61 (a) purchases the product directly from the producer; 62 (b) does not resell the product; and 63 (c) has been informed that the product is not certified, licensed, regulated, or inspected 64 by the state. 65 (7) “Producer” means a person who harvests or produces homemade food or a 66 homemade food product. 67 Section 3. Section 4-5a-103 is enacted to read: 68 4-5a-103. Regulation of a direct-to-sale farmers market. 69 (1) A direct-to-sale farmers market selling homemade food under this chapter shall: 70 (a) display signage indicating to an informed final consumer that the homemade food 71 and food products sold by producers at the market have not been certified, licensed, regulated, 72 or inspected by state or local authorities; and 73 (b) only include products for sale that have not been certified, licensed, regulated, or 74 inspected by state or local authorities. 75 (2) If the direct-to-sale farmers market is in any way associated with a farmers market 76 as defined in Subsection 4-5-102(5), the direct-to-sale farmers market section selling 77 homemade food under this chapter shall comply with the following requirements: 78 (a) the

direct-to-sale farmers market section shall be separated from the farmers market 79 section; and 80 (b) the separate direct-to-sale farmers market section shall include signs or other 81 markings clearly indicating which space is the farmers market space offering inspected items 82 for sale and which space is the direct-to-sale farmers market space offering items that are 83 uninspected. 84 (3) The department may make rules, in accordance with Title 63G, Chapter 3, Utah 85 Administrative Rulemaking Act, regarding the signage described in Subsection (1). 86 Section 4. Section 4-5a-104 is enacted to read: 2nd Sub. (Gray) H.B. 181 02-06-18 12:54 PM – 4 – 87 4-5a-104. Home producer direct sales — Exempt from regulation. 88 (1) A producer is exempt from state, county, or city licensing, permitting, certification, 89 inspection, packaging, and labeling requirements, except as described in this section, related to 90 the preparation, serving, use, consumption, or storage of food and food products if: 91 (a) the producer complies with the requirements of this chapter; and 92 (b) the homemade food or homemade food product is: 93 (i) produced and sold within the state; 94 (ii) sold directly to an informed final consumer; 95 (iii) for home consumption; and 96 (iv) not exempted under Subsection 4-5a-105(1). 97 (2) notwithstanding Subsection (1), a producer shall comply with business license 98 requirements pursuant to Section 10-1-203. 99 (3) Food or food products sold under this section shall be labeled with: 100 (a) the producer’s name and address; 101 (b) a disclosure statement indicating that the product is: 102 (i) not for resale; and 103 (ii) processed and prepared without state or local inspection; and 104 (c) a statement listing whether the food or food product contains, or was prepared in a 105 location that also handles, common allergens including milk, soy, wheat, eggs, peanuts or tree 106 nuts, fish, or shellfish. 107 (4) (a) Except as provided in Subsection (4)(b), homemade food or a homemade food 108 product that is exempt from certain regulations as described in this chapter may not be sold to, 109 or used by, a restaurant or commercial establishment. 110 (b) A producer may sell a raw, unprocessed fruit or vegetable to a restaurant or 111 commercial establishment. 112 (5) A producer selling homemade food or homemade food products exempt under this 113 section shall inform the final consumer that the food or food product is not certified, licensed, 114 regulated, or inspected by the state or any county or city. 115 Section 5. Section 4-5a-105 is enacted to read: 116 4-5a-105. Limitations. 117 (1) This chapter does not apply to the sale of: 02-06-18 12:54 PM 2nd Sub. (Gray) H.B. 181 – 5 – 118 (a) raw dairy or raw dairy products; or 119 (b) meat products, with the following exceptions: 120 (i) the sale of poultry and poultry products if the producer: 121 (A) slaughters no more than 1,000 birds per year in accordance with the United States 122 Department of Agriculture 1,000 bird exemption; and 123 (B) follows the United States Department of Agriculture’s, Food Safety and Inspection 124 Service document titled “Guidance for Determining Whether A Poultry Slaughter or Processing 125 Operation is Exempt from Inspection Requirements of the Poultry Products Inspection Act”; 126 and 127 (ii) the sale of domesticated rabbit meat, pending approval from the United States 128 Department of Agriculture that the state’s role in meat inspection is preserved. 129 (2) Nothing in this chapter: 130 (a) means that the department relinquishes its authority to administer the state’s 131 program at a standard level at least equal to the standards imposed under the Federal Meat and 132 Poultry Products Inspection Act; 133 (b) shall be construed to impede the Department of Health in an investigation of 134 foodborne illness; 135 (c) prohibits a state agency from providing assistance, consulting, or inspecting when 136 requested by a producer; or 137 (d) affects the authority of the Department of Health or the Department of Agriculture 138 and Food to certify, license, regulate, or inspect food or food products that are not exempt from 139 certification, licensing, regulation, or inspection as described in this chapter. 140 (3) The department may not, by rule, impose an additional limit, requirement, or 141 restriction on a producer selling food or a food product under this chapter.

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