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2019 RULES AND POLICIES

I. BREMERTON COMMUNITY FARMERS MARKET LOCATION, TIMES AND DATES

The site of the Bremerton Community Farmers Market (BCFM) will be in Evergreen Rotary Park, near the corner of Sheldon Blvd. and Park Ave., **Thursdays, from 4 pm to 7 pm, the first Thursday in May through the 2nd Thursday in October**, rain or shine.

II. PRODUCTS SOLD AT THE BREMERTON FARMERS MARKET

The goal of the Market is to provide an outlet for Washington State's farming families to directly sell their farm products and to provide farm-fresh food for consumers. The geographic boundaries of the market include all of Washington State and the surrounding waters.

Current business license & permits to sell are required from all vendors. Stall assignments are determined by the Market Manager in order to ensure a well-rounded market.

The Bremerton Community Farmers Market (BCFM) is a member of the Washington State Farmers Market Association (WSFMA) and the national Farmers Market Coalition (FMC). We adhere to the WSFMA Roots Guidelines – including overall Vendor categories, definitions, and market exclusions as follows:

No commercial, imported and/or second hand items shall be sold by any vendor. No franchises or any non-owner operated businesses are allowed at the Bremerton Community Farmers Market. Further, all products sold at the Bremerton Community Farmers Market must not contain any items or ingredients processed outside of Washington state.

PRODUCERS

FARMERS

One who raises produce, plants or botanicals, or animals which they sell at the BCFM on land they own, lease or rent, in the State of Washington. The definition of **Farmer** may also include someone who processes produce, fruit, berries, botanicals, meats, honey, etc., which is grown, raised, or harvested on their own, leased or rented property, in the State of Washington or border counties and then turned into value added product(s) such as jams, cider, salsa, vinegars, alcoholic beverages, essential oils or any other botanical use. It may also include **Farmers** who raise the basic ingredient(s) of a product, but who must send it out for fundamental processing, within Washington State, before creating the value added product. Such Vendors might include those **Farmers** selling certain essential oils, smoked meats or fish, etc. This excludes **Resellers** or those who might work on, or manage a corporately owned farm and have permission to dispose of surplus product.

1. **SEAFOODS:** *In the case of seafood, the vendor must own, lease, or operate the fishing vessel or own, lease or rent the parcel of land where the seafood is caught or harvested for sale at WSFMA Member Markets. The vendor must be a legal resident of the State of Washington.*

2. **ALCOHOLIC BEVERAGES:** *Alcoholic beverages must be made entirely from ingredients grown in Washington, or from grapes grown in a recognized Washington appellation, except for certain additives required for processing which cannot be produced in the State of Washington, not amounting to more than 5% of the total volume of the beverage. Because at this time there appears to be no beer made in Washington State that meets these requirements, WSFMA recommends that its Member Markets only apply to be authorized for wine sales by the State Liquor Control Board.*

**All farmers and farm resellers are subject to an inspection by a market representative or proxy within the WSFMA member market association.*

PROCESSORS

One who sells foods that they have personally prepared or processed on property that they own, lease, or rent in the State of Washington. Processors are persons offering fresh food products (such as meats, seafood, ciders, wines, baked goods, jams, nuts, etc.) that have added value to their product through some sort of “hands-on” processing (e.g., hand-filleted fish, smoked or butchered meats, handmade candies/nuts, etc.), but have not raised the ingredients themselves. All **Processors** must meet all Federal, State, County and local Health Department requirements. All appropriate permits and licenses must be submitted and filed with the Market Manager. **Processors** must produce their products in Washington State only. Processed food producers should use ingredients from Washington State farms or waters as much as possible, and WSFMA Member Markets should give stall preference to those **Processors** who use ingredients from Washington State farms or waters.

1. **SEAFOODS:** *In the case of seafood vendors, the product must originate from the greater Pacific Northwest, which includes Washington, Oregon, Alaska and British Columbia.*
2. **ALCOHOLIC BEVERAGES:** *Alcoholic beverages must be made entirely from ingredients grown in Washington, or from grapes grown in a recognized Washington appellation, except for certain additives required for processing, but which cannot be produced in the State of Washington, not amounting to more than 5% of the total volume of the beverage.*

RESELLERS

One who buys produce from farmers in Washington State, transports it to a WSFMA Member Market, and resells it to the consumer. Resellers are allowed to sell at WSFMA Member Markets, but do have strict criteria to follow:

1. **Resellers** are expected to be the only stop between the grower and the consumer.
 - The product they buy must not come from shippers, warehouses, jobbers or wholesale distributors.
2. They must not sell any produce not grown in Washington State (For example: oranges or bananas).
3. They may sell any produce they grow themselves on their own property (see **Farmers**).
4. **Resellers** are sellers of crops that cannot be grown reliably, or are not offered for sale in sufficient quantity, by **Farmers** selling at a given WSFMA Member Market, as determined by the individual WSFMA Member Market’s governing body.
5. **Resellers** must have all crops pre-approved by the Member Market’s governing body before delivering the crops to market for sale. Approved, resold crops must be specifically limited, so as not to compete with the crops of **Farmers** within the geographic vendor boundaries of the WSFMA Member Market, as defined by the Market’s policies and by-laws.

6. All **Resellers**, or **Farmers**, must label their products as being resold if they are not selling products which they have grown, raised, or harvested themselves on property that they own, lease, or rent.
7. All information declaring which products are resold must be available and displayed for the consumer to easily read. Signage must clearly state which farm(s) produced the products; other terms synonymous with “resold” may be substituted.
8. **Resellers from border counties are not allowed to sell at WSFMA Member Markets.**
9. **Processors are not allowed to be resellers with the exception of bottled water.**

The BCFM Board of Directors has the discretion to limit the types and number of resellers and the products and amounts they offer for sale on each market day.

OTHERS

CRAFTED FARM PRODUCTS

Producer-based crafts will be allowed based on the WSFMA Membership Guidelines for Crafters, with the additional restriction that a majority of the materials used by the crafter to produce their product must be grown, foraged and produced by vendor on the vendor's own farm. Examples may include but are not limited to: bouquets, wreaths, roping, arrangements and dried flowers, vines, gourds, vine and woven wood baskets and other wildcraft. Beeswax candles are allowed to be sold by honey producers only. Crafters are persons or entities who craft with their own hands the products they offer for sale at the BCFM. Crafters should incorporate materials produced in Washington as much as possible for that small portion of the item that is not grown, foraged or produced by the crafter on the crafter's own farm. Crafters must create their craft products in the state of Washington. Crafters must be an active owner and operator of the farming operation and may not operate the business under a franchise agreement. The crafter's application for a permit to sell shall state what is grown/processed or prepared and what the crafter will sell at the Farmers Market.

JURIED ARTS

One who creates with their own hands the products they offer for sale at BCFM. To qualify as an **Artisan/Crafter**, a majority of the tools and equipment used to produce their products must require skill, personal handling and/or manipulation. **Artisans/Crafters** should incorporate materials grown or produced in Washington State as much as possible and create their products in Washington State only. WSFMA Member Markets should give priority to those **Artisan/Crafter** vendors who use materials from Washington State. Artisans must go through a jury process as determined by the BCFM Board of Directors before selling at the market.

The Bremerton Community Farmers Market juries all new and returning artists/crafters each year. All vendors must be **accepted** by the Art Jury prior to becoming a vendor at Bremerton Community Farmers Market, as follows:

Submit the vendor application with ALL applicable documents along with pictures of each type of artwork/craft to be sold (either physical pictures or emailed).

The art jury will review your application and samples/pictures of products, but preference will be given to those who submit work prior to opening day. Late submissions will be reviewed as time and space permits.

All selection decisions are made by the Bremerton Community Farmers Market Art Jury.

The Market Manager will notify applicants **in writing** of the art jury's decision

The Art Jury considers the following in its decision:

The majority of the tools and equipment used to produce their products must require skill, personal handling and/or manipulation.

Artisans/Crafters should incorporate materials grown or produced in Washington State as much as possible and create their products in Washington State only.

Copyright & Logo policy:

Images copyrighted by another person, business or organization may not be used in a vendor's products without proof of payment of any required licensing fees and/or written permission from the images' owner. Note: commercially manufactured materials bearing copyrighted images, such as fabrics printed with movie characters or Seahawks logos, are licensed for personal use only, and may not legally be used in products intended for sale. Vendors offering products that make use of copyrighted material without legal permission will be asked to remove those products from their booth, and upon a second offense—or if they have no other products—will no longer be permitted to vend at the Market.

Vendor space availability - Artisan/Crafter space availability based on compliance with WSFMA guidelines, **and Bremerton Community Farmers Market goals of providing variety in the types of products available for sale.**

PREPARED FOOD VENDORS (CONCESSIONAIRES)

Prepared Food vendors (Concessionaires) offer freshly made foods, available for sale and immediate consumption on-site at WSFMA Member Markets. **Prepared Food** vendors shall submit and also possess and maintain all required State, County, and local Health Department permits. All appropriate permits and licenses shall be filed with the management of the market. **Prepared Food** vendors should use ingredients produced in Washington State as much as possible. Further, when selecting **Prepared Food** vendors, WSFMA Member Markets are encouraged to provide a good variety of healthy foods and to give preference to those vendors using ingredients produced in Washington State only. WSFMA Member Markets should give priority to those **Prepared Food** vendors who use ingredients from Washington State farms or waters. The BCFM welcomes Prepared Food Vendors who provide a variety of healthy foods, and to those who use ingredients produced in Washington.

III. DETERMINATION OF PARTICIPATION AND STALL ASSIGNMENTS

Vendors are selected annually by the BCFM Board of Directors based on quality and uniqueness of products, current product mix, and consumer demand. It is the intent of the BCFM to give first priority to returning vendors who were in good standing the previous season and participated for the majority of the season. However, No vendor will have guaranteed return rights to the market and a decision will be made by the board of directors given the bylaws, rules and vendor standing.

The BCFM does not offer exclusive rights to vendors to sell any one product. Customers benefit from having a choice. However, if BCFM Board of Directors believes the amount of similar products is excessive, duplicate products may be denied or granted limited participation.

Limited space will be available to local non-profit or community based organizations for a nominal fee. If the organization wishes to sell a product/fundraise, the standard vendor fee will apply. Contact market manager for more details.

Stall assignments will be made to try to balance the needs of the market (supplying customers with a complete, competitive selection of produce available in season) with the needs of the farmers.

IV. MEMBERSHIP AND DAILY STALL FEES

We encourage vendors to become members and participate in making decisions. However, you do not need to be a member to be a vendor.

MEMBERSHIP CATEGORIES

Member Vendor

All vendors who choose to be a member of BCFM will pay an annual membership fee of \$50 after March 31st OR \$40 before March 31st. This fee must accompany the Vendor Application form. This fee entitles the vendor to participate in all Thursday markets (as well as any special markets) for the entire season and gives the vendor voting rights in BCFM. One vote per family unit/farm is allowed.

Membership fees are not pro-rated. Applications are welcome throughout the season, however, space cannot be guaranteed. Member Vendors will pay \$25 for a 10'x10' space and \$15 for a 5'x10' (half stall) space, per market day.

Daily Vendor

Vendors who want to try out the Market and choose not to be BCFM members are referred to as Daily Vendors. Daily Vendors have no voting rights in the BCFM. They must submit their Vendor application to the Market Manager at least one week prior to their first market day for approval. Daily Vendors will be charged a \$35 fee per stall day, each market day of participation.

Stall assignments will depend upon availability. Daily Vendors can convert to Member Vendor status by simply paying \$50 to fulfill the membership fee. At that time, they will have voting rights in the organization, and their stall fees will convert to those of a Member Vendor. No refunds or credits for Daily Vendor fees paid prior to becoming a Member Vendor.

Community Member

The BCFM welcomes the community to participate in the market by becoming a Community Member. Community Members have voting rights and pay the annual fee of \$40 before March 31st; \$50 after March 31st.

Youth Member

The BCFM welcomes any person 18 years old or younger to vend at the market. The minor and their legal guardian must fill out and sign the application. Youth members must operate under their own business license. Youth members do not pay an annual membership fee. The daily stall fee is \$10 for a 10'x10' space or \$5 for a 5'x10' (half stall) space. Youth vendor members have no vote in the BCFM.

MARKET FEE STRUCTURE

Base Fees apply to each stall for each Market day. All Vendors must give the Market Manager their stall fee by the end of each Market day (**payable by cash or check only**), and indicate if they will be returning the following week.

Type	Membership	Daily Stall Fee	Voting
Member Vendor	\$50/\$40 year*	\$25	Voting rights
Daily Vendor	\$0	\$35	No vote
Community Member	\$50/\$40 year*	N/A	Voting rights
Youth Member	N/A	\$10 or \$5	No vote

***\$40 PRIOR TO MARCH 31ST; \$50 AFTER MARCH 31ST**

BOOTH FEES:

There are two options for paying booth fees:

A) pay 23 weeks in advance for Thursdays (closed July 4th, 2019) = \$506, at a savings of \$3 / market / week; OR

B) pay weekly. Booth fees will be collected at the end of each market day (**payable by cash or check only**).

REQUESTING AND CANCELING STALL SPACE

A) To request a space for market day, the vendor must notify the Market Manager at least three (3) days in advance.

B) Any vendor who does not notify the Market Manager at least three (3) days in advance will be allocated a space by the Market Manager on a first come, first-served basis taking into account the overall market mix. The stall assignment is for that market day only and may vary from week to week.

C) Vendors who cannot attend on a market day must contact the Market Manager as soon as possible to cancel. **On Thursdays, vendors must notify the Market Manager by phone call to the market cell phone (360-633-6137) no later than 12:00pm (noon).** Any email cancellations to the Market Manager must be received no later than 10pm the evening before market day.

D) **Vendors who do not notify the Market Manager by the required time will be charged the stall fee for that day.** Repeated no-shows by a vendor may lead to separation from the Market. Note: The BCFM Market Manager and / or Board may waive stall fees in emergency situations where calling was not possible. Vendors may request a waiver by discussing the situation with the Market Manager and / or Board promptly after the day in question.

V. RELIGIOUS & POLITICAL ORGANIZATIONS

The purpose of a Farmers Market is to connect consumers with local farmers and craftspeople. It is not a forum for religion or politics.

In order for market vendors and patrons of varying political and religious beliefs to feel welcome in the Market, all materials, displays, and activities with religious or political content are forbidden within the Market.

This includes, but is not limited to: Political campaigning, signage, passing out of leaflets, music and signature gathering.

VI. VENDOR RULES

Only Washington State farmers and other state producers as listed may sell at the market: Principal farmers/producers may send family members, partners or employees to the Market in their place, but are responsible for having their on-site representatives aware of all Market policies.

Safety: Vehicles, tables and overhead shades and canopies must be maintained and used in a safe manner. Legs must be firmly locked into place on the shades. Tables must have smooth edges and remain stable when loaded. **Shades and canopies must be tied down and weighted per WSFMA guidelines.** Tarp poles must not obstruct traffic flow and care must be taken when setting up or taking down displays. No ground stakes are allowed at Evergreen Park.

*All vendors who wish to erect canopies (including umbrellas) on the Farmers Market site during a normal period of market operations, including the set up and break down period, are required to have their canopies sufficiently and safely weighted from the time their canopy is put up to the time it is taken down. Any vendor who fails to properly weight his or her canopy will not be allowed to sell at the Farmers Market on that market day, unless that vendor chooses to take down and stow their canopy and sell without it. Each canopy leg must have no less than 24 lbs (pounds) anchoring each leg. **Anyone who fails to follow these guidelines may be responsible to pay a \$1,000.00 deductible for any damage that may occur due to rogue or improperly secured vendor canopies.***

For examples of recommended safety methods pertaining to canopy weights, please refer to “Canopy Safety 101” document located at <http://wafarmersmarkets.com/resources/CanopySafety101.pdf>

Market Day

Arrival Procedure:

The Thursday market hours will be from 4:00 pm to 7:00 pm. Arrival and setup time will begin at 2:00 pm and end at 3:30 pm. **Canopies must be erected and weighted by 3:30pm.** All vendors will be ready for business by 4 pm. No selling shall begin before 4 pm, per WSFMA guidelines. For safety reasons, late arrivals will not be allowed to set up and stall space will be forfeited.

Fall hours start at the market the 3rd Thursday of September. Fall hours are 3:30pm to 6:30pm, with set up starting at 1:30pm and all vendors ready for business by 3pm.

All vendors should pull into the designated parking spaces near the market location, unload their canopies and goods, park their vehicle(s) off-site and return to set up their vending area.

Departure Procedure:

For safety reasons, early take-down and departure before closing time will not be allowed. *Exceptions may be made in case of emergency. (See the Market Manager.)* Sales are allowed after the closing bell. Takedown on Thursdays will be completed by 8:30 p.m. Vendors are responsible for returning the area to original condition and disposing of their own trash. (There are no onsite trash bins.)

Miscellaneous and General Conduct:

- For the safety of customers, vendors and their children will comply with the BCFM Code of Conduct.
- No skate boards, roller blades, in-line skates, or bicycles are allowed during market hours.
- Vendors will be neat, suitably dressed, and deal with the public and fellow vendors in a courteous and appropriate manner.

- There will be no discrimination according to race, color, creed, sex, religion, sexual orientation, age or nationality.
- **All vendors should post a sign identifying the name of the farm/business represented. Produce and other allowable Market products should be clearly marked with their price.**
- Vendors will display their products neatly and attractively, with consideration for the other vendors and the general public.
- Every concessionaire or anyone handing out samples must have a garbage can outside their booth and dispose of their own trash. **(Vendors distributing food samples MUST have a Food Handlers' Permit.)**
- Vendors are responsible for their own stalls, will supply all necessary trash containers and must leave their site clean and in a condition suitable to the Market Manager and property owner. Each member will remove containers, waste and trimmings before leaving the Market.
- Customers' dogs will be allowed at the market. All dogs must be leashed and under the customer's control. Cleanup materials will be available. Vendors are **not** to bring personal pets.
- Vendors will in no way cause detriment to other Vendors.
- Hawking and false advertising is forbidden.
- No political or religious campaigning.
- Space dimensions must be respected. Do not block the view of other vendors or the flow of traffic or encroach on areas assigned to other Vendors.
- Consumption of alcohol at the Market is prohibited, except in specific designated areas.
- Controlled substances are strictly prohibited at the market.
- Vendors selling produce by weight must provide their own scales. Scales must be "legal for trade" and are subject to inspection by the Dept. of Agriculture-Weights and Measures Program.
- **NO SMOKING.** Smoking is not allowed at the market.
- The BCFM is not responsible for loss of property or damage.
- At the descretion of the Market Manager the market can be cancel or suspend due to health and/or safety issues outside of the markets control.

VII. LICENSES, PERMITS AND SPECIAL REQUIREMENTS

On-site food storage requirements: All food must be kept off the ground.

Taxes: Retail sales taxes are the responsibility of the individual vendor. All vendors are required by law to have a Washington State UBI Number and must supply this number when application is made to sell at the Market. **Please Note: Vendor applications will not be processed without a UBI number.**

Insurance: All vendors must show proof of current automobile insurance for on-site vehicles, and provide the BCFM with policy numbers, which will be kept on file.

Prepared food vending: Vendors shall carry Product Liability and General Liability Insurance in the amount of \$1,000,000 and furnish a copy of Certificate of Insurance to BCFM at least one week prior to vending at the market.

Permits and Licenses: At the time of application, all vendors shall provide copies of any permits and licenses applicable to the sale of their products. **It is the vendor's responsibility to be aware of all of regulations pertaining to their product.** These permits and licenses must include the vendor's Washington State UBI number and may include one or more of the following:

- Washington State Nursery License (*Sellers of plants, bulbs or seeds for planting*)
- WSDA Egg Handler's Permit & WSDA Labels (*Sellers of eggs*)
- Certification of Organically Grown Produce
- Grade A Dairy Permits, WSDA Milk Producers License, WSDA Milk Processing Plan License
- Pesticide Applicators License
- Washington Dept of Fish & Wildlife Wholesale Fish Dealer License or Direct Retail Endorsement License
- WSDA Food Processors License
- WSDA Cottage Food Operation Permit
- Kitsap County Temporary Food Establishment Permit
- Washington State Department of Health Food Worker's Permit

Organic Products: If a product is labeled "organic" it must be certified as required by Washington State Law. Producers who use organic methods with \$5,000 or less in gross annual sales may use the term "organic". (Note: These producers may not use the term "certified"). Any violations will result in termination of the vendor's permit to sell. When an organic producer is also selling non-certified organic produce at the same stand, the non-organic produce must be physically separated from the organic produce and clearly labeled as to growing method.

Unsprayed, Pesticide-Free or Low-Spray: Farming practices must be clearly marked and consumer queries regarding farming practices must be answered factually.

Farming Practices: Farmers shall use only products approved by local, state and federal agencies for the use in production of edible products for consumer consumption.

Processed Foods: All processed foods must be prepared in a certified kitchen. Any canned goods must be licensed through the Washington Department of Agriculture. Beekeepers that process their own honey do not need a Food Processor's license, unless the honey is sold wholesale. Anyone processing dried fruits, herbs, teas, baked goods, cider, preserves, salsas and salad dressings should check with the WSDA and the Kitsap County Health District for their requirements. All food processors are responsible for acquiring the appropriate licenses and permits. More information can be found at the Kitsap Public Health District site:

http://www.kitsapcountyhealth.com/information/files/feetype/Factsheet_FarmersMkt_W_2011114.pdf

Baked Goods: Those bakeries that sell more than 25% of their products wholesale must be licensed by the Department of Agriculture as Food Processors. For those that sell less than 25% of their products wholesale, other Kitsap County Health District requirements apply.

Labeling: Processed foods, including honey, have Washington State labeling requirements. Labels on processed foods must meet Washington State requirements and include:

- The name of the product
- Company name
- Address (if not found in the phonebook)
- Net weight on bottom 1/3 of label
- Ingredients listed in decreasing order of predominance.

Sampling: Kitsap County Health District regulations do permit giving out samples of fruit or product. At least one person in each stall must have a posted Washington State Department of Health Food Worker's Permit and you must have a hand washing station in your stall. If you plan to allow customers to sample your product, consult with the Health District for the details of these regulations.

Food Handler's Permits: All prepared foods and baked goods Vendors must have a current Washington State Health Department Food Worker's Permit.