

FARMERS' MARKET DEVELOPMENT



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Considerations for Farmers' Market Development:
Sun Metro Transfer Station



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EXECUTIVE SUMMARY

Farmers' markets are increasingly in demand as people become concerned with public health, local economies, environmental impacts, and food safety. This proposal details the many benefits provided by farmers' markets as well as procedural considerations and recommendations for developing a strong market at a Sun Metro transfer center site that can provide fresh produce to many city residents.

Well-established farmers' markets operate almost entirely on fees paid by farmers. As such, many markets come and go as they do not have the resources for customer research, strategic planning, or other practices that businesses and organizations access in order to assure their longevity. For this reason, the importance of the planning process cannot be overstated. This report details the steps necessary to establishing a vibrant market at the Mission Valley Transfer Center.

The proposed Mission Valley Transfer Center farmers' market supports the Obesity Prevention Action Plan Resolution passed by El Paso City Council in January 2011 by providing increased access to healthy foods, especially targeting low-income families with limited access to healthy food. For the nearly 76 percent of Sun Metro riders that do not currently own a vehicle and a reported 46 percent that are low income (though 82 percent report incomes of \$20,000 or less),ⁱ the proposed market at Mission Valley Transfer Center is an innovative approach to address food insecurity. Making the healthy choice (fresh produce) the easy choice (accessible via bus routes) addresses both healthy food access and food security. The market also provides public health education opportunities, as the Mission Valley Transfer Center is surrounded by a number of educational, health, and artistic facilities that could offer programming and economic incentives in support of the farmers' market.

La Semilla's recommendations and considerations for establishing a successful Mission Valley Transfer Center farmers' market are detailed in eight categories:

- Market Location, Hours, and Logistics
- Market Staff and Governance Structure
- Types of Vendors and Vendor Fees
- Regulations, Policies and Insurance
- Risk Management and Food Safety
- Increasing Access Using Food and Nutrition Assistance Programs
- Community Support and Marketing
- And, Municipal Operational Support.ⁱⁱ

Development of a Sun Metro farmers' market will fulfill an unmet consumer need for fresh local produce while strengthening relationships between El Paso city government, food producers, Sun Metro riders and other residents, and community-based organizations.

The City's support of a farmers' market, coupled with the public's growing interest in locally produced food, presents a tremendous opportunity for collaboration among the City's many partners, local farmers, and community-based organizations. Strong partnerships will be critical to the success of a farmers' market that attracts returning vendors and customers. This project presents an important opportunity to educate residents and leaders about the benefits of a localized food system, and of the links between food, health, and local economies.

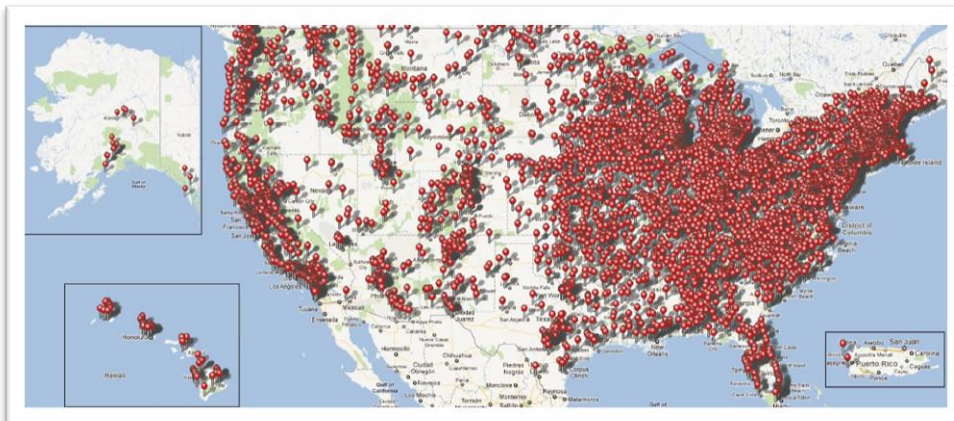
FARMERS' MARKET BENEFITS

Farmers' markets are one of the oldest forms of direct marketing by small farmers. The number of farmers markets in the United States alone increased from 340 in 1970 to more than 7,000 in 2011.ⁱⁱⁱ The reasons for this increase are mainly speculative, though influences stimulating this growth include community building and small farmer income.^{iv} With sales of agricultural products through direct consumer marketing channels totaling \$1.2 billion in 2007, there is remarkable potential for local economic growth through the development of farmers' markets that allow for direct marketing of produce.

According to the U.S. Department of Agriculture, farmers' market benefits include:

- **Support for small and medium-sized producers.** Farmers' markets are often the first point of entry into the marketplace for small and medium-sized producers. Farmers' markets help these producers incubate their businesses, develop and test new product lines, obtain better prices for high-value product than alternative distribution channels, and obtain a reliable source of farm income.
- **Local economic wealth.** Farmers' markets keep wealth in local communities by providing a venue for direct producer-to-consumer sales. Farmers' markets often serve as an integral part of creating robust local economies, thriving neighborhoods and vibrant civic design plans that attract visitors and benefit local farmers, businesses, and consumers.
- **Consumer education and choice.** Farmers' markets allow consumers to have access to locally-produced, healthful farm-fresh food, to develop face-to-face relationships with the farmers who grow the food, and the opportunity to contribute directly to local farm viability. Markets also educate citizens about the diversity of local food products.
- **Community and civic engagement.** Farmers' markets bring people together. Customers come to buy food for their families, socialize with their neighbors, and participate in the life of the community. Markets also help ensure community food security, increasing the availability of locally grown foods to lower income residents, and by providing easier access to fresh, healthful food in communities where access to nutritious food may be otherwise limited. In addition to increasing healthy food access and economic opportunity for local producers, farmers markets also provide a venue for public health education and outreach. Currently, less than 18 percent of residents in our region eat the recommended five servings or more of fresh fruits and vegetables daily.^v Given increasing rates of diet-related illness along the border, farmers' markets are one avenue for increasing access to fruits and vegetables, as well as public health education opportunities.

2011 FARMERS' MARKET LOCATIONS IN THE U.S. (SOURCE: FARMERSMARKETS.USDA.GOV)



EL PASO FARMERS' MARKET DEVELOPMENT

Overview

Despite a population of nearly 800,000, there is only one farmers' market in the City of El Paso (at Mercado Mayapan) and two more within a short distance (Ardivino's Desert Crossing in Sunland Park and Chaparral Farmer's Market). Mercado Mayapan piloted a weekly farmers' market between June and October 2011.^{vi} Ardivino's Desert Crossing has sustained a weekly market for 11 years. Chaparral Farmers' Market has remained a small market with limited and periodic produce. These markets, as well as Las Cruces area markets, can attest to the challenges of ensuring sufficient local producers to sustain their markets.

The importance of planning and securing necessary resources to start a market cannot be overemphasized. This is highlighted by the fact that over the past decade a number of farmers' markets have come and gone in El Paso. A few of these were based near the Mission Valley Transfer Center, including the Tigua Indian Cultural Center's Harvest Market, the Hispanic Farmers Association of El Paso's market at Ysleta Mission, and El Paso Growers' Association's Mobile Market. To the best of our knowledge, these markets did not receive municipal support and only the Harvest Market was a true "producer-only" market (i.e. meaning vendors only sell products they produce themselves). More recently, however, El Paso Mission Trail Association has provided support for the San Elizario Farmers' Market. Despite efforts to contact past farmers' market organizers in the Mission Valley area, little information exists regarding these now defunct markets.

Las Cruces Farmers' and Crafters' Market, perhaps the most successful example in the region, has received substantial support from the City of Las Cruces, including but not limited to staffing a market manager position, providing the market site, utilities and trash pickup, and blocking roads on market days to ensure safety. This market celebrated its 40th Anniversary in 2011 and was recently named one of "America's Favorite Farmers' Markets" by the American Farmland Trust. The success of this market is partly attributed to the City's continued support and the market manager's ability to build strong relationships with vendors in a three-county area. The market draws farmers from a three county area primarily to ensure an adequate variety and quantity of produce, a key to repeat customers.

The Brownsville Farmers' Market, now heading into its fourth year of existence, was established by a collaboration between the University of Texas Department of Public Health and the Texas Department of State Health Services.^{vii} The aim of the collaboration was to increase access to locally grown produce while increasing awareness of obesity-related diseases. The Texas Department of State Health Services has supplied funding for a voucher program to increase low-income families' access to produce sold at the market. The year-long planning for this market involved many community partners who met as a committee to study proposed business structures, marketing needs, liabilities, and farmer availability.



SCENES AT THE LAS CRUCES FARMERS' & CRAFTERS' MARKET (PHOTOS BY LINCOLN MICHAUD)

Challenges & Opportunities

The most significant challenge to creating a viable market is ensuring sufficient farmers to meet customer demand and effectively operate the market. Over the last few decades, the Paso del Norte region – much like the rest of the country – has experienced a decline in small family farms and an increase in the average age of farm operators in Texas to 57 years of age.^{viii} This has happened while diversified vegetable production has been usurped by large-scale monocultures of pecan, cotton, and chile. The long-term success of El Paso farmers' markets, and the City's food security generally, means that a new generation of farmers must be supported to develop the knowledge and gain the experience necessary for supplying our local markets. It also means that city governments must begin to take a serious look at land use zoning ordinances, especially policies that can support urban agriculture development.

As El Paso's population continues to grow the need to preserve and protect farmland also increases. Given the relatively small pool of farmers in the region, and that many farmers initially willing to sell at an El Paso farmers' market are the same farmers already selling at other markets in the region, coordinating with managers from these other markets is absolutely necessary. [Though not specifically a farmers' market, La Semilla also recommends consulting with the market coordinator for the MCAD-led Downtown Artist Market]. Building relationships with these managers will likely assist in identifying viable farmers, coordinating market days so multiple markets are not competing for a limited number of farmers, and ensure that these farmers do not become over-stretched, a current problem in the Paso del Norte region. Again, addressing this challenge requires supporting programs and policies that train a new generation of farmers. Such beginning farmer training programs, critical to the success of the market, are emerging throughout the region, including efforts currently undertaken by the Border Farmworkers Center, La Semilla Food Center, National Immigrant Farming Initiative, and American Friends Services Committee.

The City of El Paso is well positioned to confront these challenges head-on and support the long-term viability of area farmers and beginning farmers. While the City and Sun Metro develop a vibrant farmers' market, these entities must remain cognizant of policy-related challenges that will arise and work effectively to address policy barriers for the effective operation of the market itself (See Appendix 1). By taking the lead to address such policy issues, the City and Sun Metro will enable the market manager to focus on market operations. The market manager's responsibility is to create the atmosphere for a successful market. This will require that the manager is consulted on policy-related barriers periodically.

As a food systems focused organization in the Paso del Norte region, La Semilla has been contacted by numerous organizations from throughout the Sun City that are initiating efforts to foster a more localized food system. Much of the current interest and momentum is concentrated in community and school garden efforts. The emerging community garden efforts, including those led by the City, represent potential farmers' market vendors, consumers, and advocates. These efforts to re-localize the food system through community gardens, Community Supported Agriculture (CSAs), and farmers' markets are all part of what sociologist Thomas Lyson calls *civic agriculture*. It is a return to a food system that considers the social, economic and environmental spheres towards a more sustainable alternative for food production and addressing local needs. This is precisely the triple bottom line approach embraced by the City's Sustainability Plan.

Collaborative Opportunities

In the past, El Paso farmers' markets have been stand-alone efforts led, coordinated, and funded by single organizations. The City's support of a farmers' market, coupled with the public's interest in locally produced food, presents a tremendous opportunity for collaboration among the City's many partners, local farmers, and

community-based organizations. Regardless of the market site, strong partnerships will be critical to the success of a farmers' market that attracts returning vendors and customers.

This project presents an important opportunity to educate residents and leaders about the benefits of a localized food system, and of the links between food, health, and local economies. Maximizing the reach of this opportunity requires community buy-in and collaboration. Over the past few years, a few community-based organizations have focused on food system education. La Semilla was established in 2010 with the mission to help create a viable local food system. La Mujer Obrera and the Border Farmworker Center have also made important strides in educating the public about important food and agricultural issues. These efforts complement the proposed farmers' market. Efforts should be made to learn from these organizations and build on their educational efforts rather than creating new educational programming at the market. Likewise, efforts should be made to reach out to community garden organizers, particularly those organized by social service organizations, which can play a key role in promoting the market.

The Mission Valley Transfer Center is surrounded by a number of educational, health, and artistic facilities that could provide programming in support of the farmers' market. In 2011, the Mission Valley WIC Center provided food demonstrations to promote healthy eating habits. Inviting nearby entities with existent programming to offer workshops and activities at the market will help attract more customers, provide public health education opportunities, and enhance partnerships to support the market. The Mission Valley Transfer Center is an exceptional venue with existing restrooms, classroom space, and facilities that could be used to host workshops and other activities.



SUN METRO'S MISSION VALLEY TRANSFER CENTER

SUN METRO SITE CONSIDERATIONS

The proposed farmers' market location, at the Mission Valley Transfer Center, provides a modern and convenient place for farmers to market their produce, increasing access to fresh produce for bus riders and nearby residents. This is especially important for the nearly 76 percent of Sun Metro riders that do not currently own a vehicle and a reported 46 percent that are low income (though 82 percent report incomes of \$20,000 or less).^{ix} Making the healthy choice (fresh produce) the easy choice (accessible via bus route) addresses both healthy food access and food security.

Given the aforementioned constraints faced in finding committed farmers it will be very important for market development to remain intentionally slow and deliberate. This ensures that the market grows at the right pace to support local farmers and consumers, acting as the mediator balancing the supply and demand. At the onset it will be important to hold the market for a few limited hours weekly. Establishing when the best time is can be slightly tricky. Although 86 percent of riders most frequently ride the bus during the morning, making this a seemingly good time to hold the market, many of these riders are likely headed to work. Establishing an evening market time may be the most attractive for farmers to reach residents headed home from work. This would limit the potential customer base given that morning transport accounts for 86 percent of Sun Metro ridership while only 14 percent ride in the evening. Yet, coordinating market times with school day release times might also increase afternoon traffic. Coordinating with the University of Texas at El Paso or El Paso Community College students to conduct a brief rider survey can help define the best times to hold the market. Determining the best times will require flexibility, trial and error, and the leadership to make important decisions.

Placing a market at the Santa Fe Transfer Center presents another set of challenges that will again require flexibility. The Santa Fe Transfer Center is the busiest in the City, a seemingly good venue for such a market. Yet, one possible issue brought to attention by an El Paso resident is that many of the riders entering and exiting at this Center are moving across the border and cannot necessarily transport produce for such a distance. This is supported by El Paso Metropolitan Planning Organization's data suggesting that 54 percent of the ridership comes from Ciudad Juárez, Mexico. However, according to findings in the *Rider Survey*, of 597 surveys conducted, a mere seven percent self-identified as living outside of El Paso. Further clarification of this conflicting data is needed. As efforts to establish a market at the Santa Fe Transfer Center proceed, it is recommended that the City conduct a brief market survey to determine more accurately the likelihood riders would purchase produce at the Transfer Center.



SANTA FE TRANSFER CENTER

SUN METRO FARMERS' MARKET TIMELINE

Dates	Activity
2012: Phase One	<p>Select representative to attend Texas Farmers Markets Association 2012 Annual Meeting*</p> <p>Establish Advisory Committee administered by City of El Paso Department of Public Health</p> <ul style="list-style-type: none"> • Invite broad range of relevant partners (i.e. Supplemental Nutrition Assistance Program, including WIC, Lone Star, senior programs, neighborhood associations, school facilities near farmers' market site) • Determine organizational structure • Determine market management plan (i.e. types of vendors and volunteer coordination) • Conduct risk assessment and assess liability insurance needs and coverage • Finalize market design: For Mission Valley this will focus on using the courtyard at the Transfer Center and expanding to the parking lot over time • Finalize action plan & detailed budget • Establish calendar of activities • Hire market manager <p>Market Manager</p> <ul style="list-style-type: none"> • Determine market day(s) and hours • Visit & get commitments from potential vendors • Complete detailed promotion & outreach plan (contracted or in-house) • Complete detailed education plan (contracted or in-house) • Determine market policies and regulations, and secure necessary permits and insurance • Begin contacting nearby businesses, especially restaurants, and social service agencies • Ensure market accessibility through SNAP, Lone Star, etc. • Develop double dollar voucher program to increase accessibility • Conduct market survey at selected Sun Metro site and with nearby business (explore sponsorship potential) to determine market dates and times
2013: Phase Two	<p>Attend Texas Farmers Markets Association Annual Meeting (February)</p> <p>Pre-Market Season</p> <ul style="list-style-type: none"> • Heavily promote through media several months before opening date • Heavily promote to Sun Metro employees to encourage their participation, as well as promoting to riders • Provide orientation to vendors and volunteers <p>During the Market Season</p> <ul style="list-style-type: none"> • Pilot nutrition education, healthy cooking, gardening, and themed activities to attract families and customers (enlist various agencies to provide activities) • Involve various artists and musicians throughout market season • Conduct market feedback survey with vendors

	<p>Post-Market Season</p> <ul style="list-style-type: none"> • Compile vendor sales • Market Manager submits end of season report • Secure additional funding and municipal supports based on end of season report
<p>2014: Phase Three</p>	<ul style="list-style-type: none"> • Make adjustments based on end of season market report • Increase market accessibility (i.e. incorporate farmers market gift cards) • Install an educational garden at market site • Expand the market to the proposed parking lot along Harris Street



MISSION VALLEY TRANSFER STATION SHOWING PROPOSED TRANSFER CENTER & FARMERS' MARKET EXPANSION. FARMERS' MARKET PHASE 1 & 2 LOCATION AT THE INTERSECTION OF ZARAGOZA ROAD AND ALAMEDA AVENUE, AND IN THE TRANSFER CENTER COURTYARD, WILL PROVIDE MAXIMUM MARKET EXPOSURE TO TRANSIT RIDERS AND RESIDENTS PASSING BY.

THE FUNDAMENTALS OF MARKET SUCCESS

La Semilla's recommendations and considerations for establishing a successful farmers' market fall into eight categories: Market Location, Hours, and Logistics; Market Staff and Governance Structure; Types of Vendors and Vendor Fees; Regulations, Policies and Insurance; Risk Management and Food Safety; Increasing Access Using Food and Nutrition Assistance Programs; Community Support and Marketing; and Municipal Operational Support.^{xi} Implementing these recommendations will help ensure that the Market Manager and farmers' market entity itself can focus solely on the three core traits of successful farmers markets – ensuring a vibrant atmosphere, quality products, and a sense of community.

1. Market Location, Hours, and Logistics

Selecting the right site for a farmers' market can help ensure it is successful. A location that is accessible, inviting to shoppers with ample parking and amenities provided, and with hours of operation that meet the needs of the community will foster an environment in which the market will thrive.

- **Accessibility.** When choosing a market location, look for a site that is a central location with a lot of traffic, and that it is accessible by multiple modes of transportation. A market located near other businesses and offices may also draw consumers.
- **Space.** The site should be big enough to accommodate the needs of the number of vendors the market will have, with room for growth. Shoppers should also have enough room to easily circulate among the vendors. When calculating the square footage needed, keep in mind room for farmers' trucks, booth canopies, and walking aisles.
- **Parking.** Try to find a space that has free parking nearby.
- **Restrooms and Utilities.** Market sites should have access to electricity, water, public restrooms, and provide a place for hand washing.
- **Site Surface.** A level surface free of potholes or standing water is recommended to provide a safe shopping space for consumers and allow vendors to drive their trucks without risking damage.
- **Hours of operation.** Market hours should depend on the needs and characteristics of the community and availability of vendors. Market location may determine ideal operating hours; for example, if the market is located near a busy office district, a mid-afternoon or evening market may be the best choice. Conducting a survey is the best way to assess the needs of potential customers and vendors. Weekend markets provide a chance for those that work during the week to shop and socialize, and can accommodate special events, activities for kids, and live music. Morning markets during the week may attract seniors and stay-at-home parents, while evening markets can attract shoppers on their way home from work. Check the operating hours of other farmers' markets in the area to avoid conflict and ensure an opportunity to draw enough vendors and customers.
- **Site Availability Long-Term.** Request a long-term lease for the market site to avoid moving the location each season, as this can be frustrating for both vendors and consumers.
- **Secure Necessary Permits.** While there are no federal permits required for farmers' markets, rules vary by state, county and city. Check with the state department of agriculture, health departments and city government for permits needed. Potential permits include: permit to use the site if owned by a municipality, zoning permits, special events permits, health permits for food sampling and demonstration, permits for road closures, and state or local sales tax permits for vendors. Keep in mind that individual vendors may also be required to have permits based on the type of products they sell.

2. Market Staff and Governance Structure

Most successful markets have paid managers or coordinators, a board of directors or steering committee, several volunteers, and clearly defined mission and vision statements. An informal advisory board composed of community stakeholders can also provide valuable feedback and assistance and help keep the market on track. Some markets are owned and operated by cities, some by the community, and others by vendor associations.

- **Market Manager.** A market manager or coordinator is essential to a successful market. While many markets begin with a vendor assuming the role of manager, especially when resources are scarce, market longevity and growth is strengthened with a paid position to coordinate the market. Vendors as managers may make less money due to managerial duties, and conflicts of interest may occur. Vendors should be involved in market planning and decision-making processes, though management duties should remain with a paid coordinator. Stable funding to support this position and those of supporting staff is necessary so that vendors can focus on selling their products. The duties and responsibilities of market managers will vary depending on the size and structure of the market.
 - Market managers should be highly self-motivated, passionate, and communicate easily with a wide range of audiences (Appendix 4).
 - Managers should have conflict resolution and problem-solving skills, as well as marketing and financial skills.
 - Managers should also be able to attract both vendors and customers. For example, smaller markets often experience a circular condition in which they cannot attract sufficient customers because they do not have sufficient vendors, but cannot attract sufficient vendors because they do not have sufficient customers to do so. To avoid or to break this cycle requires a market manager charged with recruiting vendors and attracting customers.
- **Paying a Manager.** Whether a market can pay a manager full- or part-time depends on the size of the market, the time needed to perform the responsibilities of market operations, and revenue available. La Semilla recommends compensating a manager based on the market value of their skills and time spent making it a successful endeavor. Many markets operate on a limited budget; however, paid managers or coordinators can increase long-term market success.
- **Governance Structure.** The governance structure of the market should work to meet the needs of all involved in the market, including vendors, customers, and the community. Some farmers' markets are owned and operated by the city or community, others by vendor associations, and some are satellite markets operating under other existing markets, many of which are owned and operated by private individuals or companies. Nonprofit entities are also a governance structure for markets, acting as an umbrella and fiscal agent for the market or specifically for market management. Establishing a 501c3 has benefits, such as accepting tax-deductible donations; however, achieving nonprofit status can be a significant time commitment and application process. Other options include finding an umbrella organization, taking advantage of the benefits of being a 501c3 without going through the process itself.
- **Board of Directors.** Markets governed by nonprofit entities generally have a board of directors as the legal authority over decision-making, which delegates the day-to-day operation of the market to the manager. The board should be as diverse as possible, with individuals that have knowledge of agriculture, fundraising, planning, and legal and retail business experience, including farmers, chefs, and community members.
- **Steering or Advisory Committees.** While having no legal decision-making authority, these informal committees can provide valuable feedback and assistance, and help in the decision-making process. Members should consist of community stakeholders, representative of vendors, customers, residents, and local business owners.
- **Mission and Vision.** Strong mission statements should define the purpose, needs the market addresses, and the values that guide policies. The mission should be communicated publicly on

brochures, market applications and a website, and will guide the activities and policies the market adopts. Farmers' markets are businesses, and taking the time to develop a business plan with a clear mission will contribute to the long-term success of the market.

- **Volunteers.** Recruiting, managing and keeping volunteers is crucial to the success of markets, regardless of their size. The key to finding and keeping good volunteers is successfully managing and appreciating their time and work. Provide a draft job description outlining responsibilities, time needed, and skills required, and give an orientation to the market so they are familiar with the mission and expectations of volunteers. Have volunteer appreciation events and invite their input for improving market operations.

3. Types of Vendors and Vendor Fees

Choosing the number and types of vendors for a market, and determining how they are selected, depends on factors such as the amount of space, customer demand, and products offered. Farmers' markets are known for having a diversity of products, and many markets limit the number of vendors selling similar products. Others determine the number of vendors by the capacity the market can hold so that farmers reach their optimum sales based on demand.

- **Producer Only.** Most farmers' markets operate as 'producer only,' meaning that vendors of produce, value-added products, prepared foods, or crafts only sell products they produced themselves rather than purchasing items wholesale and reselling them. Producer only markets have strict rules and enforcement mechanisms in place, such as farm visits by market managers, to ensure compliance. Some states require markets to have producer-only rules or sell only locally-grown produce in order to participate in Farmers Market Nutrition Programs.
- **Agricultural Producer Vendors.** For many markets the primary goal is to support locally grown food and provide direct marketing opportunities for farmers. And, some markets also define locally-grown with a specific geographic boundary. These markets generally do not allow artisan vendors.
- **Value-Added Agriculture Producer Vendors.** Value-added agriculture refers most generally to manufacturing processes that increase the value of primary agricultural commodities, and allow farmers to collect a larger share of the food dollar. Value-added products, like hormone free beef or chicken, cage-free eggs, salsa, honey, and salad dressings can be wonderful additions to the market.
- **Prepared Food Vendors.** These types of food vendors sell prepared or cooked foods. When considering whether or not to allow these vendors, keep in mind the potential impact on the sales of local farmers at the market, increased foot traffic, and whether this addition would detract from the authenticity of the market. Some markets that allow prepared food vendors require that a certain percentage of their product come from locally produced foods, or that vendors produce their own ingredients.
- **Artisan Vendors.** Some markets only allow produce vendors and strictly adhere to this rule to not distract from providing local farmers direct sale opportunities, though many allow artisan and prepared food vendors as well. Assessing what is already available in the community will help determine the types of vendors allowed. For example, if there are outlets for local artisans to sell their products, there may not be a community need to add artisans to the market. Markets that allow artisans will often limit the number of artisan vendors allowed, have them only at special events or holidays, or on a rotating basis, so that the essence of the market remains true to farmers.
- **Vendor Fees.** Fees paid by vendors are a large part of the market's revenue. There is a lot of flexibility in determining the fee structure that is right for the market. Popular fee models include a flat fee per market day, a percentage-of-sales fee, or an annual base fee. Keep in mind that the fee structure chosen will also attract different types of vendors; for example, lower fees will attract smaller farmers and gardeners, and higher fees can attract larger commercial farms. Most markets in southern New Mexico charge a flat fee per market day as they run on shoestring budgets or have

municipal support. Charging a percentage of sales will generate higher revenue for the market, and is a useful way to track vendor sales and evaluate overall financial success. Many markets will transition from a *flat fee per day* model to a *percentage of sales* model as the market grows.

4. Regulations, Policies and Insurance

Markets need a clear set of policies and regulations to make sure they run smoothly. They should be written clearly so that all parties involved understand the expectations, rights and responsibilities that ensure the safety of vendors and customers. Liability insurance is needed to protect the market in the event a customer is injured during market hours, and it is recommended that individual vendors carry their own liability policies as well.

- **Regulation Examples.** Policies should be fair and equitable, and include written mechanisms for conflict resolution and enforcement responsibility. The market manager and governing bodies should collectively create policies that ensure a safe environment for shoppers and vendors. Examples of policies include guidelines for products sold (permits needed, pricing, presentation displays, scales), rules for vendors (mandatory farm visits, fees, space assignment, tracking of sales), and methods to enforce compliance. Vendors should receive and sign copies of market policies at orientation, and market managers should check frequently for compliance.
- **Insurance for the Market Sites.** Farmers' markets should carry slip and fall liability insurance coverage, and property insurance if the market owns the site. Connect with the Texas Farmers Markets Association or a private insurance agency to ensure adequate coverage to protect the market from lawsuits. In market policies, establish a 'hold harmless' clause for vendors to sign that agrees they will not hold the market liable for any damages, suits or expenses they may incur.
- **Insurance for Vendors.** Some markets require that vendors carry their own policies to protect them in the event that a customer is injured or becomes ill. Group rates and umbrella policies can offset the cost for vendors, and can be included in vendor fees. More information is available on the official websites of the Texas Farmers Markets Association and the New Mexico Farmers Market Association (Appendix 10).

5. Risk Management and Food Safety

Risk management practices will help create a market environment that is as safe as possible for vendors and customers. Safety precautions and guidelines to address hazards serve to prevent customers from getting hurt, while food safety measures reduce the risk of customers getting sick.

- **Safety Checklist.** Develop a farmers' market safety checklist for market managers and vendors to review frequently (Appendix 9). The checklist and safety guidelines can be covered with vendors at orientation, and market managers should also make sure safety precautions are followed each time the market is open.
- **Control Traffic Flow.** Using signs, traffic cones or ropes can direct the flow of vehicles and shoppers, preventing entry into areas where injuries may occur.
- **Secure Canopies.** Make sure vendors have canopies, umbrellas and tents secured to prevent injury to themselves or customers. Sand bags, weights, and concrete blocks can help stabilize canopies. Market managers should check vendor canopies regularly. Vendors and market managers should check the weather on market days to help anticipate potential problems; for instance, high winds affecting vendor canopies.
- **Emergency Plans.** Farmers' markets should have their own crisis and emergency plan in the event an evacuation is needed.

- **Document incidences.** Record all incidents that occur regardless of how small they seem, and document actions to enforce safety rules with vendors.
- **Food Safety.** To reduce the risk of food borne illnesses, become familiar with federal, state and local regulations regarding the types of foods sold at the market, and the licenses and permits that vendors need in order to sell those products. For example, many processed or value-added foods must be prepared in a licensed commercial facility. Regulations vary at the state and local level, so it is important to also contact the local health department for requirements. New Mexico allows for low risk foods to be produced at home with food safety training, kitchen inspection and the purchase of a permit, while Texas requires food preparation in a certified kitchen. Ask vendors to label their products clearly if they contain major food allergens such as peanuts, shellfish or soy. Last, follow food safety guidelines for cooking demonstrations and sampling, including wearing gloves, having a place for hand washing, and correct temperatures for storing foods. The health department can provide guidance on this topic.

6. Increasing Access Using Food and Nutrition Assistance Programs

There are many ways to increase access to farmers' markets. This is a key area in which the Department of Public Health can be a strong partner. Collaborating with community organizations and seeking nonfederal dollars to implement innovative programming such as Market Bucks can also bring more people into the market.

- **The Supplemental Nutrition Assistance Program (SNAP).** SNAP, formerly known as the Food Stamp Program, is a federal assistance program to help people and families with low incomes purchase food. In Texas, recipients are given a Lone Star card, which is used like a credit card to buy food at grocery stores. Each month a family's approved SNAP amount is placed in the card's account. Lone Star is a form of an Electronic Benefits Transfer (EBT) card. Markets that accept EBT cards enable SNAP recipients to purchase a variety of local, healthy products.
- **Women, Infants and Children Nutrition Program (WIC).** WIC, a special supplemental nutrition program for Women, Infants and Children, is another federal program to support low income women who are pregnant, breastfeeding, recently had a baby, or have children up to five years old. WIC recipients learn about healthy eating and healthcare services, and are provided vouchers, coupons, or Lone Star/EBT cards to purchase foods, which can sometimes be used at a local farmers' market.
- **Farmers Market Nutrition Program.** Many of the federal nutrition assistance programs can be integrated into farmers' markets to increase access to healthy, fresh produce. Some states offer a WIC Farmers' Market Nutrition Program (FMNP) which provides eligible women with coupons to shop for fresh fruits, vegetables, and herbs at farmer's markets or roadside produce stands. A Senior Farmers' Market Nutrition Program (SFMNP) is also available in some states, which provides eligible low-income seniors coupons to exchange for fresh fruits, vegetables, honey, and herbs at farmers' markets, roadside stands, and community programs that grow fruits and vegetables.
- **Double –Voucher Programs.** Across the country, cities, nonprofits, and health organizations are implementing matching-voucher programs to increase access to farmers' markets by those receiving food and nutrition assistance. These programs help offset the cost of fruits and vegetables by doubling the value of SNAP, WIC, or SFMNP dollars spent at the market. In 2010, Governor Bill Richardson of New Mexico awarded \$50,000 of stimulus funding for a two-for-one bonus dollar program for SNAP recipients at New Mexico farmers' markets that accepted EBT cards. The double-your-dollar program was mandated to continue until the end of 2010 or until funds were spent. Other initiatives offer smaller matches, depending on funding resources.
- **Market Bucks.** Many markets are offering gift cards or coupons to purchase fresh produce at farmers' markets. Much like the Prescription Trails Program, where physicians write prescriptions for physical activity and provide a walking guide that suggests routes in the community, market bucks can be

offered to encourage consumption of fresh fruits and vegetables. Some markets offer the option to purchase gift cards from their website.

7. Community Support and Marketing

It is important to have community support for starting a farmers' market. Local businesses, restaurants, residents and city officials and departments should be included in the development of the market, and help develop a collective mission to promote it. As the market develops, there are multiple strategies to engage the community and expand marketing efforts.

- **Community Engagement and Education.** The market is a place to support local farmers, sustainable agriculture, and seasonality, and can provide an environment for socializing and networking. It can also be a venue for community education and outreach. Food tastings, recipe distribution and food preparation using produce sold at the market can engage shoppers around healthy eating and cooking. It is recommended to collaborate with the local health department and WIC office; for example, the WIC office can distribute farmers' market checks to recipients from a booth at the market, and health department promoters can distribute information about controlling diabetes through healthy eating.
- **Marketing the Market.**
 - Create flyers and signs to display throughout the community, and ask local community organizations, businesses and schools to post them. All promotional materials should be in English and Spanish.
 - Utilize social networking sites, especially the Sun Metro Facebook page and printed materials, and link with municipal publications and websites.
 - Send press releases to local TV and radio stations, and create a public service announcement.
- **Provide Incentives.**
 - Promote the market to Sun Metro employees and provide incentives for purchasing from the market.
 - Plan activities to involve people of all ages, and make the market accessible for those with disabilities.
 - Meet with nearby restaurants to discuss purchasing vendor surpluses after each market day for a reduced price, and soup kitchens for vendor donations.

8. Municipal Operational Support

Farmers' markets can greatly benefit from municipal support, and this partnership can result in both a stronger market and community. Municipalities can help reduce costs for markets and assist with logistics, while farmers' markets help municipalities meet goals of ensuring community food security and increasing the availability of locally grown foods to lower income residents. Town managers, city councilors and other local government officials can be instrumental in fostering a new market's success, and ensuring that established markets continue to survive. Here are a few ways municipalities can support farmers' markets:^{xii}

- **Public Transportation.** The proposed market at Mission Valley Transfer Center is an innovative approach to address transportation issues affecting food insecurity.
- **Provide Market Space.** Almost all of the income generated from farmers' markets goes directly to the vendors. As markets generally operate on a nonprofit basis, offsetting operational costs by providing a market space free of cost or at a reduced rate will enable markets to keep overhead costs and vendor fees at a minimum.

- **Provide Parking Assistance and Traffic Control.** Municipalities can help with parking and control the flow of traffic to ensure safety by blocking off streets or parking lots on market day.
- **Provide Utilities.** Garbage collection and electricity for music and special events are also ways to offset market overhead costs.
- **Marketing.** Link the market to the municipal website, and include market news and advertising in municipal newsletters and publications.
- **Safety Audits.** With the help of the police department, market managers can perform safety audits to assess foot traffic and vehicle flow to ensure the safety of vendors and customers.

APPENDIX 1: RECOMMENDATIONS FOR CREATING A SUPPORTIVE FOOD ENVIRONMENT

Access & Food Outlets

- Supplement food assistant program funding for use at farmers' markets and other direct markets. *Establish sustained funding for "Double Dollar Days" and other programs that provide dollar for dollar matches for low-income customers using food stamps at farmers markets.*
- Ensure all farmers' markets accept food assistant program vouchers, including EBT. *Current participants of the Supplemental Nutrition Assistance Program (SNAP) are unable to use these benefits at farmers markets because farmers markets typically lack the wired Electronic Benefits Transfer (EBT) terminals that process SNAP funds. This adds another barrier to fresh, nutritious produce for families in need, and farmers lose out on this business at their markets.*
- Make City and County resources (including soil, water, and staff/coordination) available for community garden and community food project development. *Provide allowances for organizations to lease City and County property for such projects. The anti-donation clause currently hinders the use of City and County resources from for market gardens and similar community food projects. Yet, other municipalities and Counties throughout the country have developed strategies that support such projects. Research should examine how those entities have navigated this issue.*
- Ensure that municipal water used for food production (gardens & small farms) is charged at a lower rate than domestic use. *Research needs to be done to determine current rates and whether charging lower rates for food production is in any way feasible (i.e. without having two separate water meters, one for garden use and one for domestic consumption, how could this be regulated at a household level?).*
- Develop public/private investment streams for social-purpose organizations like Mercado Mayapan, Colonias Development Council, Border Farmworker Center and La Semilla Food Center that provide space for food production, business & leadership education, farmworker services, and increase access to healthy food.
- Explore wellness incentives for Sun Metro and City employees that encourage use of the market.
- Integrate staffing opportunities for individuals served by employment programs offered by such entities as Goodwill Industries. *Such programs provide job skills training and employment opportunities for many disadvantaged individuals, an important social service provided in the City.*

Production

- Explore the use of land easements, trusts, and swaps for beginning and underserved small scale-agricultural use in perpetuity. *Develop local capacity and expertise in these areas. Explore the idea of land swaps, allowing retiring farmers to swap their farmland with City-owned land at equivalent market values. The farmland would then be held in perpetuity as a trust.*
- Support beginning and underserved small farmer training and mentorship programs. *Examples include NMSU's OASIS CSA that provided hands-on small farm training for college students, the Agriculture & Land Based Training Association (ALBA Farmers) program in California, and the Agri-Cultura Network in Albuquerque's South Valley.*

- Ensure that agricultural production is coded in zoning ordinances as a “best use” of land, though without tax implications. *At the municipal level this ensures that other forms of “development” are not treated as a superior use of land, recognizing the importance of food production.*
- Ensure that labor and environmental inspections are carried out to enforce current laws and regulations.
- Encourage more effective food safety programs that do not put small scale producers and vendors at a disadvantage.

Processing & Distribution

- Support the development of a food hub facility to serve small producers throughout the region to aggregate, process, and distribute products, & develop new markets. *Examples include the South Valley Economic Development Center in Albuquerque’s South Valley and Mercado Mayapan in Segundo Barrio. USDA Rural Development is a likely source of funding to support such an effort.*
- Support small business development assistance to and help secure resources for value-added businesses. *Examples include the Taos Community Economic Development Center that has helped produce over 40 new food businesses. Another example is the South Valley Economic Development Center in Albuquerque, NM that serves as a “food hub” and commercial kitchen space. USDA Rural Development is a likely source of funding to support such an effort.^{xiii}*
- Network farmers, distributors, and retailers to develop communication around product availability. *This will allow for producers, distributors, and retailers to learn about the challenges faced by each other and opportunities to work together. This may include visits to farms and restaurants.*
- Encourage private Foundations to support investment opportunities in local food production and distribution through micro-loans, community-driven investments, social-purpose business investment, and public financing. *There has been tremendous interest recently in holding funding forums to connect investors with opportunities. What are the funding priorities and how do we frame projects to attract investment dollars?*

Education & Public Health

- Provide opportunities for youth to learn about growing and eating healthy. *This can be accomplished through community and school gardens, summer programs, and policies that reinforce the important links between food and public health.*
- Support farm to school programs that explore local food sourcing for schools, school garden development, and farm-based education opportunities. *There are currently efforts underway to establish school gardens and better coordinate school garden efforts, including the Las Cruces School Garden Partnership and La Semilla Food Center. There is tremendous public interest in getting locally-produced food into schools yet no concerted effort to develop this effectively. Service Director’s past experience with individual producers leave them somewhat skeptical yet open to the idea. This may also include ensuring that local school districts implement healthy food production & cooking education as part of their classroom curriculums.*
- Provide educational outreach at senior centers, especially encouraging seniors to shop at farmers’ markets.
- Develop ongoing educational programming around community and school gardens.

- Conduct an educational campaign to inform area residents about “local food systems,” related terms and concepts, & existing projects.
- Promote composting and responsible waste management to deter the burning of garbage and compostable organic matter.
- Disseminate information on accessing food assistance programs like SNAP, WIC, and EBT.
- Change necessary regulations to allow vendors to do food tastings at farmers’ markets without having to use a certified kitchen for food preparation. *This currently prevents vendors from offering food samples thought most would like to. Most do not have access to a certified kitchen or cannot afford the time to travel to a certified kitchen to cut produce for sampling.*
- Ensure local food system development is taken seriously in City and County plans and by officials as an economic development tool.
- Utilize City of El Paso GIS resources to map “food deserts” in relation to WIC recipients, enabling the best placement of farmers’ market locations to increase food security in these areas.

Recommendations for Creating a Supportive Food Environment, derived from 2011 Paso del Norte Food Planning Taskforce efforts, led by La Semilla Food Center.

APPENDIX 2: BUDGET

	2012	2013	2014
Marketing			
Print Media	\$0	\$1,500	\$1,500
Posters / Local Flyers	\$500	\$500	\$500
Promotional Banners	\$0	\$1,500	\$750
Education (Workshop Supplies)	\$0	\$1,000	\$1,000
Entertainment (Live Music)	\$0	\$250	\$250
Logo & Brand Development	\$1,000	\$1,000	\$0
Administration			
Market Manager	\$8,500	\$35,000	\$35,000
Liability Insurance*	\$0	\$0	\$0
Market Rules / Vendor Application Packets	\$0	\$100	\$100
Legal Fees*	\$0	\$0	\$0
Office Supplies	\$250	\$250	\$250
Conference Attendance	\$1,200	\$0	\$1,200
Mileage Reimbursement (@ \$0.55/mile)	\$250	\$500	\$500
EBT - Central Point of Sale (POS) Machine	\$0	\$1500	\$0
POS Machine Service Fees (6 months @ \$35/month)	\$0	\$210	\$210
Facilities			
Market Booths, Tables, Chairs	\$0	\$2,000	\$0
Cold Storage for Produce	\$0	\$2,000	\$0
Restrooms**	\$0	\$0	\$0
Site Cost**	\$0	\$0	\$0
Permits (Health Inspection)	\$0	\$200	\$200
Electricity**	\$0	\$0	\$0
Storage**	\$0	\$0	\$0
Subtotal	\$11,700	\$47,510	\$41,460
Income			
Vendor Application Fees (\$20/farmer)	\$0	\$100	\$200
Weekly Vendor Fee (Based on \$5/day fee x 12 days)	\$0	\$300	\$600
TOTAL	\$11,700	\$47,110	\$40,660

*Market Manager salary based on 0.25 FTE in 2012 and 1.0 FTE in 2013 & 2014.

**These costs may be assumed by the City and/or Sun Metro.

***The Mission Valley Transfer Center has existing facilities that could be used by the Farmers' Market.

APPENDIX 3: FUNDING OPPORTUNITIES FOR FARMERS MARKETS

Farmers' Market Promotion Program

The Farmers Market Promotion Program (FMPP) is a program of the U.S. Department of Agriculture's Agricultural Marketing Service. This program helps develop and improve and expand domestic farmers' markets, roadside stands, community-supported agriculture programs, agri-tourism activities, and other direct producer-to-consumer market opportunities. Entities eligible to apply include local governments, agricultural cooperatives and networks, and nonprofit corporations. The maximum amount awarded for any one proposal cannot exceed \$100,000. More information can be found at <http://www.ams.usda.gov/AMSV1.0/FMPP>.

Community Food Projects Grant Program

The Community Food Projects Grants Program (CFP) offers grants and technical assistance to support entrepreneurial projects, develop innovative linkages between the for-profit and nonprofit food sectors, and encourage long-term planning activities and interagency approaches. Projects are funded between \$10,000 and \$300,000 on a one- to three-year grant cycle. Project funding requires a dollar-for-dollar match in resources from grantees. More information can be found at <http://www.nifa.usda.gov/fo/communityfoodprojects.cfm>.

The Bayview Community Farmers' Market in San Francisco received \$130,000 for a three-year project to increase the frequency of market days and to expand the scope and selection of products offered. Outreach to promote the market has focused on low-income populations, particularly food stamp and WIC program recipients.

Community Food and Nutrition Program

The Community Food and Nutrition Program (CFN), administered by the U.S. Department of Health and Human Services, provides funding for small programs that coordinate existing private and public food assistance resources to better serve low-income communities. This includes initiating nutrition programs in underserved areas and developing innovative approaches to meet the nutrition needs of low-income people. Local governments and public and private nonprofit agencies are eligible to apply for about 50 awards each year at a maximum of \$50,000 per grant. More information can be found at http://www.acf.hhs.gov/programs/fbci/progs/fbci_cfn.html. *Community Food Connections, a nonprofit organization in Phoenix, Arizona, received a CFN grant to offer wireless point of sale terminals at 20 farmers markets so that food stamp customers will be able to use their electronic benefits transfer (EBT) cards to purchase fresh, local produce at the farmers market.*

Local Foundations

- Paso del Norte Health Foundation
- El Paso Community Foundation

APPENDIX 4: FARMERS MARKET MANAGER JOB DESCRIPTION^{xiv}

The _____ Farmers Market is a community market, supported by the City, community members, and a host of other local agencies. The market will provide access to locally grown fruits, vegetables, and other farm products, while creating a sense of community within the City and helping to revitalize the downtown district. This ambitious project will be undertaken as a project in cooperation with local non-profits and other partners to support this venture.

Manager Position

The Market Manager is a part time position with primary responsibility being the day-to-day operation of the farmers market. This will include an on-site presence at the market during all market hours, as well as off-site work during non-market hours. The manager will report to a market committee, who will set all market policy. In addition, the manager will represent the market to the market's vendors, the consumers, and to the community.

Duties—in season

- Enroll farmers/vendors in the market—either through seasonal vendor agreements or as daily vendors
- Collect all stall fees owed, make accurate accounting, and deposit in market account
- Arrive prior to market vendors arriving and remain throughout the market day to:
- Properly place vendors in stalls, including assigning market stalls to daily vendors
- Place market signs, parking signs
- Ensure all rules and regulations are adhered to
- Ensure all state and county regulations are adhered to
- Answer questions for vendors and consumers
- Resolve disputes that arise
- Maintain market grounds in a safe manner
- Operate market manager's booth
- Have nutritional education materials to distribute
- Have recipes for seasonal, local foods that are available in the market
- Operate market's EBT program
- Enroll market and market farmers in the Farmers' Market Nutrition Program (FMNP)
- Act as liaison to the market's governing body, providing accounting and performance reports
- Communicate market policies, activities, and rules to farmers, keeping them informed throughout the season
- Solicit entertainment for market days, as well as sponsors for the entertainment
- Conduct periodic customer counts each market day to assess the level of growth in market usage
- Assure the market site is clean once the market is closed and the vendors have left for the day
- Maintain database of farmers, vendors, their contact information, and any licenses or permits each vendor possesses based on the products they are selling
- Conduct farm inspections

Duties—off season

- Vendor recruitment
- Professional development for market managers
- Community relationship development
- Fundraising
- Advertising/ promotional program development, including special events planning
- Work with market board/committee to plan for market growth and development
- Preparations of site for next season, including securing location, site permits, market insurance, ensure that any maintenance or repairs needed to site are made, secure bathrooms, set market schedule, organize volunteers

Qualifications

- Ability to think creatively
- People person with skills in diplomacy
- Dispute resolution skills
- Good communication skills
- Organizational skills
- Marketing skills helpful
- Some financial knowledge helpful: i.e., budgeting
- Self-motivated
- Passionate about the community and local agriculture

APPENDIX 5: EXAMPLE FARMERS' MARKET RULES & REGULATIONS

Omaha Farmers Market 2009 Rules & Regulations

Dates & Location

- Saturdays 8:00 a.m. – 12:30 p.m., May 2nd – October 10th
 - Absolutely no public sales before 8:00 a.m. or after 12:30 p.m. There will be a bell signaling the opening of the Market and a closing bell signaling its end.
- Old Market Parking Lot between 10th & 11th Streets on Jackson Street and surrounding areas on 11th Street & Howard Street.

Vendor Types

- Season Vendors** are vendors that pay a stall fee for the full season. They are assigned a particular stall that they are permitted to set-up in each Saturday of the Market. Season vendors are generally granted "first right of refusal" to reserve their stall from season to season. New season spaces are available on a limited basis each season. Please call Vic Gutman & Associates for more information.
- Weekly Vendors** are scheduled for stall spaces depending on space availability, product mix and market management discretion. Weekly vendors should expect to be in a different stall each week they are scheduled. Requesting a date on the vendor application form does NOT guarantee a stall space for that day. You will receive a confirmation phone call the week of the market. Your schedule flexibility is appreciated as we continue to fill last minute cancellations up until Friday evenings.

Space / Stall Details

- Each space is approximately the size of a parking stall, roughly 8 foot wide by 16 foot deep. Vendors are allowed additional depth at the discretion of market management. Please be courteous to your neighbors and remember when you encroach on aisles you are taking space from your customers!
- Subletting or sharing spaces is not allowed. If a season vendor is absent from the Market, OFM management has the right to fill the space with another vendor. Please let us know if you are going to be absent - - this policy allows us to keep our vendor fees low and it helps us to keep the Market full and energized.
- Vendors are provided an empty stall space. You are responsible for bringing your own items for set-up including, but not limited to: tables, chairs, tents / umbrellas and necessary weights, signage, cash boxes. The Market does NOT have storage available.
- Vendors are *required* to have a sign with their name and location (city or town); growers must also list prices. Signs must be prominently displayed each week.

Payments, Billing and Fees

- Please see the Vendor Application for a complete breakdown of stall, health department and electrical fees.
- Season vendors are billed in a three-payment installment plan. Installments are generally due in October (of the prior year), April and June. Season vendors are required to pay the *entire* season fee and associated health department and electrical fees, no exceptions and no discounts if you are absent.
- Returned checks: First occurrence the vendor will be charged an additional \$25 fee and must pay the entire amount in cash at the VGA office. Second occurrence, the fee will increase to \$35 and the vendor must pay in cash for the rest of the season.

General Policies

- It is the vendors' responsibility to be familiar with the local, state and federal regulations and permits that govern the products of which they sell. The notes and guidelines included in this document are included as a courtesy, but do not take precedence over governmental policy.**
- Vendors must apply in one of three categories. More information on these categories is provided in the attached "Category Descriptions & Permitted Product Information sheet. Only one category of product is allowed per stall space. Categories are:
 - Farm & Nursery Products and Processed Farm Products
 - Value Added Food
 - Craft Items
- The Omaha Farmers Market is a "green market" and priority will be given to the Farm & Nursery Products and Processed Farm Products and Value Added Food categories.
- Vendors must complete the application process through the office before being allowed at the Market.
- The Market is held rain or shine and refunds are not given unless the Market is cancelled prior to opening and at the determination of OFM management. In this case, refunds will only be considered for Weekly Vendors.

- The OFM Onsite Manager arrives at 6:00 a.m. each Saturday. Vendors are allowed to drive onsite between 6:00 a.m. and 7:00 a.m. Vendors arriving after 7:00 a.m. will have to handcart items. All vendors MUST be onsite by 7:30 a.m. this includes vendors with direct street access. Vendors that are not onsite by 7:30 a.m. may have their space reallocated to another vendor. No vehicles are allowed to enter or exit the site between 7:00 a.m. and 12:30 p.m. If there is an emergency please work with the Onsite Manager.
- Vendors are not allowed to leave before 12:30 p.m. even if they sell out of product.
- No items offered for sale maybe be jobbed or commercially made. All products must be the original work or produce of the vendor.
- Definition of "Vendor" – Vendor shall be defined as the producer of goods sold and shall include spouse, siblings, children, parents and employees of the applicant who assist in the cultivation of the same property or assist in the production of items available for sale.
- OFM Management reserves the right to conduct on-site inspections of farms, kitchens or other workshops or spaces.
- Electricity is available on a limited basis in a small section of the Market and must be arranged in advance by contacting the office. If vendors are approved to use electricity it is their responsibility to provide a 100-foot heavy-duty extension cord and heavy-duty mats to cover the cord.
- No smoking in vendor stalls.
- Non-produce vendors are responsible for collecting, reporting and paying sales tax. Omaha's current tax rate is 7%.

Parking Lot Rules

- Use of the parking lot is donated through an arrangement with Mercer Management and Central Parking Systems. It is exceptionally important that we follow these rules and be courteous "tenants" each Saturday.
 - You may park in your stall space, but vendors are asked NOT to park in any other area of the parking lot or in the alleyway. If you choose to ignore this request, you are responsible for paying for the parking space (even during Market hours) and for any subsequent tickets issued by Central Parking Systems.
 - Trash, including produce debris and food items, must be swept up and disposed of after each market. Vendors are responsible for cleaning their own area before leaving. Brooms are available through the information booth.
 - Vendors must vacate the parking lot no later than 1:30 p.m.

Food Displays and Packaging

- All food items must be free from harmful pesticide residues and free from insects and spoilage. All produce must be washed.
- All food items, including produce, must be stored and displayed at least 6 inches above the ground.
- Pre-packaged produce must be in NEW food-grade plastic bags or plastic food wrap. Produce sold by piece or per quantity may be sold in NEW paper or plastic bags.
- Only legal scales with state permit stickers will be allowed at the Market. Vendors without legal scales must sell by the piece or per quantity. If you wish to sell produce by weight, but do not have a legal scale, consider weighing and packaging items at home, but sell 'by the bag' or 'by the package'.

Douglas County Health Department

- Only products in compliance with the regulations of the Douglas County Health Department may be sold at the Market. *Vendors are responsible for securing all necessary permits and approvals.*
- The health department fees paid for the Omaha Farmers Market *may* cover you for other Douglas County Farmers Markets but the fees do NOT cover you for other Douglas County public events. Please see the application for information on fees and contact the Health Department for additional policy information.
- Vendors selling meat products must display proof of USDA inspection and a current manufacturer's license/permit on-site during the market each week.
- Perishable produce and other food items must be maintained at appropriate temperatures with heating and cooling devices. Eggs must be kept in a cooler at 45 degrees.

Omaha Farmers Market
 Rules and Regulations
 Page 3 of 3

- Vendors selling approved products prepared in a non-regulated, non-inspected kitchen must clearly display a sign at their stand indicating such. The sign must be clearly visible and clearly worded. A sample of acceptable wording is: "Food items were prepared in a kitchen that is not subject to regulation or inspection by the Foods Division of the Nebraska Department of Agriculture". *Only certain items (mainly baked goods) are eligible for this option, please contact the Health Department for details.*
- Vendors selling items produced in a regulated kitchen must display their license at the Market. Only water-processed jams and jellies are allowed--no paraffin-topped.
- Sampling must meet Douglas County Health Department code.

Information Booth & Other Amenities

- The information booth is located on the west edge of the parking lot. The onsite manager and assistant manager are available to help vendors and customers with things including lost and found, vendor locations, souvenir sales and other Market related questions.
- Market vendors have an opportunity to donate produce and baked goods to Omaha's less fortunate through the donation cart located near the information booth. Market management arranges with the Open Door Mission and the Siena Francis House to pick up the donations on a rotating basis.
- Public restrooms are available at Upstream Restaurant, in the Passageway Building (North side of Howard) and in the City Park 4 parking garage just South of Jackson Street. Many other shops and restaurants have restrooms available on a limited basis for their own customers.
- OFM Management asks that vendors park and drop trailers at least 2 blocks away from the Market in order to leave prime parking spots available for customers.

Resources

- Douglas County Health Department (402) 444-7243.
- State of Nebraska Department of Revenue (402) 595-2065.
- Department of Agriculture, Weights & Measures (402) 471-4292.
- Nebraska Department of Agriculture, Plant Industry (402) 471-2394.
- OFM strongly encourages qualifying produce and food vendors to accept WIC Program and Senior Nutrition Program coupons for qualifying purchases. For more information on becoming a participating vendor in these programs please contact (402) 471-2781 (WIC) or (402) 471-4623 (Senior Nutrition).

Rule Violation Policy

- Violation of any of the Rules and Regulations or policies laid out in this or future notices will be handled as follows:
 - 1) First violation results in a verbal warning, which may be issued by any member of the OFM Management team including the Onsite Manager.
 - 2) Second violation results in a written warning issued by the Executive Director of the Market.
 - 3) Third violation results in expulsion from the Market without refund for that day.
 - 4) Fourth violation results in expulsion without refund for the remainder of the Market season.

Omaha Farmers Market Contact Information

- Vic Gutman & Associates Office (402) 345-5401
- Jana Friis, Project Coordinator jfriis@vgagroup.com
- Heidi Walz, Project Manager hwalz@vgagroup.com
- Vic Gutman, Executive Director vgutman@vgagroup.com
- www.omahafarmersmarket.org
- Omaha Farmers Market
 c/o Vic Gutman & Associates
 300 South 19th Street, #318
 Omaha, NE 68102

APPENDIX 6: EXAMPLE VENDOR APPLICATION FORM**PRODUCE VENDOR APPLICATION FORM
BROWNSVILLE FARMERS' MARKET**

The mission of the Brownsville Farmers' Market is "create an event where nutritional education and fresh, affordable and locally grown produce is made available by local growers direct to local families, which will improve the families' health and well-being and strengthen community ties". Prospective vendors must complete this application in full. Preference will be given to those vendors who fit the Market's mission. Approval is also based on the Market's needs in terms of space available to keep the correct balance between Fresh Produce Vendors (vendors selling fresh fruits and vegetables that they have grown themselves) and other items.

Name: _____

Address: _____

Phone: _____ E-mail: _____

Please list all items that you would like to sell:

- Home-grown Produce _____
- Herbs and Edible Plants _____

Note: current Texas Department of Agriculture permits must accompany the Application

- Farm-Fresh Eggs
- Gulf Shrimp Note: vendor must own the boats that caught the shrimp and attach all state & federally required permits.

All applications will be reviewed by the Application Committee and require a majority vote for acceptance. Applicant will be notified of acceptance or non acceptance. You may forward the completed Application by email to TheBrownsvilleFarmersMarket@gmail.com, by fax to (956)-882-5152 ATTN: Brownsville Farmers' Market or by mail to Brownsville Farmers' Market, 80 Fort Brown, SPH Building, Brownsville, TX 78520.

**THE BOARD OF DIRECTORS OF THE BROWNSVILLE FARMERS' MARKET
RESERVES THE RIGHT TO REFUSE ANY APPLICATION.**

Date Received: _____ (circle one) Approved / Denied

Acceptance/ Non-acceptance letter sent: _____

APPENDIX 7: EXAMPLE VALUE-ADDED PRODUCTS VENDOR APPLICATION FORM

**VALUE ADDED PRODUCTS VENDOR APPLICATION FORM
BROWNSVILLE FARMERS' MARKET**

The mission of the Brownsville Farmers' Market is "create an event where nutritional education and fresh, affordable and locally grown produce is made available by local growers to local families, which will improve the families' health and well-being and strengthen community ties". Prospective vendors must complete this application in full. Preference will be given to those vendors who fit the Market's mission. Approval is also based on the Market's needs in terms of space available to keep the correct balance between Fresh Produce Vendors (vendors selling fresh fruits and vegetables that they have grown themselves) and other products. "Other Products" must be made by the vendor, consist of a majority of locally-grown items, and meet the guidelines for a low-fat, low-sugar diet.

Name: _____

Address: _____

Phone: _____ E-mail: _____

Please list all items that you would like to sell:

Preserves, Jams, Flavored Vinegar _____

Honey _____

Breads _____

Note: must be made in a certified commercial kitchen

Cut Flowers and Non-Edible Plants _____

Note: current Texas Department of Agriculture permits must accompany the Application

All applications will be reviewed by the Application Committee and require a majority vote for acceptance. Applicant will be notified of acceptance or non acceptance. You may forward the completed Application by email to TheBrownsvilleFarmersMarket@gmail.com, by fax to (956)-882-5152 ATTN: Brownsville Farmers' Market or by mail to Brownsville Farmers' Market, 80 Fort Brown, SPH Building, Brownsville, TX 78520.

**THE BOARD OF DIRECTORS OF THE BROWNSVILLE FARMERS' MARKET
RESERVES THE RIGHT TO REFUSE ANY APPLICATION.**

Date Received: _____ (circle one) Approved / Denied

Acceptance/ Non-acceptance letter sent: _____

APPENDIX 8: EXAMPLE VENDOR CONTRACT

BROWNSVILLE FARMERS' MARKET **VENDOR CONTRACT – 2009/2010**

1. Vendor Qualifications

- a) All vendors' farms or production areas must be located within the state of Texas.
- b) The Market Manager or Board of Directors may conduct an inspection of any vendor to verify product origin.
- c) Vendors shall have a Texas Sales and Use Tax permit and other permits as required by City and state law. Vendors must comply with all relevant city, state and federal tax laws.
- d) Vendors must complete and sign this vendor contract with the Brownsville Farmers' Market Board of Directors prior to selling.

2. Market Operation

- a) The Brownsville Farmers' Market will operate every Saturday morning from the first Saturday in October until the last Saturday in May. Market Hours are 9:00 am – 12 Noon.
- b) Vendors at the Brownsville Farmers' Market may act as their own seller, or may designate an agent to sell on their behalf (these products cannot be purchased by the agent and re-sold). Vendors shall not have the right to assign their space to a third party operating for profit. If vendor will be appointing an agent, please specify agent's name and contact information here:

-
- c) Vendors may arrive and begin setting up their space at 8:00 am. Vendors must be set up and ready for customers ten minutes prior to the opening of the market. Vendors may not arrive any later than 8:30 am.
 - d) No sales may be made before the opening bell, which will sound at 9:00 am.
 - e) Vendors must notify Market Manager two days in advance if they will **not** be participating in a Market Day.
 - f) Vendors must park in the designated parking area.
 - g) Vendors may set their own prices. Prices should be set in keeping with customer satisfaction and consideration of other vendors.
 - h) Any produce sold by weight must be weighed on a TDA approved scale and should be positioned in a way that is visible to the consumer.
 - i) All agricultural products sold at the Brownsville Farmers' Market must be of merchantable quality. The Market Manager may inspect vendor's produce prior to opening of the market.
 - j) All federal, state and local health regulations pertaining to the sale and transport of any fresh foods must be observed. Vendors must present a copy of all current permits/licenses to the Market Manager prior to selling.
 - k) Vendors will report sales to the Market Manager the following week.
 - l) Vendors will not use the term "organic" unless they are certified organic from the Texas Department of Agriculture or are exempt from certification.
 - m) Vendors are responsible for cleaning up the area around their stall at the end of the Market Day. Failure to comply will result in a warning issued in writing to the vendor. Failure to comply with the warning will result in expulsion from Market.
 - n) Vendors are not permitted to smoke or consume any alcoholic beverages on-site during market hours.

Brownsville Farmers' Market Vendor Contract: 2009-2010 Season

- o) Vendors are expected to conduct themselves in an appropriate, business-like manner.
- p) If there is a dispute about the authenticity of origin of items sold or an issue with presentation of the items at vendors' individual stall, the Board of Directors will have the final say.

3. Assignment of Stalls

- a) Stall assignment will be determined by the Market Manager.
- b) Each vendor will receive a 6-foot table with tablecloth on which to display their items. Vendors must bring their own seating.
- c) All vendors will display signage at their stall.

4. Vendor Application Process

- a) The Vendor Application must be received at least 1 week prior to the first market day that they are interested in participating in.
- b) Farms or production sites of all new vendors may be visited to verify eligibility.
- c) All appropriate documentation (including copies of permits and vendor contract) must be on file with the Market Manager before the vendor will be allowed to sell at the Market.

5. Fees **WAIVED FOR THE 2009-2010 SEASON**

- a) Tent rental fees for the Brownsville Farmers' Market are as follows:
 - Vendor provides their own tent: no fee
 - Rental of 10x10 pop-up tent from Market: \$10 per month

6. Complaint Process

- a) Complaints are to be submitted to the Market Manager in writing.
- b) Any action to be taken will be determined by the Board of Directors. The Board may vote to suspend a vendor for cause.

7. Eligible Market Products

- a) Vendors of fresh produce must be the original grower.
- b) No live animals may be sold or given away at the Market.
- c) All products sold at market must comply with all state and local health regulations.
- d) The following is a list of eligible market products. Vendors wishing to sell any additional products must apply to the Board of Directors for approval prior to bringing product to the Market.
 - Vegetables, fruits, herbs, nuts in their shell, berries.
 - Plants grown by the vendor from seeds, bulbs, transplants or cuttings.
 - Honey/ bee products.
 - Farm-fresh eggs from vendor-raised poultry.
 - Gulf shrimp from vendor-owned boats.
 - Cut or dried flowers or seeds raised by the vendor. (TDA permits required)
 - Preserves, jams, vinegars, etc., made by vendor. (Manufacturer's License must be on file.)

- Other items that are homemade can be brought to the attention of the Market Manager who will present it to the Board of Directors for market approval prior to market day. The Board of Directors reserves the right to reject any product for sale at the market.

8. Signature and Hold Harmless

I, the undersigned, in consideration of being provided a space at the Brownsville Farmers' Market, agree to following terms and conditions:

- I acknowledge receipt of and agree to abide by the Rules as outlined in this Vendor Contract of the Brownsville Farmers' Market pursuant to the interpretation of the Market Management, as well as any related laws and regulations established by the city, county, state and federal government.
- Vendor shall indemnify, defend and hold harmless the Brownsville Farmers' Market, Brownsville Community Foundation, Su Clinica Familiar, the City of Brownsville, its City Council, boards and commissions, officers, agents, employees and volunteers from and against any and all loss, damages, liability, claims, suits, costs and expenses, whatsoever, including reasonable attorneys' fees, regardless of the merit or outcome of any such claim or suit, arising from or in any manner connected to the willful misconduct or negligent acts, errors or omissions of Vendor, its agents and employees, in connection with Vendor's participation in the Brownsville Farmers ' Market, and in the performance of services, work or activities under this Agreement and the Brownsville Farmers' Market Rules.

I have received, read and understood, and agree to abide by all rules and regulations governing the Brownsville Farmers' Market.

Signature _____ Name _____
Please print

Date _____ Phone # _____

Email Address _____

Mailing Address: _____

APPENDIX 9: FARMERS MARKET SAFETY CHECKLIST

Location _____ Survey Date _____ Time _____

Address _____ Evaluation by _____

Key: **S** = Satisfactory **U** = Unsatisfactory **NA** = Not Applicable

	S	U	NA		S	U	NA
A. ENTRY/EXIT WAYS							
1. Adequate barriers, orange warning cones, etc. provided to/from market areas.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	6. Display tables properly arranged and filled within load capacity.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2. Pets not allowed in market areas.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	7. Appropriate licenses issued by the State Department of Agriculture, etc. conveniently posted near vendor areas.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3. Use of bicycles, skateboards, roller skates, roller blades, in-line skates, etc. prohibited and properly signed in market areas.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	8. Vendors informed of disciplinary procedure for failing to correct unsafe conditions in timely manner.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
4. Appropriate "NO SMOKING" and "OPEN FLAME" signage conveniently displayed.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	9. Sidewalk and customer area boundary lines properly identified and enforced.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
5. Motor vehicles properly parked to not obstruct access to fire hydrants, fire lanes, and other emergency vehicle access points.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	10. Boxes or crates containing produce kept at least six inches off the ground per state health and safety codes.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
B. SIDEWALKS				E. MARKET AREAS			
1. Walking/working areas provided with even surfaces and no potholes.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	1. Vegetation, including tree branches, shrubs, etc., kept from obstructing sidewalks, parking lots, common areas.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2. Changes in elevation and abrupt surface edges provided with warning markings, signage, etc.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	2. Lawn sprinklers installed away from common areasto prevent trip and fall hazards.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3. Handicap access provided along sidewalks and ramps where necessary.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	3. Leaves, debris, etc. removed from walking surfaces to reduce "trip and fall" hazards.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
C. PARKING LOTS				4. All parking lots and walkways well-lighted.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
1. Parking stalls provided free of potholes and other obstructions.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	5. Electrical equipment, including extension cords, wiring, etc., properly rated for outside use.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2. Curb bumps/parking blocks properly secured and highlighted.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	6. Electrical outlets equipped with ground fault circuit interrupters to reduce shock hazard.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3. Speed bumps well identified/marked.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	7. Tarps, canopies, table legs, etc. properly secured and installed to reduce "trip and fall" hazards and risk of collapse.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
4. Vendor vehicles such as large trucks, vans, etc. provided with wheel chocks or blocks to help prevent movement.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	F. SPECIAL HAZARDS			
D. VENDORS EQUIPMENT/SET-UP				1. Areas under construction, repair, or modification properly barricaded/ fenced with appropriate warning lights and/or flashing beacons.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
1. Market manager and/or assistant manager trained in emergency procedures, including first aid, emergency response, earthquake preparedness, bomb threat, etc. and coordinated with local authorities.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	2. Customers and employees restricted from fenced/barricaded construction areas.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2. Fully approved first aid kit and fire extinguisher provided at main location.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	G. ADDITIONAL CONCERNS/COMMENTS			
3. Appropriate refuse/trash containers available and used by public.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>				
4. Emergency barricades, orange warning cones, etc. available in case of emergency situation.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>				
5. Vendors required to have "standardized" display tables, supports, awnings, and umbrellas approved by the market manager.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>				

Provided by Dirk Duchscherer, InterWest Insurance Services, Inc. www.iwins.com.

APPENDIX 10: RESOURCES & ENDNOTES

Resources

- **Market Forces: Creating Jobs through Public Investment in Local and Regional Food Systems:** http://www.ucsus.org/food_and_agriculture/solutions/big_picture_solutions/market-forces.html
- **Farmers' Market Rules, Regulations, & Opportunities:** http://www.nyfarmersmarket.com/pdf_files/fmruleregs.pdf
- **Considerations in Starting a Farmers' Market:** http://www.texasbar.org/content/legal_library/pubs/downloads/farmermkt/StartingFM1.pdf
- **How to Organize and run a Successful Farmers' Market:** http://www.mass.gov/agr/markets/farmersmarkets/Start_a_market.htm
- **Mercado Mayapan, 2011 Market Season in Review:** <http://lamujerobrero.wordpress.com/2011/12/21/mayapan-farmers-market-a-look-back-at-our-first-season/>
- **Farmers' Market Coalition:** <http://farmersmarketcoalition.org/>
- **Sustainable Food Center Farmers' Market, Austin, TX:** <http://www.sfcfarmersmarket.org/>

Endnotes

ⁱ Sun Metro Fixed Route Rider Survey (2007)

ⁱⁱ For more information visit: <http://farmersmarketcoalition.org/managerfaqs>

ⁱⁱⁱ O'Hara, Jeffrey K. *Market Forces: Creating Jobs through Public Investment in Local and Regional Food Systems*. Cambridge, MA: Union of Concerned Scientists. August 2011.

^{iv} Stephenson et al. (2006)

^v Center for Border Health Research. *How Healthy Are We? 2005 Report*. Available at http://www.borderhealth.org/files/res_694.pdf.

^{vi} For an overview of Mercado Mayapan's 2011 market season visit:

<http://lamujerobrero.wordpress.com/2011/12/21/mayapan-farmers-market-a-look-back-at-our-first-season/>

^{vii} University of Texas Health Science Center at Houston. "Farmer's Market Launched To Combat Obesity." *ScienceDaily*, 27 Jan. 2009. Web. 27 Jan. 2012.

^{viii} [According to the USDA Census of Agriculture,

http://www.agcensus.usda.gov/Publications/2007/Online_Highlights/Fact_Sheets/farmer_age.pdf]

^{ix} Sun Metro Fixed Route Rider Survey (2007)

^x For more information visit: <http://texascertifiedfarmersmarkets.com/>

^{xi} For more information visit: http://farmersmarketsnm.org/Market_Managers and <http://farmersmarketcoalition.org/managerfaqs>

^{xii} Northeast Organic Farming Association of Vermont. "Supporting Your Farmers' Market – A guide for municipalities, n.d.

^{xiii} The U.S. Department of Agriculture defines a *food hub* as "a centrally located facility with a business management structure facilitating the aggregation, storage, processing, distribution, and/or marketing of locally/regionally produced food products."

^{xiv} Farmers' Market Federation of NY: http://www.nyfarmersmarket.com/NYFM_Training_Manual.pdf