



Official Rules for the Wake Forest Farmers Market

1. Definitions

- a) **By-Laws:** By-Laws for the Wake Forest Farmers Market (WFFM).
- b) **Craft/Artisan Items:** An item which demonstrates the manual skill, techniques, and proficiency of the market member, as well as prepared foods prepared by the market member.
- c) **Craft/Artisan Member:** A market member that sells craft items and for whom craft sales account for a 50 percent of the market member's average booth sales or display space over the course of a season.
- d) **Farm Member:** A market member who sells direct farm products and value added farm products produced or grown by market member.
- e) **Market Day:** 8:00 am – 12:00 pm during the Saturday Regular Market Season, 10:00 am – 12:00 pm during the Saturday Winter Market Season.
- f) **Market Member:** A craftsperson or farm owner(s) that is approved by the Wake Forest Farmers Market Board of Directors to sell during the Regular and/or Winter Market Season. Market members include New Market Members and Craft Members. All market members must meet the qualifications listed in the following sections.
- g) **Market Season:** Regular Season: April 1 – October 31; Winter Season: November 1 – March 31.
- h) **New Market Member:** A market member who has been accepted into the market by the Board of Directors and is selling at the market during his/her first market season.
- i) **Seniority:** Please see the definition below at section 6(e)(4).

2. Market Member Qualifications

- a) Each member must reside and produce items to be sold at the Wake Forest Farmers Market within a 75 mile radius of the Wake Forest city limits.
- b) The Wake Forest Farmers Market is a "Producers Only" market and, as such, each market member must be the original producer of the items sold.
- c) All items sold at Market must be produced by a market member or a designated representative of the market member.
- d) A market member may lease land for crop production. However, the market member must perform all operations from seed/start to harvest.
- e) The Board of Directors (BOD) or Market Manager may conduct an inspection of any market member's farm/facility at any time to verify a crops' origin.
- f) Any market member who engages in re-selling products outside of the farmers' market that is of the same or similar nature as the products sold at the market may be subject to additional requirements in order to verify the legitimacy of products sold at the Wake Forest Farmers Market.
- g) A market member who purchases land with a perennial crop on it may sell that crop in the year of purchase.

3. Market Operation

- a) Market Operating Schedule

1. The Regular Market Season is open from the first Saturday in April through the last Saturday in October from 8:00 a.m. – 12:00 noon. Market members should arrive any time between 6:30 a.m. and 7:30 a.m. to allow time for setup by 8:00 a.m. Market members arriving later than 8:00 a.m. will set up at the periphery of the market.
2. The Winter Market Season is open Saturdays from November – March 10:00 a.m. – 12:00 noon, under the same rules.

b) Reserved Spaces

1. Market members with reserved spaces must notify the Market Manager if they will not be selling on any given Saturday before 5:00 p.m. on the Thursday before the market they will miss.
2. Market members **may not** move their vehicles into or out of the Market area during times when such movement would pose danger to people in the shopping area. **No market member will be allowed to leave before the end of the Market except in the case of an emergency.**
3. See Section 6 below for information about space allocation at the Market.

c) Market Signage Guidelines

1. Prices must be clearly posted for all items sold.
2. Market members determine their own prices, but it is recommended that prices reflect accurate and fair value.
3. Only certified organic growers may use the term “organic” in their advertising at the WFFM.

d) Market members are responsible for cleaning up the area around their stalls after the Market.

1. Failure to clean up the area may jeopardize the Market’s use of the site and will not be tolerated.
2. No water or ice that comes in contact with meat or seafood should be deposited or allowed to drain on Market premises.

4. Market Member Responsibilities

a) Fees:

1. All fees are in effect from April 1 – March 31.
2. Annual membership fees of \$65 must be paid by each market member by April 1. Annual membership fees are nonrefundable, regardless of whether or not the member attends the Market during the course of the season.
3. Market fees are \$15 per week for one space and is to be paid either weekly or monthly on the first week of the month. Market fees do not need to be paid for known absences in which notification must be given to the Market Manager in advance.

b) Attendance at the Annual Membership Meeting is mandatory for all market members. Any market member failing to attend the Annual Market Meeting will forfeit his/her right to a reserved space for the year. Market members may send a proxy to the Annual Membership Meeting. The proxy cannot be another market member. The market member must alert the BOD of the identity of the designated proxy in writing. The letter designating the proxy must be received 10 days prior to the Annual Membership Meeting. The BOD may make an exception to this rule for health emergencies, provided the market member contacts a Board Member prior to the Annual Membership Meeting.

c) Market members must provide a copy of all documentation (kitchen inspection, lease agreements, etc.) with their annual returning Member Application.

d) Market members wishing to sell a new category of product must have the product approved by the BOD prior to selling the product at the Market.

e) A hard copy of the By-Laws will be provided to any market member upon request. A copy of the By-Laws and the Market Rules are available on the WFFM website. Each market member is required to read the online copy of the rules, and sign the Acknowledgement of Conditions of Membership and Waiver Liability on the application.

f) To remain a market member with voting privileges and be eligible for a reserved space, a member must attend the Market a minimum of 25 market days during the calendar year. Any market member who does not participate in at

least 25 market days in the previous season may still be a vendor in good standing and may apply to be a returning vendor the following year.

5. Application Process of New Market Members

- a) Any individual wishing to become a new market member must submit a \$25 nonrefundable application fee and a completed and signed application. The application will be available on the WFFM website, along with information about the deadline.
- b) A member of the BOD and/or the Market Manager will visit the farm/facility of applicants to verify eligibility for the WFFM.
- c) The BOD will review all complete applications, make inspections of farms or production sites of new market members, and send decision letters to all applicants before the start of the Regular Season.
- d) If the BOD accepts an applicant as a new member, the new market member must submit the \$65 annual membership fee to the BOD prior to setting up at the market.
- e) All appropriate documentation must be on file with the BOD (including the signed Acknowledgement of Conditions of Membership and Waiver of Liability in the application).

6. Market Member Space Allocation

- a) Each market member is allotted one 12x12 space. Spaces can be shared; however, each market member must submit a separate application and pay all applicable fees.
- b) Second spaces will be granted by the Market Manager, as space permits, to qualified Farm Members.
- c) Retaining a Double Space
 1. To maintain the privilege of reserving a Double Space, the market member must attend the market and occupy both spaces at least 27 weeks; and demonstrate a clear need for use of a double space.
 2. If it is decided that the market member's Double Space is under-utilized, the BOD must promptly notify the market member in writing.
 3. The following penalties may apply:
 - a. Rescind the privilege for the market member to reserve a double space for the coming season; or
 - b. Place the market member on probation for the subsequent market season.
- d) Non-reserved spaces will be available and assigned on a first-come, first-served basis as directed by the Market Manager.
- e) Reserved Spaces
 1. The reserved space selection will take place once a year at the Annual Membership Meeting. A market member's reserved space preference may only be communicated by the individual market member or his/her duly designated proxy in attendance at the Annual Membership Meeting. Swapping spaces after this annual selection is not permitted except under extraordinary circumstances and with permission of the BOD.
 2. To qualify for a reserved space a market member must have participated in at least 25 markets during the previous year. A member may appeal in writing to the BOD for a hardship exemption prior to the Annual Meeting.
 3. Returning members who had a reserved space at the previous season and who have met the requirements to reserve a space at the market for the upcoming season have first right of retention to maintain the same reserved space for the upcoming season. Any resulting open spaces may then be selected by those eligible to reserve a space for the upcoming season in accordance with the rules of the seniority system.
 4. Seniority for the purpose of space reservation will be based on the number of years the vendor has been a voting member of the market. Ties in seniority will be settled by a coin toss.

5. Reserved spaces will only be held until 30 minutes before market opening unless prior notice is given to the Market Manager. Market members with reserved spaces must notify the Market Manager by Thursday at 5 p.m. if they will not be attending the Market that week.

7. The Role of the Market Manager

- a) The Market Manager has the following responsibilities:
 1. Conduct onsite operations of the market and communicate with vendors; take attendance of vendors
 2. Serve as the liaison between the market and local organizations, businesses, the Town of Wake Forest, and other partners
 3. Manage projects at the direction of the BOD
 4. Plan and oversee special events at the Market
 5. Manage all marketing and advertising activities of the Market
 6. Coordinate volunteers
 7. Supervise all market staff and volunteers
 8. Ensure safety of Market Members and customers at the Market.
- b) The Market Manager has the authority to collect all required fees and to monitor the Market in order to ensure market member compliance with all rules of the Market and policies established by the BOD. The Market Manager will require compliance with all such rules and policies.

8. Member Conduct

- a) All market members must abide by the rules of the Market.
- b) The Wake Forest Farmers Market is a No Smoking Area.
- c) All vendors are required to be courteous to all customers & vendors.
- d) Use of profanity is prohibited.
- e) Failure to follow any market rule will result in a warning communication (e.g. via email) for the first occurrence. A written letter will be given to the vendor for the second occurrence. If the vendor continues the prohibited actions he/she will be suspended from the market for 1 month.

9. Complaint Process

- a) Any market member or customer of the WFFM may file a complaint with the BOD. Complaints must be submitted in writing to the Market's P.O Box, via email, and/or hand delivery to the Market Manager or member of the BOD. The Market Manager or a member of the BOD may follow up with the individual submitting the complaint to request additional information.
- b) The Market Manager will maintain a written record of all complaints and will forward complaints to the BOD at his/her discretion. If the complaint concerns the Market Manager, the complaint will go directly to the BOD. Any action to be taken will be determined by the BOD. If inspection is deemed necessary it can be conducted at any time. A letter will be sent to the market member regarding the nature of any infraction.
- c) Questions concerning the Rules or By-Laws should be submitted in writing to the BOD.

10. Eligible Market Products

- a) No re-sale of product or other products is allowed.
- b) The BOD may conduct an inspection of any market member's farm/facility at any time to verify a product's origin.
- c) No live animals may be sold or given away at the Market.
- d) All products sold at the market must meet state and local health regulations including, but not limited to, U.S. Department of Agriculture (USDA), N.C. Department of Agriculture and Consumer Services (NCDA), and Wake Forest Health Department guidelines and regulations, as applicable.

- e) Products which may be sold at the WFFM are listed below. If more than 50 percent of a market member's average booth sales or display space over the course of the season is of craft items, the market member is considered a Craft Member. All Craft Members must abide by the Crafts Statement and Guidelines below.
- f) The sale of all meat, poultry, fish and other products not listed below must be approved by the BOD. Any market member must abide by the Meat and Egg Producer Rules below.
- g) Prepared foods are considered Artisan items and prepared foods vendors are considered Artisan Members of the market.

11. Direct Farm Products

- a) Vegetables grown from seeds, sets or seedlings grown on land owned or leased by the market member
- b) Fruit, nuts or berries grown on land owned or leased by the market member
- c) Plants grown by the market member from seed, bulbs, transplants or cuttings grown on land owned or leased by the market member
- d) Bulbs propagated by the market member
- e) Cut and/or dried flowers, herbs or seeds, raised by the market member on land owned or leased by the market member
- f) Honey and bee products from the market member's bees
- g) Meat and eggs from livestock owned by the market member, subject to provisions in the Meat and Egg Producers Rules
- h) Fish caught within Market radius, subject to approval by the BOD

12. Value Added Products

- a) Cheeses, or milk products, from the member's animals. Members are allowed to use milk from another dairy. However, the source must be disclosed to customers.
- b) Dried, cured or other processed meat products, subject to provisions of the Meat and Egg Producer Rules
- c) Floral arrangements from fresh or dried flowers grown on the farm
- d) Other items made predominantly from products grown or gathered on the member's farm

13. Prepared Foods

- a) Preserves, pickles, jams, vinegars, etc., made by the market member. No "low-acid" canned foods such as green beans, corn, peas, carrots, etc., may be sold. High acid, or acidified foods (pickles, tomato products, etc.), may be sold if the seller has passed the FDA certification course. A copy of the certification must be on file with the application.
- b) Fresh baked goods made by the market member
- c) Beverages which may be sold include, herbal teas, coffee, and lemonade sold in disposable cups.

14. Crafts Statement and Rules

- a) Crafts will be permitted for sale at the Market. Crafts that are farm related or that source local materials are especially encouraged. Artisans are encouraged to include information about the source of their local materials and/or the history of their craft. Acceptance of craft applications will be based on space availability, category of craft, materials used, general quality and workmanship. Market members classified as farmers may sell non-farm crafts. These crafts must meet all guidelines contained herein and be approved by the BOD. If more than 50 percent of a market member's average booth sales or product display over the course of the season are of craft items, the market member is considered a Craft Member.
- b) **Crafts**, for the purpose of the WFFM, shall be determined to be: an item which demonstrates the manual skill, technique and proficiency of the craftsman.

- c) **Non-farm crafts** are produced from materials not grown or harvested by the member. Prepared foods are considered non-farm crafts.
- d) **Farm crafts** are value-added farm products produced predominantly from materials grown and harvested by the craft person. Farm crafts are not subject to the guidelines for non-farm crafts.
- e) Specific Criteria
 - 1. All crafts must be hand crafted by the member.
 - 2. Crafts must be the product of a home or cottage type industry using an intermediate type of technology rather than an industrial type production. To be considered “hand crafted” the item must show evidence of manual skills obtained only through a significant period of experience and dedication. The craft component materials must be sufficiently modified from their original state to demonstrate fine craftsmanship.
 - 3. Examples of unacceptable items would be, but not limited to, tracings or paint by number, printed materials, ceramics or pottery from commercial molds, wood carvings using duplicating machines, kits in any form, and any other items which clearly do not reflect originality or design.
 - 4. All crafts must be of excellent workmanship both in quality and design.
 - 5. All craft vendors must comply with and abide by all Rules and By-Laws of the WFFM.
 - 6. The Market Manager has the discretion to immediately remove any craft item that he/she considers objectionable. The BOD must review the Market Manager’s decision at the next scheduled Board Meeting and make an official ruling on the matter.

15. Meat and Egg Producer Rules

- a) Market members who sell meat and/or eggs must comply with local, state, and federal laws and regulations designed to ensure that such products sent into commerce are wholesome, unadulterated, and properly labeled. The NCDA&CS enforces these laws. Any market member who receives, stores, transports and/or sells USDA-inspected meat products is required by law to have a meat handlers license must have a copy on file with the Market Manager.
- b) In accordance with the WFFM “producer only” rule, the following terms define what it means to have produced meat and/or eggs or sale at the Market. All meat and egg producing livestock must have been kept and cared for by the member on his/her farm for a period of time as defined below:
 - 1. **Rabbits:** All rabbits must have been born on the member’s farm
 - 2. **Poultry:** Meat birds must be on the farm by the first week of age. However, “Stewing Chickens” (a retired layer flock) must have lived on the market member’s farm for at least one year prior to processing for sale, but do not have to arrive at the farm at a specific age.
 - 3. **Egg Layers:** Eggs sold by a market member must be from birds kept on the market member’s farm.
 - 4. **Livestock:** Any other livestock purchased (not born on the farm) must be held by the market member for a minimum of:
 - a. Pigs: 2 months
 - b. Sheep/Lamb: 3 months
 - c. Goats: 3 months
- c) No water or ice that comes into contact with meat may be deposited or allowed to drain onto the market premises.

16. Value Added Meat Products Rules

Value added meat products are created when meat is processed into other products. Examples include sausage, jerky, meats cured by smoking or drying, and hot dogs. Value added meat products are allowed, provided that 100 percent of the meat is from animals produced by the market member in accordance with the definitions and guidelines above. Casings for sausage are excluded from the 100 percent requirement. Other non-meat items, such as spices, are allowed in value added meat products.

17. Guest Vendor Program

A guest vendor is a non-member who offers a product or service that enhances the overall market while not competing with products offered by the WFFM members. The guest vendor must submit a \$25 non-refundable application fee with their application and a \$25 per market set up fee is to be paid on the day of set up. A guest vendor may be invited to participate in no more than 8 markets per market season or at the discretion of the BOD. The Board may rescind this invitation at any time for any reason. Guest vendors are not official members of the WFFM and do not have any member rights. Guest vendors may vend at the market strictly on a space available basis. Guest vendor participation shall be re-evaluated every year and the Board will consider availability of a product from market members in this evaluation. The application and rules can be obtained by emailing the Market Manager or from the Market's website.