

# STIGLER FARMERS MARKET GUIDELINES

## I. OBJECTIVES

Stigler Farmer's Market strives to provide a place where Oklahoma Farmers, Ranchers, and Gardeners can sell fresh produce and other agricultural products to customers: a place where fresh produce and other agricultural products can be purchased in quantities suited to the needs of customers; a space to educate the community about the availability, selection, and preparation of locally grown, fresh produce and other agricultural products; and to encourage the production of quality products for locals.

The Stigler Farmers Market seeks to encourage local residents to purchase and use locally-raised farm products. SFM will work with volunteers and partners to promote the farmers market and its products in local media and beyond.

### **IMPORTANT NOTE (Please read) :**

Please, as you read through these guidelines, do not get discouraged. We are in this together. We do encourage each vendor, in their respective field, to utilize the resource links included in the guidelines to understand proper procedure, handling, and labeling for their products.

## II. WHO MAY SELL

A) Oklahoma Growers of fruits, vegetables, livestock, plants and other agricultural products.

All produce, plants, meats and agricultural products must be grown or raised in Oklahoma. Growers must raise at least 80% of the items they bring to Market on any one day. Growers are allowed to purchase up to 20% of their products from another Oklahoma Grower/Producer. Products bought for resale must be labeled with the Farm Name and Town of the Grower from whom they were purchased. SFM reserves the right to inspect a Member's Farm/Ranch/Garden to verify production, acreage, and/or other matters.

B) Food preparers and processors offering ready-to-eat and packaged food items that their business had prepared. Exceptions for other eligible products made in Oklahoma may be allowed on a case-by-case basis, to best balance the offering of products available at Market.

C) Crafters and Artisans offering food, garden, agricultural or nature-based products they have made themselves.

D) Non-profit Groups and Organizations wishing to educate the public and/or conduct fundraising with the following conditions:

1. As space is available.
2. Only selling items consistent with the farmers' market theme and standards, and not in direct competition with other vendors or products at the market.

### **III. WHAT MAY BE SOLD AND LICENSE REQUIREMENTS**

**A)** Fresh produce and other agricultural products. Produce should be mature but not overripe; void of decay; have a good external/internal appearance; and be clean and free of contamination.

**B)** Other products currently allowed, with respective authorization:

#### **1. Honey**

A) Beekeepers are encouraged to register with the OK Dept of Agriculture, 405-522-5882, <https://kellysolutions.com/OK/beekeepers/newapplication/applynow.asp>.

B) Oklahoma beekeepers with an annual production of less than 500 gallons are not required to have additional licensing or inspection, as long as all honey is produced and sold by them or their family.

B) For labeling requirements and other details, go to <https://www.sos.ok.gov/documents/legislation/54th/2013/1R/SB/716.pdf>.

#### **2. Pecans, Peanuts, other nuts, and grains.**

A) Whole grains may be customer ground and nuts may be customer cracked after sale.

B) If cracked or ground prior to sale, this processing should take place in a licensed and/or inspected facility. Contact the Field Sanitarian in the County Health Dept. where the facility is located.

#### **3. Eggs**

A) Vendors must have an Egg Packer's License from the Oklahoma Dept. of Agriculture, Food and Forestry: (405-522-5924), <https://ag.ok.gov/licensing-permits/>.

#### **4. Meats**

A) Vendors must have a licensed mobile unit for transporting and storage of meats while at Market. Contact Field Sanitarian Muskogee County Health Dept. (918-683-0321).

B) Animals must be slaughtered and processed in a state or federally-inspected facility and show the Mark of Inspection. OK Dept. of Ag., Meat Inspection (405-522-6114).

C) Packages must be accurately labeled (weight, vendor, handling instructions, etc.).

## 5. Dairy

Dairy products should be approved and/or permitted by the OK Dept. of Agriculture, Dairy Services (405-522-6130).

<https://ag.ok.gov/licensing-permits/>

## 6. Bedding plants, vegetable plants, and flowers.

An Oklahoma Department of Agriculture Nursery Grower License is required to sell plants.

<https://ag.ok.gov/wp-content/uploads/2020/11/Printable-First-Time-Grower-Application.pdf>

## 7. Canned fruits and vegetables, baked goods or any prepared foods

A) All vendors wishing to sell these items must refer to the Food Freedom Act to be sure they comply: [www.ag.ok.gov/divisions/food-safety/](http://www.ag.ok.gov/divisions/food-safety/)

B) The Food Freedom Act of 2021 allows some foods prepared in a home kitchen to be sold at farmers' markets. Homemade products sold under this regulation must adhere to labeling guidelines described in the law.

C) These include homemade food products that do not contain any meat, poultry, seafood, meat by-products, unpasteurized milk, cannabis, or marijuana. Items containing these ingredients may be sold only if made in a licensed/inspected commercial or mobile kitchen, certified by the appropriate County Health Department. Alcoholic beverages are not allowed under this law.

D) These products may be limited to 10% of spaces on any given Market Day, depending on the availability of spaces and similar products at the Market, as well as the nutritional value of these products.

## 8. Crafts / Nonfoods

A) Limited to garden, food, agricultural or nature-based/related craft items, handmade by the Seller.

B) Craft-only Vendors are limited to 10% of spaces available on any given market day, subject to Stigler Farmers Market Guidelines.

C) Crafts that are applied to the skin are regulated by the FDA or EPA and must have proper labeling and adhere to those Laws (see <https://www.fda.gov/cosmetics/cosmetics-labeling-regulations/cosmetics-labeling-guide> for more information on claims made regarding these products when selling to the public).

**Vendors are encouraged to donate unsold food products to local shelters or food pantries. Market staff or volunteers will provide information and help coordinate for vendors wishing to donate!**

#### **IV. HOW PRODUCTS MAY BE SOLD**

**A) Produce may be sold by weight, volume or count.**

If selling by weight, scales must be commercial quality designed for retail sale. For more information, contact Okla. Dept. of Agriculture, Weights and Measures Program (405-522-5968).

**B) Each Grower should post prices on the products being sold. .**

**C) Growers are encouraged to provide sacks, bags or containers for their customers.**

**D) Each Grower/Vendor must post a sign with their Business or Farm Name at their display area.**

**E) Stigler Farmers Market hopes to participate in food assistance programs such as SNAP/EBT.**

Vendors with eligible products shall participate in these programs by accepting the relevant tokens or vouchers as payment for those products. Farmers market administration will provide a means of accounting for these payments and reimbursing vendors from program funds.

#### **V. EXCHANGES AND REFUNDS**

Exchange of produce and/or refunds is up to the Grower. Growers and other Vendors are strongly encouraged to offer 100% satisfaction to their customers.

#### **VI. SANITATION AND HEALTH / SAFETY REQUIREMENTS**

Each Grower/Vendor is responsible for ensuring the food safety integrity of their products and keeping their area in a clean, neat manner throughout the day, and before departing at the end of the market day. Failure to do so will result in a \$20 fine or forfeiture of the Right to Sell at the Market. Both actions may be imposed.

Boxes, flats, umbrellas, and other possible obstacles must be safely tied down and out of customer paths. Signs, Display Items, and Shade Structures must also be safely secured. SFM is tobacco-free. A vendor's signature on the vendor application confirms that the vendor agrees and will comply with all market guidelines, including this tobacco-free policy.

## VII. SPACES AND FEES

A) Membership Dues for the Association are \$10 per year per business. Each Member is required to pay a space fee of \$5 at each Market. All money collected is used for operating and promoting the Market.

1. Each Grower must sell from a chosen or assigned space. Order of space selection is then determined by category (produce, meat, dairy, egg, and plant vendors have priority).

2. Craft vendors and baked good vendors shall each be limited to 10% of vendors on any single market day. These vendors may be required to rotate the use of space with one or more other vendors on a monthly schedule determined in agreement with the vendors and the Market Manager.

3. The spaces are first come first serve unless you have paid the \$60 yearly membership fee. In this case, spots will be assigned to you. Vendors are expected to set up between 8 am- 8:30 am. The road on which the Farmer's Market will be on will be blocked off from 9 am - 1 pm to give shoppers a safe space, right off Main Street to walk and shop at our Market. Vendors will be able to pack up their stands after the road opens at 1 pm. Vendors are required to stay from 9 am - 1 pm to ensure we are offering all produce and products to all customers. The only exceptions are those who sell out. In this instance, you are required to leave your tent, table, and menu of products offered at your booth.

B) Market spaces should be attended to at all times. The Vendor assumes responsibility for any losses of product or money from the Market site.

C) Market fees must be paid at the beginning of each market. Vendors are responsible for dropping off space fees paid in cash or check. Checks need to be made to Stigler Farmer's Market.

## VIII. TAXATION

Vendors selling only produce, meat or eggs grown on their own farm are exempt from this requirement. All other vendors must have an Oklahoma Sales Tax Permit to sell at the Farmers Market, issued by Oklahoma Tax Commission, and a copy of the permit shall be kept on hand in case enforcement agents come to the market.

The Vendor is responsible for assessing the appropriate City, County, and State Sales Tax on all products sold, and remitting their Sales Tax to the OTC. Sales Tax cannot be collected on SNAP, Senior Farmers' Market, and WIC sales.

The Stigler Farmer's Market is not responsible for the collection or remittance of Sales Taxes. Each Vendor should contact the Oklahoma Tax Commission to obtain a Business Registration Packet. Call 918-581-2399 for the Tulsa office, or go to <https://oktap.tax.ok.gov/oktap/web/#1>.

## **IX. WHEN THE MARKET WILL OPEN**

A) The 2024 season will begin on Saturday, May 4th, and continue every 1st and 3rd Saturday through at least the end of September.

B) Market hours are 9 am – 1 pm. Vendors MUST BE set up at least 30 minutes before the opening time of the Market.

## **X. CITIZENSHIP, COMPLAINTS AND DISAGREEMENTS**

A) Vendors reflect upon the Stigler Farmers Market, City of Stigler and the community while at the Farmers' Market. Therefore, any information given to the public must be accurate and positive.

B) To ensure fairness for both parties the following Guidelines must be followed in any disagreements or complaints by Vendors. All complaints must be provided to the Market Manager.

1. Complaints must be in written form with names of both the Offending Party and the person filing the Complaint, as well as the specific offense.

2. Three written Complaints, by three different Members, of the same Offense and same Offender, must be submitted before any action will be taken by the Board of Directors.

3. SFM reserves the right to take any action they deem appropriate, including revoking Market Membership and/or prohibiting the Offending Party from selling at the Market.

## **XI. ALCOHOL BEVERAGES, TOBACCO OR DRUGS**

No consumption is allowed by Vendors while on premises. Vendors displaying behavior indicating an alcohol or drug issue may be asked to leave the premises and/or cease attending. Our market is a SMOKE-FREE area. You can walk beyond market premises to smoke.

## **XIII. ENFORCEMENT OF RULES**

SFM has the responsibility of enforcing these Guidelines. Any Grower or Vendor who fails to comply shall have his or her spaces declared vacant at the discretion of the Market Manager or Board of Directors.