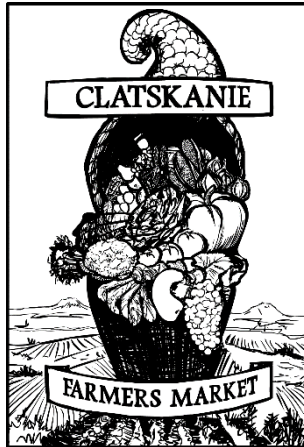


# Clatskanie Farmers Market

## 2021 Vendor Handbook

Updated 3/6/2021



The Clatskanie Farmers Market is a 501(c)(3) non-profit organization operated by a Board of Directors. There will be a Market Manager on site during each open market day. Because this is a community venture that is meant to benefit all, vendors are encouraged to contribute suggestions and ideas as the market progresses. This market is a member of the Oregon Farmers Markets Association and must comply with the following rules/statements:

- The market meets on a regular, recurring basis in a public location.
- Market vendors engage in direct sales of products they grow, raise, or produce themselves.
- Other product categories may be allowed if they fit the community market needs and they support the market's primary function of facilitating farm direct sales.

Website: [www.clatskaniefarmersmarket.com](http://www.clatskaniefarmersmarket.com)

Facebook: <http://www.facebook.com/clatskaniefarmersmarket/> Twitter: @ClatskanieFM

***Please note: Vendors are responsible for having the most recent Handbook version. The policies and procedures outlined in this handbook are subject to change, especially in light of the COVID Pandemic, relative to directives of the ODA, City of Clatskanie, CFM Board of Directors, OFMA, and/or other entities. All vendors and products are subject to the discretion of the Board. Active vendors will be contacted promptly by the Market Manager if changes to operating procedures occur. Our goal is to remain open for business in a manner that serves our vendors, customers and community in a safe and effective way. Thank you for understanding during these unprecedented times.***

Revised 3/6/21

## About the Clatskanie Farmers Market

The Clatskanie Farmers Market (CFM) began in 2014 and after a successful first season, became a 501(c)(3) nonprofit organization with a Board of Directors. CFM encourages the creation of local, sustainable businesses in our community. We do this by promoting a wholesome social gathering place for farmers, gardeners, homesteaders, and local artisans to sell their products directly to the consumer. We promote strong, trusting relationships and believe there are benefits to the whole community when food, art, and crafts are produced and purchased locally.

We strive to create a market where everyone can feel safe, respected, and lifted up by each other. In our country, there are many forms of prejudices against the LGBTQ community, religious groups, and others that keep people from belonging. Racism has been pervasive for generations which affects the safety and well-being of many Black, Indigenous, and People of Color. **Diversity, equity, and inclusion are essential to serve our mission. There is no tolerance in our market for racism, discrimination, harassment, hate, or violence. The world needs to change and that change is sustained by each of us.**

We welcome anyone to become a vendor or shop at our market. CFM, an open-air market, is open June through September from 10am-2pm in downtown Clatskanie. When there isn't a pandemic, there is live music and dining on every market day, as well as festivals throughout the year. We accept EBT/SNAP payments for qualifying purchases and some farmers honor the FDNP and WIC vouchers. Consider shopping locally for your family's healthy groceries, ingredients for your next barbecue, unique gifts for those special people in your life, or just come to have lunch and enjoy this joyful community event! See you soon!

### CONTACT INFORMATION:

#### **Market Manager**

Wanda Harris

360-612-7027

[CFMmarketmanager@gmail.com](mailto:CFMmarketmanager@gmail.com)

#### **Board of Directors President**

Darro Breshears-Routon

971-506-7432

[ClatskanieFarmersMarket@gmail.com](mailto:ClatskanieFarmersMarket@gmail.com)

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## 1. MISSION STATEMENT

The Clatskanie Farmers Market (CFM) will serve as a community venue for farmers and artisans, in order to encourage the creation and growth of local, sustainable businesses. The CFM will promote local food literacy by offering a variety of fresh food products and nutrition education. In this way, the market can mutually benefit both local producers and consumers.

## 2. MARKET OBJECTIVES

- To bring local foods and crafts to the Clatskanie community
- To properly manage the physical market site allowed for our use by the city
- To promote healthy, locally grown food, value-added food products and hand-crafted items by providing space for local farmers and artisans

## 3. VENDOR APPLICATION, FEES, ORIENTATION (2021 Season runs June 5<sup>th</sup> – September 25<sup>th</sup>)

All fees collected are for operating costs of the market: staff, advertising, insurance, etc.

**Booth space fee:** \$20 per day: 10'x10' space, payable to the Market Manager on the day of the market.

**Application fee:** \$20 per season, payable to CFM by mail, along with complete application.

*\*\* Early bird discount of \$50 if pre-paying for full season by May 1<sup>st</sup>, 2021: \$220/full season 10'x10' booth  
If paying for the full season between May 1<sup>st</sup> and June 5<sup>th</sup>, 2021: \$270/full season 10'x10' booth*

Vendor applications (to download & print) may be found under the 2021 Vendor Page on our website: [www.clatskaniefarmersmarket.com](http://www.clatskaniefarmersmarket.com) and may be submitted year-round following instructions on the form. Or an online application may be submitted [HERE](#). A copy of all required licenses, certifications, insurance, and other requested documentation must be attached to the application. A \$20.00 application fee is due with the application. Checks are payable to "CFM." A \$25 fee is charged on all returned checks. Applicants must complete the required vendor orientation to be accepted into the Market and will be notified of their approval status within 30 days. Mail application & fee(s): Market Manager, CFM, PO Box 1501, Clatskanie, OR 97016.

If a vendor is unable to attend on a market day, the vendor must notify the Market Manager as far in advance as possible. Repeated non-appearance may result in loss of vendor status. Vendors may not sublet booth space to others. Prepaid fees are not transferable to other market dates or vendors.

Vendors selling from the [Whatsgood App](#) will be paid 90% of their total sales, deductions include 5% CFM, 2% Whatsgood App, 3% credit card processing fee. \*Visit our [Website](#) for more information.

Much, but not all, of the needed information and resource listings for specific product sales are contained within this handbook, and it is up to the individual vendor to further research specific ODA and County requirements and comply as necessary.

**Vendors must submit a complete list of products that they produce and wish to sell at the time they apply to the market. All products must be on the approved list or clarified by the Market Manager. If a vendor wants to sell an item not previously approved, they must obtain written permission from the Market Manager before the new item can be sold at the market.**

**Products not specifically mentioned in Handbook require verification by the Market Manager.**

#### 4. SET UP

- ✓ Arrival time will begin no later than 1 hour before opening of the market. Upon your arrival, first check in with the Market Manager for the location of your space.
- ✓ Unload completely in the designated area(s), then promptly remove your vehicle from the site and into the designated parking area, and only THEN set up your booth. All vehicles must be out of the market site 30 minutes before opening for customer safety. **The market entrance will be blocked off 30 minutes prior to the opening of the market to new vehicle traffic and late vendors must pack in from the designated parking area.** Please be considerate of vendors who arrive on time and realize that late arrival not only makes unloading and set-up more difficult, it is a hindrance to customers at the opening hour.
- ✓ No selling will be allowed until the opening of the market. Please advise your customers who arrive early of this rule. Exceptions include: beverage, pastry, and ready-to-eat food vendors may begin selling 15 minutes before opening. Discrete vendor to vendor selling, and vendors selling to volunteers and staff, is permitted before opening as well.
- ✓ Every consideration will be given to continuity of location for vendors. However, it may be necessary for vendors to move as the market population ebbs & flows through the season.
- ✓ These rules have been written with the desire to keep the market successful, as safe as possible for customers and vendors alike, and for the overall market's liability. The rules will be strictly enforced.

#### 5. VENDOR PARKING

All vehicles must be parked in the designated area at least 30 minutes prior to the opening hour; see the Market Manager for approved locations. Vendors who absolutely must restock from a vehicle parked nearby need to have a prior arrangement with the Market Manager. If handicap-accessible parking is necessary, please discuss options with the Market Manager in advance.

#### 6. BREAK DOWN

Vendors will not disassemble any part of their booth before closing time, even if they are sold out, to maintain market continuity. When the market closes, break down your set-up first, then go and bring your vehicle over to pack up. This will ease the traffic flow. **No vehicles are allowed back into the market for 15 minutes after the market closes** for concerns of customer safety and market liability.

#### 7. PRODUCT PRICING

All vendor prices must be clearly marked and meet ODA rules & requirements for weight and packaging (see section 26 on use of scales). Collusion and deceptive pricing practices are strictly prohibited. Vendors are not allowed to pressure, harass, or bully other vendors regarding the pricing of products.

#### 8. SIGNAGE

Each vendor must post a large sign identifying the name of the farm or business. Farm direct vendors must display signage with the physical farm address at the point of sale. A vendor selling produce as organic must be certified by Oregon Tilth or another certifying organization and a copy of such certification must be included in the vendor application and be prominently posted in the booth.

## **9. PETS & LIVE ANIMALS**

Pets and live animals are not allowed in the market at this time without prior approval for exception.

## **10. BOOTHS**

Canopies, if being used, must be provided by the vendor, and must be erected with concern for the safety of the public and other market vendors. At least **25lbs of weight** **MUST** be attached to **EACH canopy leg** as soon as the canopy is erected and must remain attached at all time. One of the most common causes of injuries at markets are wind-blown canopies. This rule will be enforced: Each leg of a vendor's canopy **MUST** be secured at all time with enough weight (at least 25lbs) to keep them anchored to the ground no matter the weather. A gallon jug of water will not be accepted as it weighs only 8lbs. The Market Manager will check for compliance to this important market rule. Failure to secure canopy legs will result in the vendor having to remove their canopy from the display until appropriate weights are produced. Please be aware that canopies being taken down need to be carefully supervised: as weights are removed from canopy legs, be mindful that wind can become a hazardous issue quite quickly.

Vendors need to bring their own display items, if using, including tables, chairs and tablecloths, with all components of the display contained within the allotted 10'x10' space. If additional space is needed, please inquire about that with the Market Manager. For booth options, other than the usual canopy/table/chair combo, please seek prior approval from the Market Manager.

Vendors must stay within their allotted space while selling and may not distribute samples or literature outside their stall area. No hawking or loud enticement is allowed.

## **11. TRASH**

Vendors are responsible for removing their own refuse and unsold product from the market site. Vendors must pick up litter and clean booth area at end of market day. The trash cans at the park are for the use of the public only. Vendors must keep their space clean.

## **12. MUSIC**

The Market strives to provide live music when possible; therefore, music is not to be played in vendor's booths.

## **13. NO SMOKING / NO VAPING**

The market area is a **NO SMOKING/VAPING** area. Those wishing to smoke need to do so well outside the established market perimeter so that no smell can be detected in the market.

#### **14. PRODUCT EXCLUSIVITY**

The market does not guarantee any vendor the exclusive right to sell any one product. The Market Manager will determine when a product category is adequately represented and may make the decision to deny applications from vendors with similar products, who may then be placed on a waiting list. The product mix in the market as well as customer demand, will serve as important factors in determining how many vendors will be allowed to sell similar items and the Market Manager will attempt to place similar vendors in a non-competing arrangement. Our aim is to maintain a minimum ratio of 75% fresh food vendors to other product vendors.

#### **15. RULES OF CONDUCT**

- Vendors shall be honest and conduct themselves at all time in a courteous and businesslike manner. Rude, abusive, offensive or disruptive conduct will not be permitted.
- Vendors may be warned, suspended, or removed from the market, or have selling privileges revoked for failure to obey or conform to market, local, state or federal regulations.
- To maintain a positive atmosphere, vendors should bring concerns about the market to the Market Manager rather than to customers or other vendors.
- The CFM does not endorse or prohibit the opinions or positions of any group, individual, or vendor.

#### **16. ENFORCEMENT OF MARKET RULES**

- All rules of the market, local, state and federal regulations are enforced by the Market Manager and the Board of Directors (BOD).
- If a vendor does not abide by any rule of the market, the Market Manager and/or BOD has the discretion to impose a penalty: a written warning or suspension from the market for a specified time.
- Overall, the market reserves the right to prohibit any product from being sold in the market or prohibit a said vendor from selling at the market.
- The BOD reserves the right to modify the rules of the market as circumstances warrant. Vendors will receive notice, and a revised copy of the rules as soon as changes are incorporated into the rules.

#### **17. CUSTOMER COMPLAINTS**

Customer complaints will be forwarded to vendors and kept on file each season. Complaints may result in discretionary action including removal from the market.

#### **18. DISPUTE BETWEEN VENDOR AND MARKET**

Disputes between a vendor and any member of the management can be brought to the attention of the BOD. The vendor may submit a written complaint to the Market Manager and/or any board member, either mailed to the CFM or via email and in a timely manner.

## 19. “ON THE SPOT” VENDOR CHECKS

The Market Manager or an assigned member of the BOD may conduct on-the-spot vendor checks. The checks are a quick assessment of the vendor’s compliance with food safety, health and general rules that the market considers of importance:

### Food/Produce Safety Check

- ✓ Hand washing stations present and ready to use (if applicable).
- ✓ Vendor/employee present in the booth with a Food Handler’s card (if applicable).
- ✓ All food at least six (6) inches off the ground, or in appropriate containers.
- ✓ Items requiring temperature control (either hot or cold) will be verified by certified thermometer by the market manager. It is suggested that the vendor have a reliable thermometer to monitor temperature.

### General Rules:

- ✓ All applicable licenses and certificates are up-to-date and displayed if required, may include organic, FDNP
- ✓ Each canopy leg is secured with weights 25lbs or greater, to hold canopy regardless of weather and adheres to CFM guidelines
- ✓ Booth is set up with regard for public safety, components of booth contained in boundaries of the booth
- ✓ Proper signage indicating the name and address of producer
- ✓ Prices of product clearly and accurately posted
- ✓ Fire extinguishers present (if applicable)
- ✓ Vendor’s booth free of clutter and garbage, etc.
- ✓ Proper use of scale with current certification
- ✓ **All products for sale are listed on application and approved by the market**
- ✓ Vendor and employees must be parked in spaces designated for vendors. Vendor vehicles are not in the market area 30 minutes before opening; do not return until 15 minutes after closing

## 20. CFM INFORMATION BOOTH

The CFM Information Booth will be provided for vendors and customers and will be the center of operations for the Market Manager. All vendors will be asked to conduct all business at the Information Booth, unless otherwise directed. Weekly informational & data collection envelopes will be distributed from the booth and must be picked up prior to the opening of the market. Vendors are responsible to return completed envelopes and any payment/fees/tokens to the Information Booth when done for the day. Vendor booth fees and anonymous sales data records will be collected each market day.

Should an accident take place in or around your booth, involving a customer, vendor, staff



member or volunteer, please see the Market Manager at the Information Booth for appropriate paperwork. A general first aid kit will be maintained at the booth by the Market Manager.

## **21. ELIGIBLE PRODUCTS AND LABELING**

### **A. Primary Producer Rule:**

**Vendors must submit a complete list of products that they produce and wish to sell at the time they apply to the market. All products must be on the approved list or clarified by the Market Manager. If a vendor wants to sell an item not previously approved, they must obtain written permission from the Market Manager before the new item can be sold at the market.**

Products must be grown, raised, produced, or foraged in Oregon and Washington. Products allowed to be sold at the market are agricultural products such as fruits, vegetables, herbs, cut flowers and plants, certain value-added products, honey, fungi, some processed foods, eggs, ready to eat foods and beverages, and a limited amount of hard goods. Products grown or processed using genetically modified seeds may not be sold at the market. Organic farmers must provide organic certification on vendor application.

All products must be of good quality and must comply with any applicable regulations pertaining to their production and sales. Produce vendors must grow/raise 100% of their product on land owned/leased by said farmer/grower. All vendors must have and prominently display proper signage that identifies the farm/vendor name and address. All products must be on site for sale but subscription sales (i.e. CSA) will be allowed only with preapproval by Market Manager. Resale of products is not allowed.

Vendors found in violation of the Primary Producer Rule will be subject to the following penalties: the first violation involves a written warning and product removed from the sale at market that day, any further violations will jeopardize continued participation in current and future markets.

As a member of the Oregon Farmers Markets Association, the Clatskanie Farmers Market must adhere to these guidelines and best practices for both our vendors and customers.

**B. Arts and Crafts:** A limited number of booths will be made available to vendors to sell their own handmade arts and crafts. Please include a photo of your product(s) and/or a website link with the application. The resale of any products is not allowed. Items and number of booths will be at the discretion of the Market Manager.

**C. Farm Direct Products:** The following are products that agricultural producers may sell directly to customers. Much of the following information is available from the [Oregon Department of Agriculture website](#).

Unlimited Sales of the following [agricultural products](#), with no additional labeling required:

- fruits, vegetables, fresh herbs (dried allowed only “if part of normal post-harvest handling” with no alterations including cutting or combining; normal post-harvest handling includes garlic, lavender, etc.)
- nuts, shelled and/or unshelled
- popcorn, popped (prepared on-site; not intended for immediate consumption; packaged to take home.)
- nuts, roasted (prepared on-site; not intended for immediate consumption; packaged to take home.)
- peppers, roasted (prepared on-site; not intended for immediate consumption; packaged to take home.)
- corn-on-the-cob, roasted (prepared on-site; not intended for immediate consumption; packaged to take home.)

Unlimited Sales of the following [agricultural products](#), labeling required stating “NOT INSPECTED:”

- grains, whole or cracked
- parched and roasted grains
- legumes and seeds, fresh and dried
- flour
- eggs, in shell (additional regulations/labeling applies, see section 21, K)
- natural honey, no additives (additional regulations/labeling applies, see section 21, M)

#### **D. Farm Direct Producer Processed Products:**

**Vendors must submit a complete list of products that they produce and wish to sell at the time they apply to the market. All products must be on the approved list or clarified by the Market Manager. If a vendor wants to sell an item not previously approved, they must obtain written permission from the Market Manager before the new item can be sold at the market.**

Farmers/growers are allowed by the ODA (since Jan. 1st, 2012) to directly market high-acid preserved fruits, nuts and vegetables that they grow themselves per the “Farm Direct Rule.” An "acidic food" is a bottled, packaged, or water-bath canned food that meets any of the following requirements: Product has a naturally occurring equilibrium pH of 4.6 or below; Product has been lacto-fermented to decrease the equilibrium pH of the food to 4.6 or below; Product has a water activity greater than 0.85 and has been acidified to decrease equilibrium pH of the food to 4.6 or below.

The following Farm Direct Producer Processed products are subject to \$20,000 annual gross sales limitation without licensing and have extra labeling requirements:

- canned fruit (acidic, fruit-based)
- syrups (acidic, fruit-based)
- preserves (acidic, fruit-based)
- jams (acidic, fruit-based)
- jellies (acidic, fruit-based)
- salsas that are naturally acid, or made acidic by addition of ingredients
- sauerkraut, kimchi, and other lacto-fermented fruits and vegetables
- pickles in vinegar (fruit or vegetable)
- pickle relish, acidified
- chutneys that are naturally acidic, or made acidic by addition of ingredients

These are the only Farm Direct Producer Processed products allowed at the Market without a license. A product not on this list does not fall under the exemption rule and cannot be sold without certain licensing. Products not on this list that require a license, (e.g., meat/poultry/fish/dairy; nonacidic or low acid canned foods with a pH higher than 4.6 such as peppers, green beans or sweet corn, pickled eggs or use of primary ingredients not grown by the vendor) are addressed under section 21, I, Prepared Foods.

Agricultural producers must grow all the principal ingredients, such as strawberries for strawberry jam, to be eligible for the exemption. No commingling of principal ingredients is allowed. Agricultural producers are not required to produce the sugar, pectin and lemon juice for the product. Farm Direct Marketing rules limit the additional, non-principal ingredients that may be added to foods processed under these rules to herbs, spices, salt, vinegar, pectin, lemon or lime juice, honey, and sugar. Processed products must be “producer-processed,” meaning that the agricultural producers making the products

also grew the principal ingredients. Garlic, onion and celery do not meet the definition of a "spice." The garlic, onion and celery would need to be grown by the farm direct marketer. Agricultural producers who have another licensed processor manufacture their product for them are not eligible for the Farm Direct Marketing exemption.

Water-bathed canned products with a pH at or below 4.6 inhibit the growth of clostridium botulinum and are generally considered to be safe as the process destroys harmful vegetative cells. Monitoring of pH levels in tomato-based foods is especially important since certain varieties of tomatoes may not be sufficiently acidic to produce a safe product without additional acid, such as vinegar.

All recipes used must include a published process and product formulation that has been approved by a recognized process authority; this includes recipes using process methods such as low temperature pasteurization and low sugar. Again, ALL recipes for Farm Direct Producer Processed Products under the allowed exemption MUST be from an approved resource. Following is a list of publications containing approved resources and recipes for eligible products (please note that **not all recipes** contained in these resources apply to the Farm Direct Rule):

- [USDA Complete Guide to Home Canning](#)
- [Pacific NW Extension Service Food Preservation Publications](#)
- [So Easy to Preserve, from the National Center for Home Food Preservation](#)

Alternatively, a vendor may send in their proposed process and sample for approval by the recognized process authority in Oregon: Oregon State University, Department of Food Science and Technology Extension Service. The Market Manager will need to see approval of the product in writing to allow sale in the market.

The ODA requires that acidified foods (such as salsas, sauerkraut, fruit or vegetable pickles, relish, chutney, etc.) need to have batch-by-batch records kept. Processing and production records, for products having a water activity (aw) greater than 0.85 and having been acidified to decrease the equilibrium pH of the food to 4.6 or below, will show that the process and product formulation comply with all critical factors mandated by a recognized process. These records include: providing batch-by-bath finished product testing; pH meter calibration records; colorimetric methods (including, but not limited to, indicator solutions and indicator paper which may be used if the equilibrium pH of the product is 4.0 or lower.) Note: Jams, jellies, preserves and syrups do not need to have batch-by-batch pH records completed, per the ODA. Water-bath canned goods must have a pH at or below 4.6. Non-acidic or low-acid canned foods with a pH higher than 4.6, such as peppers, green beans or sweet corn, pose a substantial risk of botulism and other food safety concerns; those items must be processed by a licensed and inspected processor.

Additionally, farm direct marketers will maintain sales records of acidic foods processed under the Farm Direct Marketing Bill that include the following information: Product(s) sold; Price; Quantity sold; Current, rolling total of year-to-date sales; Copies of all production and sales records must be maintained for a period of three years and made available to the ODA upon request.

There is a \$20,000 sales limitation on farm direct producer processed products under the Farm Direct Bill. If an agricultural producer's gross sales of jams, jellies, pickles and other acidic foods exceed \$20,000, the producer must either obtain a license for his or her own facility or transfer production to a licensed co-processor. The \$20,000 cap is calculated by adding together the gross sales of all farm direct producer processed products produced under the farm direct exemption during a calendar year. The exemption does not apply individually to each separate product.

<https://clatskaniefarmersmarket.files.wordpress.com/2015/01/osu-fact-sheet-farm-direct.pdf>

**Prior** to selling their processed product the vendor must submit to the Market Manager for approval:

- An ingredient sourcing form (found at the end of this handbook)
- The publication and recipe used
- Product label

**Please do not bring the product to Market until the product and the label has been approved by the Market Manager. This may take up to two weeks.** Consideration will be given to the existing market product mix and certain foods that are already well represented at the market will not necessarily be granted approval. Please talk to the Market Manager before launching into canning and preserving.

If a vendor has applied and been approved by the market for the season but wishes later to list additional products, the new item/s will need to be added to the vendor's existing application, with all criteria met, and await approval from the Market Manager prior to selling the new product.

**Labeling Requirements** - All producer-processed products must be labeled with the following:

- Product identity
- Name of agricultural producer
- Full physical address of agricultural producer (PO Box is not sufficient, per the ODA)
- Net weight
- List of ingredients in descending order (including any major allergens)
- The following full statements as written here: "THIS PRODUCT IS HOMEMADE AND IS NOT PREPARED IN AN INSPECTED FOOD ESTABLISHMENT"
- And: "NOT FOR RESALE"

**E. Non-Food Value Added Agricultural Products:** The market may allow some non-food agricultural products such as wool, goat's milk soap, lotions, lavender wands, wreaths and beeswax candles. The vendor must have grown or produced the main ingredients in the category item such as the lavender in the lavender wand. These products must be preapproved in advance by the Market Manager.

At this time, alcohol, tobacco and marijuana products are not permitted.

**F. Processed Agricultural Products Not Grown by Processor:** This category is for vendors who produce agricultural, value-added products from ingredients they do not grow. This type of vendor is required to have an ODA license for a Food Processing Establishment for each product type sold. For information about licensing, please visit the [ODA website](#).

Raw agricultural products available in Oregon and/or Washington are expected to be sourced locally and directly from producers. An Ingredient Sourcing Form (see attachment at end of handbook) is required along with the vendor application. Vendors selling these products will be considered on a case-by-case basis by the Market Manager.

**G. Wild Mushrooms:** An application to sell fresh, whole wild mushrooms must be accompanied by an ODA form titled [Food Safety Program – Wild Mushroom Buyer Verification form](#). Applications to sell fresh, whole wild mushrooms will be considered on a case-by-case basis by the Market Manager. Wild mushrooms that have been processed in any way (sliced, dried, or used in products) require a [Food Processing Establishment license](#).

**H. Baked Goods:** The “HOME BAKING BILL” (SB 320) went into effect on Jan.1, 2016, and allows home bakers to engage in the direct sale of their non-potentially hazardous foods (non-PHF) baked goods/confections without an ODA license. Bakery products must be made locally, from scratch, from quality ingredients. Preference is given to vendors who source ingredients locally. All products must be safe to consume and follow the requirement of the [Baking Bill Exemption](#). Restrictions include: direct sales only, no sales online or to restaurants or stores, sales limit of \$20,000 annually, and only non-PHF products allowed. “Potentially hazardous” baked goods don’t qualify for this exemption and are baked goods requiring temperature control (e.g., refrigeration) to prevent the rapid growth of infectious or toxic microorganisms. Examples include: Baked goods that require refrigeration after production, such as pies, cakes or pastries containing cream, custard, meringue, or cream cheese icings or fillings; Focaccia- style breads containing vegetables (including raw garlic) or cheese; Candied fresh fruit products including caramel and candy apples; Baked goods containing fresh, frozen, or dried meat, or fish or shellfish products (e.g., potpies or pastries with those ingredients).

For baked goods not included in the exemption, domestic kitchen licensing information may be found [here](#).

Label requirements for home baked goods: the required statement is “**This product is homemade and is not prepared in an inspected food establishment.**” In addition, the label shall disclose the following product information:

- The name, phone number and full address for the food establishment;
- The name of the product;
- The ingredients of the product in descending order by weight;
- The net weight or net volume of the product;
- Any applicable allergen warnings as specified under federal labeling requirements;
- If the label provides any nutrient content claim, health claim or other nutritional information, product nutritional information is needed as described in federal labeling requirements.
- Note: For Home Bakery Exemption goods that are not easily packaged, for example where products are sold as single items (such as one cookie or muffin) there must be a placard at the location that states, “**This product is homemade and is not prepared in an inspected food establishment.**” And you must have all required label information available upon request.

**I. Prepared Foods** (Commercially made, not farm-direct, not baked goods under the exemption, not prepared on site, see sections 21.L and 23): Prepared foods should be made from local products where and when available and made under the direction of the owner of the food business. The owner is not required to raise any of the raw ingredients. However, priority is given to prepared foods that contain locally grown ingredients. A **complete** Ingredient Sourcing Form is required with vendor’s application and can be found in the back of this handbook. A contract for a commercial kitchen, an ODA License and product liability insurance is required. All products must be approved by the ODA for the licensed kitchen being used. Additionally, some products may need approval from a [process authority](#), and specific product testing. If all products are approved through the ODA then the owner does not need to gain product process approval from the Market Manager, however the Ingredient Sourcing Form is still required.

### **J. Dairy and Meat Products:**

- A dairy processors license, available from the ODA Food Safety, is required.
- A meat sellers’ license is required.
- 100% of all meat products must be from animals raised from weaning by the farmer/producer. Animals must be butchered or processed in compliance with all health ordinances and regulations.
- Product liability insurance for dairy and meat products is required, see section 24.

- Under separate rules there are exemptions from licensing for a person who slaughters not more than 1,000 poultry per year and meets other requisites outlined in the [Poultry Bill](#). Product liability insurance is required, see section 24.

#### **K. Eggs:**

- Eggs may only be sold by the owner of the chickens who lay them as per [ODA Rules](#) and must be fresh, contained in clean, properly labeled containers, and kept in coolers (33 – 45 degrees).
- A producer does NOT need a license if eggs are to be sold directly to the consumer from the farmers market or ungraded to a dealer.
- No person shall sell eggs for human consumption in previously used consumer containers bearing the brand, trademark or officially designated number of another egg handler, unless the same is removed or defaced.
- The producer is required to have an egg handler's license if eggs are to be sold at: retail establishments, food service establishments, food processors, and or food distributors.
- The principal display panel of shell eggs that are sold directly to the consumer without a license, shall contain in a prominent location the following statement in legible, all capital, and bold-face type no less than one-eighth inch: **THIS PRODUCT IS NOT PREPARED IN AN INSPECTED FOOD ESTABLISHMENT. NOT FOR RESALE.**

#### **L. Food Products which may be processed at the market:**

- Farm Direct Marketing Rules allow an agricultural producer to roast the producer's own peppers, nuts and corn-on-the-cob and to pop the producer's own popcorn at farmers markets, if the foods mentioned above are processed after purchase and are not sold for immediate consumption.
- If an agricultural producer wishes to pop or roast their own commodities for immediate consumption, they should contact the County Health Department to discuss the requirements for a temporary restaurant license.

#### **M. Honey:**

- Honey labels must comply with both state and federal laws (federal labeling law 21CFR101):
  - (1) Product identity: "Honey" must be prominent and not less than ½ the size of the largest font used
  - (2) Honey weight must be listed in grams and ounces. One pound of honey would be labeled: 16 oz. (454 g.)
  - (3) Name and physical address of manufacturer. PO Box is not sufficient, per the ODA.
- Smallest print size: lower case "o" is equal to or greater than 1/16 inch.
- Producers selling only to retail customers (end users) do not need a Food Safety Program license, regardless of the number of hives owned, per the [ODA Exemption from Licensing](#).
- If a honey producer has more than 20 hives, then all honey must bear a label that states: "This product is not prepared in an inspected food establishment," and "Not For Resale".
- Honey producers still need an apiary registration with the Commodity Inspection Program of ODA if they own five or more hives. Producers who have more than 20 hives and are wholesaling honey need a Food Safety Program license.

## **N. Nursery Plants:**

- Nursery products and plants must be propagated by the vendor from plugs, seeds, cuttings, bulbs or plant divisions and sold in standard, non-decorative nursery containers.
- When non-traditional containers are appropriate such as Bonsai dishes, succulent dishes, baskets or planter boxes, the value of the container may not exceed the value of the plant material.
- Selling a finished product purchased from another grower is prohibited. Nursery vendors may sell a limited number of hard-good items to add value to the plants such as plant stands and hangers, ornamental garden decorations, stakes or trellises if the items are self-made, meet the mission goals of the market and have received pre-authorization from the Market Manager. Nursery License required if sales exceed \$250. <http://www.oregon.gov/ODA/PLANT/NURSERY/Pages/index.aspx>

## **22. ACCEPTING BENEFIT PAYMENTS: SNAP, FDNP**

- The market is participating in the SNAP (EBT) benefits program, and information will be provided on how this system works to each vendor selling participating goods.
- Additionally, individual produce vendors may apply on their own with the Oregon WIC to accept the Oregon Farm Direct Nutrition Program (FDNP) checks which are provided to low-income, nutritionally at-risk women, children and infants and to low income seniors and people with disabilities (SFDNP). These funds are distributed by the state of Oregon to WIC (Women Infants and Children) participants as checks for young families or checks for use by Seniors or Disabled people. To accept these checks, you must be a grower registered with the Oregon WIC and display provided signage. The CFM strongly suggests that all farmers do register for this. Vendors new to the FDNP program may apply online [HERE](#).

## **23. FOOD/BEVERAGES TO BE CONSUMED ON THE MARKET PREMISES:**

- The Market Manager reserves the right to limit the number of food concessions at the market at any given time. Preference will be given to food vendors selling healthy foods and drinks made using local ingredients.
- Vendors must submit a menu with their application. No food or drinks containing high fructose corn syrup may be sold.
- Vendors with BBQs, cook stoves or other cooking devices are required to place a protective mat or flooring under cooking unit such as plywood or tarps to protect the market site surface from grease.
- Once approved, a food vendor will be required to submit copies of the following documents:
  - Temporary Restaurant License obtained from the County Health Department
  - Food Handlers License for at least one employee who will be in the booth always
  - Certificate of Liability Insurance for \$1,000,000 listing the market additional insured
- All vendors cooking at the site must have a fire extinguisher in their booths. Per the Fire Department regulations, all vendors using deep fat fryers must have a K style extinguisher,

made especially for grease fires. All other food vendors are required to have the multi-purpose 2A10BC extinguisher. This includes vendors using electric equipment such as coffee brewers, waffle irons and soup warmers.

- Ready-to-Eat Food at the market: Part of the market's goals are normally to encourage customers to linger, but during this time of COVID, all food must be provided in carry-out manners only until regulations are lifted.
- The Public Health Foundation of Columbia County oversees licensing restaurants or ready-to-eat foods that are prepared (hot or cold) on site to be consumed in the Market. This category does not include baked goods and other foods prepared in ODA licensed food establishments, which are not served as restaurant foods. The county and the farmers market both have an interest in ensuring that these food vendors handle food properly to minimize the risk of food borne diseases. The 2011 legislature passed a bill supported by OFMA that allows for 90-day restaurant licenses. Food Vendors will pay a pre-operational review fee, which may be required on an ongoing basis, in addition to the 90-day seasonal temporary restaurant license. The license is good at only one location. Restaurant licenses generally require one person physically present in the operation to hold a food handler's certificate. Other requirements include a diagram of the food booth and menu details. Food carts fall under a separate area of health law. Mobile food carts have four levels, with Level 4 allowing the most complex activities. They are regulated by the [Columbia County Health Department](#) with guidance from the Oregon Health Authority.

#### **24. LICENSES AND INSURANCE REQUIREMENTS:**

- The Market requires documentation of all required licenses and certifications. For ALL dairy, meat, prepared and hot food vending, the market requires a Certificate of Product Liability Insurance, for \$1,000,000, with the Clatskanie Farmers Market listed as an additional insured.
- All other vendors are highly recommended to purchase their own liability insurance. The Clatskanie Farmers Market has limited liability insurance to cover activities occurring in the market, but that coverage does not extend to producers and their products. Vendors insurance if applicable, as well as copies of any permits and licenses applicable to the sale of product, will be required, before coming to the market.
- The CFM will secure a business license that covers all vendors doing business on market days – no additional city business license is required.
- Vendors are responsible for complying with State and Local licensing requirements governing the sale and production of their products. Failure at any time to conform to Local, State or Federal requirements can be grounds for removal from the market and forfeiture of space fees.
- LICENSING INFORMATION IS AVAILABLE FROM THE APPROPRIATE STATE OR COUNTY AGENCY.



## 25. SAMPLING AND ONSITE RULES:

- Sampling of products is currently allowed under COVID directives with certain practices in place, please visit this [OFMA resource](#) for the most up to date policy.
- Vendors will be required to use a proper face mask at all times.
- All booths will assign a minimum of one of their vendors or employees to act as a "social-distancing officer" to ensure that customers remain 6' from product; only vendors will handle product; having product pre-packaged is strongly encouraged; if product needs bagged after purchase it is suggested that a vendor booth have a minimum of two attendees (one for handling product, one for transactions).
- Required: Oregon Food handler's card(s) for at least one vendor in each booth offering samples, may be obtained online: <http://www.orfoodhandlers.com/eMain.aspx?State=OREGON>.
- Hand washing stations for vendor use, hand sanitizer for customer use, and sanitizing equipment and materials for use after each customer must be provided in each booth. Details on setting up a hand washing station available at: <http://clatskaniefarmersmarket.com/>

### Suitable Hand Washing Station:

- a) Provide potable water in an enclosed container.
- b) Utilize a spigot that can be opened to provide a constant flow of water.
- c) Provide soap; Gel sanitizer may be used in addition to handwashing BUT not in place of it.
- d) Provide paper towels rather than cloth towels and a receptacle for used towels.
- e) Maintain a wastewater collection container with a minimum capacity equal to or greater than the freshwater container's capacity.
- f) Station needs to be accessible from inside the booth – not for customer use.
- g) Maintain handwashing equipment in a clean and sanitary manner.
- h) Use only potable water for hand washing (free of fecal coliform bacteria).
- i) Hand wash station is for the VENDOR to use while dispensing food samples.
- j) Empty the hand wash station's wastewater on gravel rather than on park grass.



## **26. VENDORS USING SCALES:**

All scales used for weighing customer goods must be certified by the ODA Standards Division annually and a copy of certificate provided to the Market Manager. Vendors who operate scales used for commercial purposes (buying, selling, or processing commodities by weight, and using those weights to determine charges or payments), in Oregon, must obtain an annual scale license for each device from the ODA's Weights and Measures Program:

<http://www.oregon.gov/oda/programs/ISCP/WeightsMeasures/Pages/LicenseScaleMeter.aspx>

Recommended Methods of Sale for Fresh Fruits & Vegetables:

<http://www.oregon.gov/ODA/shared/Documents/Publications/InternalServices/FarmersMarketGuideMethodofSale.pdf>

## **27. NATIVE AMERICAN VENDORS:**

The treaty rights of Native American vendors allow them to sell certain products without licensing. The vendor's tribal identification card will need to be submitted with the application to confirm Native American status. Insurance for dairy/meat/hot food vendors is still a requirement.

## **28. NON-PROFIT ORGANIZATIONS:**

Non-Profit Organizations are welcome to apply for a vendor's booth one time per season for fundraising or educational purposes, following all the rules and regulation of the Market. A vendor application and letter of determination by the IRS must be received by the Market Manager thirty days prior to the desired market day. Each application will be vetted and voted upon by the BOD, if necessary. Applicants will be notified of their acceptance after a decision has been made.

*Reminder: Vendors must submit a complete list of products that they produce and wish to sell at the time they apply to the market. All products must be on the approved list or clarified by the Market Manager. If a vendor wants to sell an item not previously approved, they must obtain written permission from the Market Manager before the new item can be sold at the market.*

Thank you for your participation in the Clatskanie Farmers Market.

We look forward to working with you and appreciate your continued support and feedback as we meet our objectives of promoting healthy, locally grown food, value-added food products and hand-crafted items.

## Clatskanie Farmers Market

**Ingredient Sourcing Form \*only applies to Farm Direct Producer Processed items (attach multiple pages as needed)**

Vendor Name: \_\_\_\_\_

Phone: \_\_\_\_\_

Date: \_\_\_\_\_

Email: \_\_\_\_\_

Product Name *Include recipe (and title of approved publication) AND product label	Ingredient(s)	Source(s)

