



2023 Rules and Regulations DeSoto Farmers' Market

Market Location: 520 N. Main Street, DeSoto MO 63020

New Market Phone # 636-543-0966

The DeSoto Farmers' Market (DFM) is a project of Get Healthy DeSoto (GHD).

I. Hours of Operation

- A. DFM is open for seasonal operation on Saturdays between May 6, 2022 and October 28, 2022 (25 weeks).
- B. DFM will open at 8:00 AM and close at 12:00 PM each Market Day.
 1. **Vendors in booths 1-20 will need to arrive between 6:15 and 6:50 AM. Vendors in booths 21-40 will not have onsite parking and will need to arrive between 6:55 and 7:45 AM.** Vendors must be set up by 7:45 AM. Late arrivals may be turned away.
 2. Vendors are required to stay until closing. Bring promotional material or consider taking preorders.
 3. **The public will not be allowed inside the market area before 8:00 AM due to safety concerns.**
 4. No Sales, no setting aside or allowing customers picking out products permitted before or after the bell is rung to start or end the Market Day. Vendors may sell to any other vendors or working staff before 7:45 AM.

II. General Market Policies

- A. DFM does not discriminate against individuals because of race, color, creed, national origin, gender, disability or sexual orientation.
- B. Market Manager
 1. DFM has a certified Jefferson County Health Department (JCHD) Market Master, who has authority over all Market operations.
 2. The Market Manager has the discretion to limit the number of vendors for each category at registration. The Market Manager reserves the right to allow or disallow all items and vendors of any category at his/her discretion.
 3. The Market Manager will determine space and parking designations.
 4. All Exceptions to these policies must be approved by the Market Manager.
 5. Anyone not complying with the rules of the DFM may be asked to leave the market.
- C. Market Facility
 1. DFM is smoke-free. The Market facility consists of the Pavilion, vendor parking, handicap parking, open space for tents, the Kitchen, the Bandstand and Red Barn.
 2. No firearms or weapons are allowed on the market premises.
 3. No soliciting, surveys or campaigning of any kind is allowed unless prior permission is given by DFM.
 4. Due to health regulations, vendors are not allowed to have animals in or near their booth or pets at the market. All animals sold must be 50' away from food items.
 5. One space will be made available free of charge for educational activities relating to sustainable agriculture or non-profit, health-related community groups. This space will be made available on a first-come, first-serve basis, but must be approved and booked with the Market Manager in advance. GHD and some sponsors may have access to a booth during market hours when needed.
 6. At the discretion of the DFM, temporary food service establishments (ex: Food Trucks) may be allowed to serve food at the DFM under the conditions of the Jefferson County Food Ordinance.
 7. Tents or shade structures are not permitted under the pavilion due to safety issues. Other structures, with approval, may be used. Structures shall be secured to the ground via clearly marked blocks, sandbags, or other heavy objects in order to prevent damage to products and injury to others.
 8. There are a limited number of tents (\$15), tables (\$10) and chairs (\$5) to rent on a first come first serve (FCFS) basis.
 9. Kitchen can be used by vendors to serve fresh food, but the vendor must have a Food Handler Certification through JCHD and pay the annual license fees. Kitchen can be rented hourly with a properly completed rental agreement in place.

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D. Vendors

1. Vendor is defined as the actual producer who grows, crafts, bakes or makes the final product to sell. **No selling of items that are produced by other vendors or repackaging.**
2. All vendors and products at the DFM must be local.
 - a. Local is defined as produced or handmade within a 75-mile radius from DeSoto, MO within the state of Missouri.
 - b. Exception: fruits and nuts are not limited to the radius but must be produced within Missouri and sold by the grower. This exception does not apply to tomatoes.
3. Vendors are required to notify the Market Master on duty or the Market Manager of any incidents that happen on the market premises so appropriate incident reports can be completed.
4. Vendors will complete a summary report for each day they have a booth at the market.
5. Vendors are responsible for compliance with applicable city, county, state, and federal regulations, such as (but not limited to):
 - a. Vendors are not required to obtain a city business license.
 - b. All scales used by Vendors must be certified by the Department of Agriculture (MDA) and the Approval seal of Weights and Measures be displayed on the scale. Scales are not required unless selling items by weight. Items may be sold by the piece or bundle. Non-certified scales are not allowed to be used at the Market. The Market has a certified scale in Market office for a cost of \$5.00 per day, (FCFS)
 - c. Sales Tax: See copy of Senate Bill 727 and what "farm products" are exempt from Sales Tax. Any state, city and county sales tax must be collected on products not exempt.

Sales Tax License info: <http://dor.mo.gov/business/sales/>

The current rate as of 2021 is 9.860% on non-food items and 6.850% on food items.
6. Vendors all items for sale must be priced for sale by labeling each item or having signs posted before the Market is open.
 - a. Radical price cutting of top-quality products is not permitted. All Vendors will sell at Fair Market Value.
 - b. Vendors may choose to discount their products the last 30 minutes before the Market closes.
 - c. Signs identifying the name and location of the vendor's business must be posted before sales begin.
7. Vendors must clean-up the area around their vehicles and booths before leaving the site each market day. This includes trash or parts of produce on the ground. Brooms and dustpans are available for your use.
8. Vendors should park in the designated parking lot if you are not able to park adjacent to your booth.
9. A vendor is required to keep all vehicles, contents, products and by-products in the boundaries of his/her assigned stall at all times, no matter how many empty stalls are located throughout the market.
10. It is the responsibility of the vendor to provide any/all tables, overhead protection (if not under Market pavilion), chairs, change, cash registers, scales, signage, etc. necessary to do business. Some equipment is available for rent on a first come first come basis.
11. A vendor is to keep all spare stock, packing materials, cardboard boxes and bags in an orderly fashion at all times within their booth or vehicle.
12. The Market is not a bank and does not keep cash on hand. Vendors should provide their own change for customers.

E. Inclement Weather Policies

1. If the weather is bad, we may have a rain delay until the storm passes, but we will not cancel the Market immediately. We will opt instead to wait out the storm. If the storm is severe, does not pass and is not predicted to pass, we will cancel at that time. If a vendor decides not to come because of the weather, they must notify the Market Manager before 8 AM in order to not be charged for that week. You will be e-mailed or called with the cancellation. Vendors are welcome to call the Market Manager if there is a question about the weather conditions.
2. If the market is canceled prior to 10:00 AM, vendors will be refunded their vendor fee for the week. If the market is canceled after 10:00 AM, no vendor fee refunds will be given.

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III. Application & Reservation Policies

A. Application

1. **Application fee is \$15.** The application is available online at www.gethealthydesoto.org.
2. All vendors must complete and submit to the Market Manager the items below by Monday 10:00AM being permitted to sell at the market each week.
 - a. Completed DFM Application Form.
 - b. Proof of Vehicle Liability Insurance—each vendor is required to have and maintain liability insurance to operate a vehicle within the DFM. A copy of the insurance ID card is required to be submitted with the vendor application. (Please Note that as your Insurance expires we will need an update copy).
 - c. **Vendors must apply and be approved by the Market Manager no later than the Thursday before Market Day at 8:00 PM.**
3. The Market Manager will not approve new vendors on Saturdays.
4. Vendor signature on the Vendor Application verifies the vendor has carefully read, understands and agrees to the DFM Rules and Regulations.
5. Booth assignments, determination of suitability of items offered for sale and collection of booth rental fees are the responsibility of the Market Manager.

B. Booth:

1. All spaces will be 10'x10'. Vendors must stay within their 10'x10 designated space. Payment of all fees is to be paid by check, cash or money order to "DeSoto Farmers' Market". **The weekly vendor fee is \$15.00, there is a \$1 fee for paying with debit cards.**
2. Vendors going outside their space will be required to pay an additional \$15.00 per 10'x10' space or any part outside their designated space.
3. Each Vendor Booth will be inspected by the Market Manager during the first week of attendance and DFM reserves the right to inspect, at any time, to verify compliance with the JCHD and Market Regulations.
4. The Market requires that each Vendor complete and hand in a Sales Survey each week to help the Market collect statistics to obtain grants. Sales Surveys are anonymous.

C. Cancellations and fees

1. You must call before 12:00 Noon, Friday before the day of the market to cancel and receive a refund. If a cancellation is not received, you will be considered a "no-show" and will be billed and owe for that date or will lose your prepaid fee.
2. Any outstanding bill from the market must be paid before the next reservation is made.
3. Any vendor writing a bad check will be charged \$25 per check and no future checks will be accepted. Bad check fees must be paid in full prior to renting future space.

IV. Pricing Policies

- B. Vendor Booth fees can be paid Yearly, Monthly, and Weekly. All fees dues before 8:00 AM Saturday. DFM will not tolerate late payments or unpaid fees. Any late payments will be recorded with the possibility of probation and/or suspension.

1. **Yearly Payment: \$ 420**
2. **Monthly Payments: 4 weeks =\$60, 5 weeks =\$75**
3. **Weekly Payments: \$15**

C. Vendor Sponsorship Levels

1. Garden Champion: \$500 or more contribution; includes free booth space for market season (\$420 value), business name on market advertisements, name on market building, logo and link on market website, 1 Ticket to Trivia Night and 2 Tickets to Farm to Table events, and Facebook advertising cost share.
2. Harvest Hands: \$250-\$499; includes one free booth space each month of the market season (\$90 value), business name on market advertisements, name and link on market website.
3. Green Helper: \$100-\$249; includes one free booth space at the market once during the season, business name on market fliers, business name on website.
4. Seedling: \$25-\$99; includes your business name listed on the market website.

- D. Advertising Cost Share: These are optional advertising fees to help support the market and promote vendors. The market will subsidize half of a promotional ad for vendors on the following schedule:

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- Facebook 5-day promotion (\$25): \$12.50 vendor cost with vendor name listed in advertisement.
- Leader Newspaper ad in color (\$145): \$75 vendor cost with name listed in advertisement.

V. Special Policies for Producers and Food Item Vendors

- A. Producers selling products they refer to as 'organic' must display a sign giving their organic grower's certification and their certifying body, unless exempt from certification due to scale of operation.
- B. Producers should clearly separate and label organic and non-organic products in the same display.
- C. Vendors selling all food items such as baked goods or jellies, non-dairy butters, value-added etc. must have a sign at their table and label the product indicating it has not been inspected by the JCHD. (See Sample.)
- D. Food safety, sanitation, health permits, and labeling requirements pertaining to the items for sale are required.
- E. Honey label must contain the statement: "Do not feed to infants under 1 year of age".
- F. Produce must be thoroughly cleaned and may be sold in opened plastic bags. The bags cannot be closed unless there are air holes in the bag.

Sample Label

Name of the Food
 Ingredients in descending order (most to least)
 This product was not inspected by
 Jefferson County Health Department

Name and Address of Vendor/Producer:
 Justin Case
 555 Apple Lane
 Anywhere, USA 11111
 (Phone #)

VI. Food Items **Allowed in Green, Not Allowed in Red.** Market Master has the final say

Vegetables	Whole Uncut	Blanched	Sliced	Cut/ chopped	Pickled, Canned
Nuts, Fruit	Whole Nuts	Roasted	Shelled	Cracked	Canned
Baked Goods*	Uncut, Sliced Bread loaves, sweet bread excludes	Boxed mixes	Puddings, milk based, flan	Custards, Cream filled pies, pudding pies, pumpkin pies	Cream Cheese: cakes, Danish, icing
Jellies/Jams/Preserves	Fruit	Vegetables/ Pepper/ banana #	Salsa/ Sauces/ Low acid ##	Pickled	Artificial sweeteners
Value-added Products**	Soup Mix	Baking Mixes	Sugar- coated nuts	Herbs and spices	Repackaged
Honey, Syrups	Must be labeled				Artificial sweeteners
Wine	w/ License to sell				
Candy	Fudge	Brittle	Hard Candy	Divinities	
Pastas	Oven dried	Air dried	Egg Noodles		
Mushrooms	JCHD approved	Canned	Wild	Dried	
Beef, Pork, Poultry, Fish ***	JHDC regulated & licensed	Jerky	Pet treats	Canned	
Eggs ****	License required	Cartons labeled	Candled graded	Temp. control 45°F transport to sell	
Milk	Dairy Butters				
Low Acid Foods ##					

*Baked Goods: Samples cut or uncut may be offered but cut samples must be cut in a certified kitchen, inside the Market building or at home. The samples must be served in individual containers or if given out by the vendor, a service utensil must be used by the vendor. All samples must be kept covered.

Unless pH tested and documented through a commercial lab, as being not potentially hazardous with a pH of 4.0 or less

**Non-value-added products will not be permitted for sale at the market. This includes the repackaging of spices and herbs. No Independent Distributors.

***Meat: Please call JCHD the Environmental Section at 636-797-3737, extension 3. Meat jerky and dog snacks unless approved by the JCHD and have proper licensure from the MDA Contact 573-751-4310.

****Eggs: This includes a Limited Retail License from the MDA Agriculture. Eggs must be transported and kept at proper refrigeration temperature (45°F) through point of sale at the market. Can use recycled cartons but all old labeling must be removed and your label affixed.

Low Acid foods, Missouri Department of Health and Senior Services Manufactured food Foods Program (573)-751-6095.

To obtain a complete copy of Missouri Egg Laws & Regulations, call the Missouri Department of Agriculture, Division of Weights and Measures at 573-751-5639 or visit their website at www.mda.mo.gov or <http://mda.mo.gov/weights/device/pdf/egglicapp.pdf>

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VII. Non-Food Items **Allowed in Green, Not Allowed in Red, Market Master has the final say**

Herbs	(dried or fresh)	cannabis			
Flowers					
Bedding plants					
Crafts	100% vendor made	Market Manager approved	Upcycled		
Trees	Plant license MDA				
Bushes					
Small Animals	50' from vendors	Livestock	Dog/cats		
Bath & Body	Labeled	Lotions	Soaps	Lip balm	Cosmetics need license

- A. Vendors selling crafts or bedding plants do not need overhead protection.
- B. Small animals and livestock (dogs and cats are prohibited) Must be 50' from food Vendors.
- C. Soaps, Cosmetic Items-JCHD regulated. Refer to section above. Must have a proper label. (See Sample Label.)
Bath and Body: must have a label of the ingredients and contact information. No health or beauty claims can be made for products per JCHD.
- D. Limitation—for any new product not listed, contact Market Manager for approval before selling. No repackaging of items, bought or donated, that are not made or grown by the Vendor.

Farmers wanting to prepare potentially hazardous foods for the DFM can get a temporary permit through the JCHD www.jeffcohealth.org and at least one person must have Basic Food Sanitation Training Certificate, class at www.responsibletraining.com. Permit is \$50 for first location, \$10 for each additional location annually. JCHD 636-797-3737.