

Kingsport Farmers Market Vendor Handbook

This document outlines the policies and procedures of the Kingsport Farmers Market.

Mission

The goal of the City of Kingsport and the Kingsport Farmers Market is to provide a vibrant, diverse market of local and regional produce for the recreational and nutritional benefit of the citizens and visitors of Kingsport Tennessee and the Greater Kingsport Area.

Application and Vendor Selection Process

- All vendors, new or returning, must submit an application annually.
- Applications are accepted online by visiting <https://KingsportFarmersMarket.org>
- Paper applications are also available at the Kingsport Farmers Market cashier kiosk during market days; the Kingsport Carousel; and Kingsport City Hall. Completed paper applications may be returned to:
 - **Kingsport City Hall, 415 Broad St, Kingsport, TN 37660 8 a.m.-5 p.m. Mon-Fri**
 - **Kingsport Carousel, 350 Clinchfield St, Kingsport, TN 37660 12:30pm. – 5 p.m. Wed – Sat. 1:30pm-5pm Sun.**
- You may be required to submit photos of your product.
- Vendors will be required to provide any necessary licenses, permits or certificates issued through the State of Tennessee or the United States Department of Agriculture (USDA).
- If accepted as a vendor, you will be notified of your assigned space prior to your approved Market day(s) via Manage My Market alert in email or by letter if paper application.
- Please check your Manage My Market account for approved dates and assigned spaces prior to Market dates. Even if you are approved as a Market vendor, you may not receive all of the Market dates and / or spaces that you requested. It is the responsibility of the vendor to know their assigned days.
- *Due to the high volume of craft vendors that apply seasonally, many craft vendors will be waitlisted as produce and homegrown items are first priority at the farmers market. Every effort will be given to allow vendors a percentage of their requested dates. See crafts on pg. 2*

Vendor Categories

- **Home-Grown** - Defined as, a vendor that primarily grows at least 75% of the produce that they sell at the Market. *Items not grown by vendor must be labeled with the place of origin*, which must not exceed a 100 mile radius of the Kingsport Farmers Market. Home-Grown vendors will be given priority for spaces and dates in the Market. Note a vendor could be asked to verify their homegrown status if requested by market staff.
- **Prepared Food** – Defined as, a vendor selling items such as homemade baked goods, honey, jams, jellies and canned foods at the Market that meet all State and Local Health Department and TDA Regulations / Standards. Any canned item that is not honey, jams or jellies must

provide all necessary documents to Market staff, prior to the Market date you wish to sell the items. Without proper documents the items will not be permitted for sale at the Market.

- **Commercial** - Defined as a vendor selling less than 75% home-grown produce or vendors selling primarily non-homegrown produce, natural product, processed product or animal product. These vendors also encompass those who primarily sell items purchased on a wholesale basis for resale. Items not grown by vendor must be labeled with the place of origin, and cannot not exceed a 100 mile radius of the Kingsport Farmers Market.
- **Craft** – All items for sale must be 100% produced and hand-crafted by the vendor.
Note that Kingsport Farmers Market Staff (Market Staff) will place a priority on homegrown and local vendors but allow a mix of categories that does not exceed 15% prepared food and 15% craft.

*Questions regarding TDA compliance can be found at:

<https://www.tn.gov/agriculture/consumers/food-safety/ag-farms-farmers-markets.html>

Assignment of Booth Space

- Booth space is assigned at the sole discretion of the Market Staff. Assignment will be given for each Market and will be generally assigned on a first-come first-served basis. Please check your Manage My Market account prior to Market dates to determine your location for that date. Location will be determined by Market Staff. Vendor space can be rearranged at any time as deemed necessary by the Farmers Market staff for any reason.
- Vendors with 100% of their product sold being “home-grown”, will receive first priority in vendor placement.
- Vendors must be set up at the Market by 7 a.m. With special arrangement, a later arrival time may be accommodated, provided the request is made to the Market Staff prior to Market day. The Market will open for vendor set up one hour prior to the Market opening for the general public. Any vendor space reserved, but not occupied by Market opening, may be reassigned to another vendor at the discretion of the Market Staff. All vendors must vacate property by 2pm. No refunds will be issued to vendors if a forfeited reservation was prepaid. Vendors that repeatedly arrive late to the Market may risk losing their assigned vendor booth space for the season. Any vendor arriving late must check in with Market Staff, to insure their attendance is accurately recorded.
- If a vendor has reserved a space, but later must cancel their Market date, the assigned booth fee may be waived from the vendor’s account **(except for Monthly Seasonal Rate and Discounted Seasonal Rate vendors) provided they notify the Market Staff at least 48 hours in advance.** Special circumstances may be considered in an emergency situation. Please see ‘Cancellation Process,’ page 5.
- **Vendors who repeatedly fail to show for reserved space, or release their space by calling Market Staff will be charged the full fee and will potentially lose space for the rest of the season.**
- Vendors who cannot attend the Market may send a representative in their place, however the vendor is responsible for making all onsite representatives aware of all rules, policies and procedures for the Market. The Market Staff must be notified, if a representative will be substituted for the vendor prior to the Market day.

- Vendors shall be responsible for the actions of employees, agents, or other persons working for, or with, the vendor.

Vendor Booth Fees

Inside Pavilion:

Wednesdays \$6.00 per booth space
 Saturdays \$10.00 per booth space

Outside:

Wednesdays \$5.00 per booth space
 Saturdays \$8.00 per booth space

Operations

- Saturday Market hours (open to the public): 7a.m. - 1p.m.
- Wednesday Market hours (open to the public): 7a.m. - 1p.m.
- Vendors will have access to the Market one (1) hour prior to Market opening and one (1) hour after Market closing, for unloading, loading and setting up / take down of booth.
- Vendors must exit the facility and property no later than 2 p.m. Failure to do so may result in a suspension of the vendor from the Market for the next scheduled Market date. If additional infractions occur, the vendor may be subject to loss of the reserved space for the remainder of the season.
- Generators are not allowed by vendors. Food trucks may be allowed the use of generators if proper spacing set forth by fire marshal guidelines can be met and with prior approval from market staff.
- Additional time needed for unloading or loading must be approved by Market Staff. Failure to be setup by the Market opening time may result in a loss of vendor space for that Market day.
- A Market Staff Representative will be on duty at each Market and will be authorized to make last minute additions/changes to the Market. The Market Staff Representative has the authority to require that signage, or displays be rearranged when, in the opinion of the Market Staff Representative, the signage or display is blocking another vendor, or the flow of traffic.
- Access to electric power is not available or guaranteed in all areas of the Market. If you require electric power for your booth space, please note this on your application prior to the Market. While not guaranteed, the Market Staff will try to accommodate your request.
- Vendors are responsible for:
 - Cleaning up their booth and surrounding area.
 - Sweeping and placing garbage in provided lined trash cans.
 - Taking bags out of trash cans and to the dumpsters located on the property.
 - Vendors are required to break down all boxes before placing in dumpsters.
 - Place cardboard in the cardboard recycle bin only. Do not put trash in the recycle bin.
 - Vendors may not place outside trash/personal trash in the market dumpsters.
 - No tape is allowed on any surface of the Kingsport Farmers Market Building.

- Providing and setting up any tables/chairs needed by the vendor. A limited number of market tables and chairs may be available for use, but the vendor must return the table and chairs back to the storage carts at the closing of each Market day.

Approved Merchandise

- ***Only those vendors approved by Market Staff may sell approved items at the Market. All foods, except fresh fruits and vegetables, sold at the Kingsport Farmers Market, must be properly labeled according to Tennessee Department of Agriculture (TDA) and / or United States Department of Agriculture (USDA) requirements. Failure to do so may result in the vendor being asked to remove the product from display / sale. Certain fresh fruits and vegetables may be required to be labeled to be in compliance with the Market policies.***
- Market Staff will have the authority to approve or disapprove any items to be sold in the Market.
- At the discretion of the Market Staff, low quality produce may be required to be removed from display, or be marked as “second quality” merchandise.
- Market Staff has the authority to inspect the origin of items sold at the Market to ensure product conforms to Market policy, procedures and standards.
- A vendor may not ask another vendor to combine booths or invite a non-approved vendor to set up at their booth without prior approval from Market Staff.

Meats, Poultry, Eggs

- Animal product may be sold at the Market provided it is raised within a 100 mile radius of the Market, and provided vendor complies with all requirement of the USDA and the TDA.
- Meat and poultry products are primarily under the jurisdiction of the USDA. Generally, the exception is farm based retail meat that is permitted through the TDA.
- All meats must be refrigerated or frozen in original packaging, clearly labeled and stored in clean and sanitary refrigerators, freezers or coolers that meet USDA requirements.
- A Retail Meat Sales Permit **is required** from vendors selling meat at the Market. The permit must be submitted with the vendor application and also, displayed at the vendor booth during Market days.
<https://www.tn.gov/content/dam/tn/agriculture/documents/foodsafety/2018/PB1829.pdf>
- Compliance with all USDA and TDA guidelines, requirements and restrictions are the sole responsibility of the vendor.
- A producer may sell eggs at the Kingsport Farmers Market from his own flock of less than 3,000 birds under the following conditions:
 - Compliance with sanitation requirements of egg rules.
 - Eggs sold as unclassified or ungraded eggs must be sold in containers that are labeled to indicate the producer of the eggs.
 - Recycled or reused containers are not permitted.
 - Eggs deemed adulterated may not be offered for sale.
 - Eggs are stored at 41 degrees or below. (21 C.F.R. § 115.50)

- Poultry products are under federal jurisdiction of the Food Safety Inspection Service (FCIS) of USDA. Producers may be exempt from compliance with federal authority in certain circumstances (Poultry Products Inspection Act).

Processed Product

Vendors may offer for sale homemade baked goods, jams, jellies, honey, sorghum molasses, and other prepared foods that meet all TDA requirements and any local and state health department guidelines and that are determined to be acceptable by Market Staff. Items must be prepared by the vendor offering the item for sale. All processed products must meet any applicable local, state, federal rules, regulations or laws. Canned goods for sale must meet Tennessee Food Freedom Act guidelines outlined here: <https://www.tn.gov/agriculture/consumers/food-safety/tennessee-food-freedom-act.html>

Dairy

Raw milk cannot be offered for sale for human consumption at the Market. All dairy products, including ice cream and cheeses, must come from an approved source that is inspected and permitted. All products must meet regulations set forth by the TDA.

Crafts

Crafts offered for sale at the Market must be 100% hand-crafted by the vendor. All items offered for sale must be approved by the Market Staff prior to being displayed or offered at the Market. Pictures of items to be sold must be submitted with the vendor application.

T-shirts or other merchandise that supports the business brand may be sold at small quantities and this cannot be your primary product for sale on market day and these items must be listed and approved on your product list in your profile/application. Other t-shirts/merchandise sold under crafters must be created by the craft vendor (not purchased items for resale).

Soaps, Pet Food, Plants

Soaps, pet food, and plants may be sold only in compliance with the TDA.

- **Pet Food** Any person manufactures or distributes an animal feed or pet food in the state, including pet treats, must be licensed by the Tennessee Department of Agriculture. Required labeling must accompany the product, including the manufacturer's name and address, net weight and guaranteed analysis. (T.C.A. § 44-6-105). Additional information may be obtained by contacting TDA Agricultural Inputs Section at (615) 837-5135.
- **Plants** All persons offering plants and plant material for sale must possess a Plant Dealer, Greenhouse or Nursery Certificate from the Tennessee Department of Agriculture. (Tenn. Comp. R. & Regs. 0080-06-01). Additional information may be obtained by contacting TDA Plant Certification Section at (615) 837-5137.
- **Soaps** Homemade soaps made from goat/sheep raw milk are under the guidance of Consumer Product Safety Commission. No inspection or permitting is required by the TDA.

Prohibited items

- Selling, distributing, sampling alcoholic beverages, tobacco, or vaping products at the Market is prohibited.
- The sale of any live animals is prohibited at the Market.
- The sale of any illegal substance under the laws of the State of Tennessee or United States of America is strictly prohibited.

SNAP / EBT Program

The Kingsport Farmers Market encourages all vendors with eligible food items to participate in the Federal SNAP EBT Program. Those vendors wishing to participate must attend mandatory training before they will be allowed to accept SNAP / EBT as payment at the Market. The training provided is to ensure proper compliance with program regulations. For further details on the SNAP / EBT training, please contact the Market Staff. Do not accept SNAP tokens if you are not an approved vendor as you will not be reimbursed for those tokens. The kiosk at the market is available on market days 8am-12pm for SNAP customers or for vendors to turn in tokens.

Other Incentives

From time to time the market will offer customer incentives with community partners. Recent examples are the Diabetes grant vouchers from the Sullivan County Health Dept. Only vendors that have filled out appropriate paperwork with the city to accept reimbursement may participate in these incentive programs. Please do not accept tokens/vouchers/incentives if you have not completed this process. You will not be reimbursed for these items. See market staff if you have questions regarding these. Please adhere to instructions by market staff on who is eligible to accept these incentive payments and what products are eligible.

WIC Vouchers

WIC is a program directly between vendors and the Sullivan County Regional Health Dept. The city does not reimburse vendors for WIC vouchers. Please do not accept these vouchers if you are not an approved WIC vendor with the health dept.

Cancelation Process

- Vendors who will absent from the Market for their reserved Market date, must notify the Market Staff in advance, within 48 hours of the Market date.
- Failure to properly notify Market Staff will result in vendor being required to pay the appropriate booth fee for that Market date.
- *The notification and / or booth fee requirements may be waived, if a vendor experiences an emergency, or extenuating circumstance that prohibits attendance at their reserved Market date. This will be determined at the sole discretion of the Market Staff.*
- Repeat offenses will subject vendor to the loss of a reserved space for the remainder of the season.

Safety, Sanitation, Facility Guidelines

- Smoking and vaping is prohibited on City property, including the Kingsport Farmers Market.
- Use of propane is prohibited inside the Kingsport Farmers Market Pavilion.
- The City provides trash cans and dumpsters for the Market. Vendors are responsible for the collection and removal of all refuse generated from sales and activity at their booth space, even if it is outside of the booth space (see Operations, page 2).
- Trash or garbage brought in and not generated at the Market is prohibited from disposal in City trash cans or dumpsters.
- Do not put trash in the cardboard recycle bin.
- Each vendor is responsible for leaving their assigned booth space clean at the end of each market day.
- All tents on property must be properly secured, per Fire Marshal regulations.
- Vendors may not use duct tape, command strips, etc. on any portion of the Kingsport Farmers Market facility. Vendors will be responsible to cover the cost of any damages to the facility for failing to comply with this requirement.
- No open flames are allowed at the Kingsport Farmers Market facility.
- Vendors must keep all merchandise, refuse, signage, tents, tables, chairs, personal property, and any equipment, within their assigned booth space.

Election, Political Candidates, Booth guests, signage at Booths

- At no time will signage other than vendor business signage be allowed at a vendor booth. All election signage, external business signage, etc. is prohibited.
- At no time will a political candidate for the purpose of campaigning for election be allowed in a vendor booth.
- If you plan to have or are advertising “special guests” please get this approved by market staff prior to advertising.

Vendor Expectations

- Vendors are required to adhere to all local, state and federal food safety regulations and provide applicable certifications when necessary.
- Vendors are required to collect and file any applicable taxes and payment to the appropriate taxing authority. This is the sole responsibility of the vendor.
- Scales used by a vendor are subject to inspection and it is the requirement of each vendor to maintain proper scales.
- Vendors must comply with Market policies, procedures, rules and regulations, as well as, all local, state and federal laws, and regulations.
- Vendors are expected to have positive and harmonious interactions with other vendors, customers, and Market staff. Any vendor violating this provision may receive a warning and continued violation may result in the vendor being suspended or barred from the Market.
- Vendors are expected to submit applications, licenses, photos, and other correspondence in a timely manner.
- Vendors are expected to maintain timely payment of all Market fees.



- Failure to pay outstanding invoices (including no-show charges) will result in the suspension of the vendor from the farmers market until the payment is brought up to date.
- Consuming alcoholic beverages while on City property or during Market hours is prohibited.
- Smoking is not allowed at the Kingsport Farmers Market facilities or grounds.
- Vendors are responsible for the safeguarding of their property; the City of Kingsport and Market Staff are not responsible for any loss or theft.
- Any person under the influence of intoxicants, exhibiting disorderly conduct, or otherwise violating City and/or Market regulations may be asked to leave the Market property. Persons refusing to vacate the premises upon request will be considered trespassing and will be dealt with in accordance to local or state law.
- No amplified music or sound is allowed from vendor sales booths / areas.
- Only live music approved by the Farmers Market Staff will be permitted on farmers market property during sales day.
- No vendor or vendor representative shall make a public outcry, engage in “hawking,” or play or emit any musical or electronically-enhanced sound for the purpose of drawing customers or attracting attention to their booth space.
- Vendors must provide their own equipment and any additional materials for display of items.



Vendor agrees to abide by the City of Kingsport Municipal Code, all City ordinances and regulations, including all requirements and / or conditions that may be in place or required by the Kingsport Farmers Market Staff.

Vendor agrees to indemnify, defend, and hold harmless the City of Kingsport, including without limitation, its officers, agents, employees, and volunteers (herein Indemnified Parties) from and against: Any and all claims, demands, losses, damages, defense costs, or liability of any kind or nature, including attorney fees, that an Indemnified Parties may sustain or incur or which may be imposed upon it for injury to or death of persons, or damage to property as a result of, arising out of, or in any manner connected with vendor's performance, including its officers, employees, and agents, under the terms of this Agreement, except any liability arising out of the sole negligence of an Indemnified Parties.

Such indemnification includes any damage to the person(s), or property(ies) of Indemnified Parties or third persons; and any and all federal, state and local taxes, charges, fees, or contributions required to be paid with respect to vendor, its officers, employees and agents, (including, without limitation, sales or use taxes, unemployment insurance, social security, payroll tax withholding,).

Vendors are encouraged to acquire insurance to cover its actions at the Market. The City of Kingsport is not responsible for the acts of the Vendor, its employees or agents. By signing this document, vendor agrees to comply with the provisions in this Kingsport Farmers Market Policies and Procedures and other applicable laws and regulations.

Vendor name – print

Vendor name – signature

Date

Business name (if applicable)