

CLARK FORK MARKET RULES AND REGULATIONS 2017

1. **Mission Statement:** The Clark Fork Market was founded on the belief that local agricultural production is important. The Clark Fork Market seeks the betterment of conditions for agricultural producers by providing a venue for local farmers, ranchers, horticulturists and dairy producers to retail their products directly to consumers. Through the establishment and maintenance of a festive, vibrant farmers' market, we seek to forge stronger connections between Western Montana's agricultural producers and the local community, with goal of educating consumers about the important role of agriculture in the local economy and its equally important role in improving the environmental and public health of Western Montana's communities. Our market is strongly committed to connecting local farmers and ranchers to citizens in our community with low incomes, and to educating the general public about the health benefits of fresh farm goods and local foods. By creating and sustaining a popular and convenient venue that provides a direct market and a stronger community profile for agricultural producers, we are helping to sustain family farms and preserve Montana's agricultural heritage.

2. **Market Season/Hours of Operation:** The 2017 Clark Fork Market season is May 6th - October 28th. The market operates Saturdays, with hours of 8:00am-1:00pm through September, and 9:00am-1:00pm for the month of October.

3. **Location:** The market is located at 225 South Pattee Street in the Riverside Parking Lot, Missoula, MT.

4. **Who Can Sell:** In accordance with our mission statement, market vendors will be limited to producers from Western Montana (west of the Continental Divide). Exceptions can be made by the Board on a case by case basis for agricultural products that are not locally available.

5. **What Can Be Sold:** All items must be grown or gathered by the vendor in Western Montana, with the same exception as above. No resale of products is allowed, with exceptions noted below in part D. With the exception of commercial bakeries, hot prepared food and coffee vendors, value added products must be made predominantly of products grown or gathered in Western Montana.

A. Raw Agricultural Products: This category includes fresh fruits, vegetables, grains, seeds, sprouts, herbs, flowers and mushrooms.

B. Wild crafted or gathered produce such as mushrooms or huckleberries. We urge vendors to always gather wild produce responsibly and sustainably.

C. Nursery Plants: The vendor must grow the bedding plants, potted plants, trees or shrubs from seed, plug, cuttings, roots, tubers, or bare root. No resale of prefinished plants is allowed.

D. Value Added Agricultural Products: These products are admitted only with Board approval.

- Processed foods that can be sold without a license: preserves, honey and certain baked goods. The term “preserves” include jams, jellies, compotes, fruit butters, and syrups. It does not include, for example, pickles, sauerkraut, vinegars, herb oils, salsa, pesto or freezer jams. Dried fruits, vegetables or herbs that are packaged and labeled are defined as processed and require a license. Therefore, any dried product must be sold in bulk and weighed at the market. Home-baked goods that are not subject to spoilage such as breads, pastries and cookies may be sold without a license. All preserves, honey and baked goods must be labeled with the vendor’s name and address.

- Eggs – Egg vendors are required to fill out a market affidavit and abide by market regulations for the sale of eggs. The sale of farm eggs does not require a license; those vendors who are not licensed with the state must display a sign clearly stating, “Unprocessed Farm Eggs”. For vendors who have a state license from the MT Dept of Livestock, they must display the license at their stand. All vendors must label their cartons clearly with their name and address. We strongly urge all vendors to candle and grade their eggs and monitor their temperature at 41 degrees or less. We also recommend that vendors include safe handling instructions on all egg cartons: *Safe Handling Instructions: To prevent illness from bacteria: keep eggs refrigerated, cook eggs until yolks are firm, and cook foods containing eggs thoroughly.*

- Processed foods that require a license: Poultry, meat, dairy products and most processed foods require licenses from either the county and/or the state. Vendors who wish to sell these products must have their animals killed and processed at a MT Dept of Agriculture or USDA licensed and inspected facility. Examples include Ranchlands Packing in Butte and Lolo Lockers in Lolo. Vendors are required to obtain the necessary license(s) and to acquaint themselves with all the pertinent health codes. Licenses must be included with their application to the market. All processed foods must be labeled with the producer’s name, address and safe handling instructions (see below).

** In order to address the realities of ranch economics, an exception to the rule banning resale of products will be granted, on a year to year basis, to small Western Montana meat wholesalers who sell beef, poultry, pork or bison for a rancher or poultry farmer who raises his or her product in Western Montana. The wholesaler must label his or her product with the place of origin: in other words, the meat or poultry sold at the market must be labeled with the name and location of the ranch where the meat/poultry was raised. Signage at the wholesaler’s booth must make it clear that the meat or poultry is from a Western Montana source, and both rancher and wholesaler must sign affidavits attesting to the fact that the meat sold at the market does indeed come from the ranch/farm that is indicated on the labels placed on the meat. Wholesalers must arrange for the ranchers/farmers whose product is sold at their booth to attend at least one Clark Fork Market per season to be available to the public for questions regarding their ranch/product/relationship with the wholesaler, etc. Please call Market Manager, Franco Salazar, with question about this exception or to obtain the required affidavit forms. (406) 396-0593

- License requirements vary dependent upon the product sold. Despite the requirement spelled out above, this process is not as cumbersome as it may seem on first read, nor is it expensive. All vendors intending to sell products that require a license should contact the Missoula County Health Department at (406) 258-3386.

E. Agricultural Crafts: Craft products are admitted only with Board approval. In general, they must be handmade predominantly of material grown or gathered by the vendor in Western Montana, such that the agricultural material is the focus of the craft product. Such items may include, but are not limited to, wool and wool products, soaps, wreaths, swags, dry flower arrangements, pressed flowers, smudge sticks, potpourri and gourd bird houses.

F. Commercial food businesses: All coffee, bakery and other food vendors who wish to sell their products for immediate consumption at the market must comply with state, city and county health codes and requirements. Preference will be given to those vendors who make an effort to use ingredients that have been produced in Western Montana. Vendors intending to sell commercial food products should contact the Missoula County Health Department at (406) 258-3386.

6. **Attendance:** The vendor, grower, producer and market seller must be from the same family/business with exceptions noted above in the section regarding meat and poultry. The vendor is to remain for the entire market period, May-September (8AM-1PM) and October (9AM-1PM) unless they have special permission to leave from the Market Manager.

7. **Rules for Reserved Spaces:** Reserved spaces are those which are assigned for the season and which can be carried over to the next season. Applications for reserved spaces must be submitted by each vendor and received by the Market Manager on or before April 29, 2017. Space assignments will be made based upon last season's space reservations, also taking into consideration specific vendor needs, such as electrical, increased space depth, or limited sun exposure requests. Although reserved vendors are able to make space requests, the Market Manager makes the final decision. Spaces are 6 feet wide (see below for exceptions) and there will be only four spaces allotted per family or business. Vendors who had reserved spaces the previous season will be given priority for space the next season. Such priority is limited to the assigned vendor and may not be sublet or transferred to another business. When a reserving vendor does not occupy his or her space by 7:45AM, May- September and 8:45AM in October, the Market Manager may reassign it, for that day, to another vendor.

8. **Rules for Unreserved Spaces:** It is preferred that vendors wishing to participate in market call the Market Manager at (406)396-0593 at least a week before you plan to attend as an unreserved vendor to make the proper arrangements. On the day of market, the Market Manager assigns unreserved spaces on a first come, first served basis. Vendors without a reserved space must consult the Market Manager about where to set up.

9. **Rules for Held Spaces:** A held space is a first come space that is held on a week to week basis. At the first market, after the First Come, First Served vendors have set up, the Market Manager will ask each vendor if they plan to return the following week. If they do and want to retain the same space, the next week's fee will then be collected and that space will be held for them. The vendors who have Held Spaces must be at their space by 7:45AM or they will lose that space and forfeit the fee. A vendor with a Held Space may skip one week and still get their space back for the following week if they let the Market Manager know at the last market they attend. However, no space can be held for more than two weeks ahead of time.

10. **Market Day Arrival/Departure Procedure:** Although vendors may drive their vehicles into the market place to unload, they should do so promptly and move the vehicle out of the market area immediately to reduce congestion, and then return to complete their set up. All vendors must be in their spaces by 7:45 AM, May- September and 8:45AM in October. No vendor set up will be allowed after 7:50AM on Saturday mornings, May-September and 8:50AM in October. This rule must be enforced due to traffic and safety concerns. There is no opening or closing bell, but vendors

are asked to be responsible and observe the hours of the market accordingly. If a Reserved Space or Held Space vendor plans not to attend a particular market day, they should notify the Manager by 5:00 PM of the preceding day. Vendors are expected to dismantle their tables promptly and speedily after 1PM and before bringing their vehicles into the market area. An effort should be made to limit the idling of engines, particularly in the covered area, to control fumes. The market area should be cleared by 2:00 PM.

11. **Sign Code:** Identification must include the farm or vendor's name, address and telephone number. Lettering must be mounted in a prominent location, visible and acceptable by the Market Manager. All licenses and certificates must be displayed in plain view.

12. **Organic Claims:** If a grower makes a claim of being organic, they must have at their stand, available for inspection, a copy of their current certificate. Vendors making false claims about their organic status are subject to a \$10,000 dollar fine from the USDA.

13. **Space Definition:** Spaces are in 6 foot increments (see exceptions below). Spaces at the market are of varying depths, but are at least 6 feet deep, so vendors purchasing one 6 foot space can count on at least a 6'x6' area.

14. **Fee Collection:** The Market Manager determines fees, based on linear footage of space frontage. In order to facilitate fee collection, unreserved vendors must occupy their space by 7:45 AM, May-September and 8:45AM in October, because fee collection can begin by that time.

15. **Fee Schedules:**

- Reserved Spaces: Vendors may reserve up to four 6-foot wide spaces for the 26 week long market season. Costs are as follows:

6ft. space = \$175.00

Sidewalk space (9ft) = \$250.00

12ft. space = \$350.00

18ft. space = \$575.00

24ft. space = \$725.00

- Unreserved Spaces:

6ft. space = \$15.00

Sidewalk space (9ft) = \$20.00

12ft. space = \$30.00

18ft. space = \$45.00

16. **Music:** Live music is an integral part of the CFM atmosphere and designated spaces will be provided for performers. Interested musicians must meet with the Market Manager's approval. The Market pays \$25-\$100 per session from 10:00AM to 1:00PM. In addition, bands get tips from market patrons and get public exposure. Electricity is available at the market, but musicians must bring their own sound equipment. No music (recorded or live) is allowed at the market, other than that scheduled by the Market Manager.

17. **Nonprofits:** Organizations may use space at the market for the purpose of community outreach or education, with the approval of the Market Manager. Nonprofits pay a flat rate of \$10 per market. Attendance of multiple markets is allowed, but must be approved by the Market Manager. Nonprofits may not sell product of any kind, fundraise, or have a booth in support, or against, controversial and/or political issues.

18. **Parking:** Market vendors must park in designated vendor parking. This includes, parking spaces in the west lane of parking under the Higgins Street Bridge, at any of the Caras Park parking lots, on Pattee Street, in the East Front Street Parking Structure, and in the Kiwanis parking lot. Vendors are NOT allowed park in the upper and lower level of the Millennium Building parking lot, in order to keep the parking that is closets to market open for market patrons.

19. **Events and Demonstrations:** A special area will be designated for educational lectures and demonstrations. These may include but are not limited to: cooking demonstrations, gardening and horticulture demonstrations, and “how to” clinics. Interested parties need to fill out an application and schedule a date with the Board, or with the Market Manager.

20. **Miscellaneous:**

- **Animals:** Vendors are not allowed to keep dogs or other pets in the market area. Pets of customers are not allowed in the market area, unless animal is a service animal or companion animal.
- **Space Clean Up:** Vendors are responsible for keeping and leaving their area clean. To reduce litter, please provide a receptacle for trash generated at your stand.
- **Samples:** Vendors providing food samples must use disposable plastic or latex gloves and comply with all Missoula city/county health codes.
- **Nutrition Program Coupons:** Market vendors are required to accept Farmers Market Nutrition Program Coupons (WIC and Senior Nutrition) from customers for qualifying purchases (fresh fruits and vegetables). See the Market Manager for an explanation of the required procedures.
- **Supplemental Nutrition Assistance Program (SNAP):** The CFM has a SNAP program in place (formally known as food stamps). The Market Information Booth will be available for customers to scan their EBT card for tokens, which can then be used to purchase food (EBT cards hold the SNAP funds). The market will redeem vendors’ tokens with a check or cash the following week of market. All vendors with eligible products must accept EBT tokens and display the required signage indicating their participation in the program. Signage will be provided by market staff. Check with the Market Manager for details. Credit card and debit cards can also be swiped at the market booth for tokens; tokens can then be used by customers at any market booth. Vendors will be reimbursed the following week for the tokens that they turn in to market manager at the end of each market.
- **Market Behavior:** Vendors, market staff and volunteers are expected to treat one another with consideration and respect. The Market Manager has final word on any disputes between vendors.
- **Government Regulations:** Vendors are expected to comply with any government regulations that may be in effect for activities that take place at the market. These include certification of scales, health rules applicable to samples and food display, statements about being organically grown, product labels or required state licenses for processed food.

21. **Disregard of Market Rules:** These regulations are enforced to promote welfare and safety of sellers and shoppers alike. If notified of an infraction by the Market Manager, the vendor must correct it. Disregard of these rules will lead to expulsion from the market.

- A first violation will result in a warning notice being issued.
- A second violation will result in exclusion from the following market.
- A third notice will result in exclusion from the market for the rest of the season.
- Violation notices are cumulative from year to year. A fourth notice will result in permanent exclusion from the market.
- Appeals of any Clark Fork Market violation notice may be made in writing to the Board. The board of directors and staff of the market are happy to discuss with vendors and interested parties any and all of these regulations. Our mission is invested in helping farmers and ranchers of Western Montana increase their profitability by providing a direct market for their products, and to help the community of Missoula have direct access to good, locally produced food in a festive atmosphere. These rules and regulations have been written to serve this mission.

For further information contact:

Franco Salazar, Market Manager at (406) 396-0593

clarkforkrivermarket@gmail.com

Mailing address: Clark Fork Market

P.O. Box 8703

Missoula MT 59807