



Nederland

FARMERS MARKET

2021 RULES AND REGULATIONS

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NEDERLAND FARMERS MARKET GOALS

- ▶ Increase access to fresh, locally produced, nourishing and safe foods for all people.
- ▶ Encourage, support, and promote the entrepreneurial efforts of local farmers, growers, cottage food producers, and artisans who are seeking to sell the produce/products directly to the customer.
- ▶ Create an opportunity for people to meet, eat, and share stories, recipes, and knowledge in a place dedicated to the cultivation of local food, products, and talents.
- ▶ Support Town of Nederland's Zero Waste Standards.

2021 LOCATION & TIMES

Selling Season: 2nd & 4th Sundays of the Month, Harvest Market Oct 3

- | | | |
|-------------------------|---------------------------|------------------------------|
| ● May 9 th | ● July 11 th | ● September 12 th |
| ● May 23 rd | ● July 25 th | ● September 26 th |
| ● June 13 th | ● August 8 th | ● October 3 rd |
| ● June 27 th | ● August 22 nd | |

Location: 80 E. Second St. & 85 E. First St., Nederland, Colorado 80466

Hours of Operation: 10:00AM -2:00PM

CANCELLATIONS

Vendors are required to notify the market manager 72 hours in advance of a market cancellation. "No-Show" Vendors, cancellations without notice or explanation, will not receive a refund for booth fees and will be charged a \$20 "No-Show" fee, to be paid in full before participation in the next Market Event.

The Market is required to notify vendors within 24 hours of a market cancellation due to special circumstances (emergency situations, severe weather, etc.).

VENDOR ELIGIBILITY

Participation in The Market is open to farmers, growers, cottage food producers (hereafter, "Food Vendors"), and artisans (hereafter, "Artisanal Vendors") in Nederland, CO and surrounding communities. The Market will consist of 50% Food Vendors and 50% Artisanal Vendors.

Preference is given first to Nederland Vendors, and then extends out to the surrounding mountain and Boulder metro areas.

- ▶ **ALL VENDORS** must be the producer. A producer is defined as the person who grows or makes the product, and may also include the producer's immediate family, partners, and/or employees.
- ▶ **ALL VENDORS** must be in full compliance with applicable laws and are responsible for such compliance.
- ▶ **ALL PRODUCTS** must be made by the Vendor. Preference will be given to products made from local and/or natural materials.

No re-sales by vendors are permitted*, but cooperative sales will be allowed. Cooperative sales are those in which a producer/vendor sells products in conjunction with (or occasionally on behalf of) another producer/vendor. In any cooperative selling arrangement, each partner producer must submit their own a Market application (satisfying The Market's requirements), just as any other vendor, identifying which seller will be at the Market. Please make sure to check the box on the application marked Cooperative Booth and write in the name of the partner applicant. Each Vendor may sell at only one booth, and each booth may have a maximum of two vendors per event. Food Vendors and Artisanal Vendors may **NOT** sell cooperatively to ensure correct count of Vendors.

**The Nederland Farmers Market will operate a table, to profit for the Market as a whole, at which they may resell locally produced products that are not in conflict/competition with other Market vendors.*

BOOTH FEE

SINGLE MARKET BOOTH FEE:	\$30	(Due 1 week before market event)
FULL SEASON BOOTH FEE:	\$275	(Due May 3rd, 2020)
ONLINE SALES FEE:	10%	(Subtracted from Vendor Payment Weekly)

(These fees are non-refundable)

The 2021 season will host 11 Markets and 25 Online Order Cycles.

Booth fee payments can be made through Paypal on our website, or by check to:

Nederland Farmers Market, PO Box 1079, Nederland, CO 80466.

PRODUCT ELIGIBILITY

ALL PRODUCTION SITES ARE SUBJECT TO SITE INSPECTION to verify compliance with market rules/regulations.

Vegetables, Fruits, Nuts, and Herbs

Produce must be fresh and locally grown, preferably by organic and/or sustainable principles. Over-ripe vegetables and fruits must be labeled and marked.

Baked/Processed Foods

Products should highlight local produce whenever possible, seasonal ingredients, and be freshly prepared by the vendor.

Ready-to-Eat Products (including samples)

Products should highlight local produce whenever possible, seasonal ingredients, and be freshly prepared by the vendor. All food and beverages for immediate consumption at the Market, including items offered as a “sample,” must comply with applicable Health Regulations.

Potted Plants and Cut Plant Material

Products must not be on town, county, state, or federal lists of invasive plants; or of rare and endangered plants.

Value-Added Products and Artisanal Products

Candles, soaps, creams, lotions, massage oils, insect repellents, and scrubs must be made by the vendor from a majority of locally grown and produced ingredients.

Dried flower or herb bouquets, decorative berries, fruit, pods, cones, pumpkins, and wreaths produced should be from materials grown or gathered locally.

It is the aim of the Market to meet the expectations of the customers with the appropriate mix of products suitable for the Market. This is determined by the Nederland Farmers Market Board.

APPLICATION PROCESS

FULL SEASON APPLICATION DUE MAY 1st,

SINGLE EVENT APPLICATION DUE BY THE 1st OF THE MONTH YOU WISH TO SELL.

All vendors must annually submit a market application to the Market Manager prior to vending at the Market. Applications may be modified or updated during the season and re-submitted. Single-Event Vendors may participate based on the current selection of vendors, and at the discretion of the Market Manager. Single-Event Vendors must notify the Market Manager by the 1st of the month of their intent to attend that month's Markets.

Vendors will be notified by the Market Manager when their application is approved or denied, and the Board may reach out to vendors with questions about their display and/or products. Upon approval, vendors must submit ALL necessary permits and proof of insurance to the Market Manager (Liability Insurance, Food Safety, Health Department Approval, etc.) Please note that a Town of Nederland Business License is NOT necessary to vend at the Market.

Included within the Market application is a "hold harmless" agreement that the vendor must sign. This agreement means the vendor will hold Nederland Farmers Market and its representatives harmless concerning product liability or other factors that relate specifically to the vendor's business practice.

BOOTH ASSIGNMENT

The Market Manager, assisted by the Nederland Farmers Market Board, will make vendor booth assignments in a fair and equitable manner based on the needs of the Market, seniority, previous attendance, sales volume, and term of commitment. A vendor booth space is defined as a designated area approximately 10ft x 10ft.

DISPLAY REQUIREMENTS

The Market is a Zero-Waste event. Vendors must not produce any non-recyclable or non-compostable waste at the event. Vendors *products* also may not create any non-recyclable or non-compostable waste at the event.

Vendors will clearly display prices of all items and post their business name and location. Vendors must have visibly displayed any licenses, certifications, and permits required by law for all products. Please note that laws vary for different products, and Vendors are responsible for adhering to applicable laws.

Tables, tents, canopies, pop-ups, umbrellas, signs, and display items must be in good condition, without any logo or mark other than the Vendor's. Tents, canopies, pop-ups, umbrellas, signs, etc, must be secured tightly at all times. We receive high winds in Nederland (8,200ft elevation) and require tents, canopies, etc to be secured with stakes and at least 25lbs of weight per leg (though we recommend 50lbs if possible) - sandbags, water buckets, and tent weights are typical options. Please contact us if you have questions about your tent and/or weights.

HEALTH, SANITATION, & SAFETY

Each vendor must abide by all state and federal regulations which govern the production, harvest, preparation, preservation, labeling or safety of products offered for sale at the market. Vendors are liable for their own products. When applicable, appropriate state / USDA inspection certificates must be made available at the Vendor's booth site. At no time shall the safety or convenience of customers or vendors' be compromised by any vendor's display. Anyone who participates in the Market (whether vendor, customer, or otherwise) attends at his/her own risk. Vendors will operate at their own risk and assume liability from the customers.

In response to COVID-19, we have increased our health and safety precautions. The Market will ensure customers and vendors are socially distanced, properly masked, and common-touch surfaces are cleaned regularly. The Market has masks for purchase, as well as gloves, paper towels, and sanitizer for your convenience.

You will be asked to follow all requirements of the Market, Town of Nederland, and Boulder County.

COVID-19 Vendor Requirements:

Wear a Mask that covers your face and nose at ALL TIMES

Wear gloves if handling produce or fresh food

Maintain social distancing of 6 feet with all other attendees

Pre-packaged samples ONLY (cups and containers WITH LIDS)

Encourage non-cash purchases — Clean card machines after each use

REMINDERS FOR MARKET DAY

- ▶ Any accident or injury must be immediately reported to the Market Manager and 911. Any unsafe or unsanitary conditions should be brought to the immediate attention of the Market Manager.
- ▶ The Market is a Zero-Waste Event, all vendors will be responsible for the collection and removal of all refuse generated from their participation/sales at their booth space.
- ▶ Small children brought to the Market by vendors must be kept under the supervision of a designated adult.
- ▶ Well-behaved dogs on-leash are allowed at the Market. Report off-leash dogs or misbehaving dogs to the Market Manager.
- ▶ The use of tobacco products, alcohol, or illegal substances is not permitted at the Market.
- ▶ Behavior by Vendors or customers judged to be disruptive or detrimental to the peaceful operation of the Market will not be allowed.
- ▶ No live animals or fowl may be brought to/sold at the Market without specific approval of a majority vote of The Market Board.
- ▶ Neither Nederland Farmers' Market nor its representatives are responsible for damage or loss of any personal belongings.

VENDOR CHECK-IN AND EVENT BREAKDOWN

Vendors may begin to set up at 8:00AM and are required to be completed by Market opening at 10:00AM. Vendor Parking is Located at TEENS, Inc., and all vendor vehicles must be unloaded and moved by 10:00AM. Vendors are required to stay until the Market closes at 2:00PM, at which time all sales must close. Vendors must leave their spaces clean and remove their display/truck no later than 4:00PM.

ONLINE MARKETS AND PRODUCT DROP-OFF

Vendors who wish to participate in our weekly online shop will note this on their application, and they will be directed to set up a user profile and their items with the Open Food Network USA that links to our NFM Shop. The Market collects all money from online customers and reimburses the vendor. The Market charges a fee of 10% of weekly sales to participate in the online market. Each week, vendors will receive an invoice for goods sold, and arrange to deliver them to the Market.

MARKET DAY FEE AND SALES TAX

All vendors are required to submit sales tax and the Market Fee*. The collection and filing of sales tax and Market Fees on each Market Day will be coordinated by the Market Manager. The collection and filing of any other related taxes is the responsibility of the individual vendor. Taxes and Fees must be submitted by no later than 5:00pm on market day in the envelope provided to them by the Market Manager and/or their representative. This amount typically equals 6% or 10% of their sales, depending on type of vending (see below). If your business submits sales tax independently, you may do so for The Market, but you will still have to submit the Market fees* and your Tax ID number for accounting purposes. Please contact The Market Manager or Board if you have concerns or questions.

Produce Vendors

If you are submitting sales tax through the market, produce-only vendors must submit a total of 6% of their gross sales per market. These vendors do not have to pay state and county sales tax, but do have to pay Town of Nederland Sales Tax (5%) and the 1.51% Market Fee* for a total of 6%.

Foods for Home Consumption/Cottage Foods

If you are submitting sales tax through the market, vendors who provide products for home consumption must submit a total of 5.0% of their gross sales per market. These vendors do not have to pay state and county sales tax, but do have to pay Town of Nederland Sales Tax (4%) and the 1.0% Market Fee* for a total of 5.0%.

Artisans and Ready-to-Eat Foods Vendors

If you are submitting sales tax through the market, vendors that are not selling fresh produce and foods for home consumption must submit a total of 10.0% of their gross sales per market to the Market. Vendors must submit 8.985% sales tax combined for County, State, Town of Nederland, plus the 1.015% Market Fee* for a total of 10.0%.

Independent Sales Tax Submission

If you are submitting sales tax independently, you will still need to report your gross sales and submit a 1.015% Market Fee* to the Market. These vendors are liable for submitting the appropriate state, county, and municipal sales tax amounts.

*These fees cover the operating costs and related expenses to assure the viability and quality of the Market.

SAMPLE FUND COLLECTION SHEET

2019 Fund Collection Worksheet



Vendor Name: _____

Choose A OR B to fill out. Fill out C if you accepted any SNAP or DUFB Bucks

A. *** If you will submit sales tax through the market, fill out this section:

	YOUR SALES		SALES TAX+NFM FEE
Non-SNAP Produce Sales	_____ x .06	=	_____
Non-SNAP Other Sales	<u>248.00</u> x .10	=	<u>24.80</u>
TOTAL FOR COLLECTION		=	<u>24.80</u>

SUBMITTING TAXES THROUGH NFM

Add up your total sales
(do not include SNAP or DUFB sales).
Multiply that number by .06 for produce and
cottage foods vendors or .10 for artisinal
and ready-to-eat food vendors.

B. *** If you will submit sales tax independently, fill out this section:

	YOUR SALES		NFM FEE
Total Non-SNAP Sales	<u>248.00</u> x .01015	=	_____
Tax ID Number	_____		

SUBMITTING TAXES INDEPENDENTLY

Add up your total sales
(do not include SNAP or DUFB sales).
Multiply that number by .01015 and fill
in your business Tax ID number

C. *** If you have accepted SNAP and/or DUFB, return the bucks and fill out this section:

Total SNAP Bucks	_____
Total Double Up Bucks	_____
TOTAL FOR REIMBURSEMENT	_____

Please select your Payment Method:

- ☐ Check
☐ Square
☐ PayPal
☐ Cash

If you are a SNAP/DUFB eligible
vendor, please report those sales here,
Submit all SNAP and DUFB dollars to the
Market Manager for reimbursement

All payments must be made by 5 pm Market Day

Notes _____

SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP)

The Market accepts SNAP benefits at the Community Information Booth. Customers receive NFM SNAP Bucks to be used for eligible items. At the beginning of each market, new vendors are required to attend an informational meeting on Market Day regarding eligible products. These products generally include anything labeled with “Nutritional Facts.” Vendors should accept SNAP bucks at their booth towards customer purchases, record the amounts sold on the fund sheet, and return the bucks. At the end of the Market Day, the Market Manager will reimburse vendors for bucks collected. Please make sure to double check the SNAP bucks are not for Boulder County Farmers Market and say “NFM.”



DOUBLE UP FOOD BUCKS (DUFb)

The Market accepts Double Up Food Bucks, provided by LiveWell Colorado, at the Community Information Booth. Customers who are eligible to receive SNAP benefits also receive up to \$20 DUFb when they use their EBT card to get SNAP Bucks. DUFb can only be used to purchase produce, and new vendors are required to attend an informational meeting on Market Day regarding eligible products. DUFb are not unique to this Market, and DUFb received from any participating location may be used at the Market. Likewise, the DUFb received at the Market may be used at any participating location. DUFb can be used for purchases on their own, they do not need to be used along with SNAP Bucks. Vendors should accept DUFb bucks at their booth towards produce purchases, record the amounts sold on the fund sheet, and return the bucks. At the end of the Market Day, the Market Manager will reimburse vendors for bucks collected.

MARKET BUCKS

The Market uses “Market Bucks” printed by the Colorado Farmers Market Association (they may look similar to bucks used at other markets) and stamped with “Nederland Farmers Market.” They come in \$5 increments, and like the above bucks, vendors are reimbursed with cash for Market Bucks at the end of each market day.

MANAGEMENT

The Market Manager and Board shall work together to enforce all the rules and regulations of the Market and work with the vendors to assist in their success. The Market Manager or her/his representative will be present at the market during operation. The Market Manager shall be aware of all health and sanitation rules and regulations affecting open-air farmers markets. If questions or problems arise on Market Day, they will be resolved by the Market Manager. The Nederland Farmers' Market Board will assist the Market Manager when needed. Please contact The Market Board with any Market Manager conflicts/complaints.

Market Day responsibilities include the following: Overseeing set-up and break-down of the Market, recording vendor attendance, ensuring all vendors are in compliance with Market regulations, collecting Market fund sheets and fees, and addressing any disputes or complaints.

CONFLICT/COMPLAINT RESOLUTION

Any issues or questions that may arise during the course of a Market day are to be addressed directly with the Market Manager for appropriate action.

Any vendor challenging another vendor's products', legitimacy, or conduct must file a written complaint (email is acceptable) with the Market Manager, giving them the name of the vendor and the product or situations they allege are not in compliance with Market policies, including signature, date of potential violation, and date the letter is submitted. The Market Manager will report all complaints to the Board and attempt resolution.