

# Farmington Growers Market

# Vendor Packet 2018



If you have questions call  
Or email manager, current board members or the SJC  
Extension office at 505-334-9496  
[farmingtongrowersmarket.com](http://farmingtongrowersmarket.com)  
follow us on Facebook: Farmington Growers Market





# 2018 Operational Requirements for Vendors of the Farmington Grower's Market

**Mission statement:** The mission of the Farmington Growers Market is to provide a location for the sale of locally grown produce and land based craft items to benefit our community. We strive to maintain a 90% ag base, meaning we allow only 1 craft vendor for every 10 agricultural vendors.

1. There will be **NO RESELLING** of any product at the Farmington Growers' Market. **NO EXCEPTIONS.** **Reselling of any product by any current grower/vendor is grounds for immediate and possible permanent termination subject to the Board's decision.**
2. All allowable items under all three sections **MUST** be grown or produced within a one hundred (100) mile radius of Farmington New Mexico by the vendor/s or their agents who are selling the product. Vendors must provide proof of farm location, such as a driver's license or lease agreement. **All vendors are subject to inspection by the Farmington Grower's Market.** Out of state residents are required to provide the market manager with a statement from their local extension agency or similar official stating that they are the growers of the produce that they intend to sell through the season. Note \*\* these items subject to local, state, and/or Federal, taxes, regulations, and rules. Explained below.
  - A. As of January, 2017 all vendors must provide proof of vehicle insurance for the vehicle used within the market space. This requirement will extend into the 2018 market season.
3. **As of February 2018 all vendors for Saturday markets must be PRE-APPROVED and trained before vending at the Saturday markets. Vendors may still vend a single day but must have their approval paperwork in hand on Saturdays. New vendors may still attend the Tuesday market after completing their vendor application.**
4. Edible items intended for human consumption are allowed to be sold without additional licensing or regulation may include (but are not limited to):
  - A. **Fresh...**
    - Fruits and Vegetables
    - Herbs
    - Honey that has been collected, processed, packaged and labeled with the vendor's contact information.
    - Eggs, appropriately marked with the vendor's name and contact information, & marked as ungraded or as permitted. Vendors must obtain egg license from NMDA.  
<http://www.nmda.nmsu.edu/scs/licenseregistration/egg-licensing/>
    - Hay
    - Nuts
    - Meat (must be processed according to **retail** UDSA requirements)
    - Plants or seeds intended for human consumption that have been raised by the vendor

5. **Taxation:** It is the vendors' responsibility to be knowledgeable of the Rules, Regulations and Taxation laws that govern their business activities; it is also the vendors' responsibility to pay any taxes they may owe due to the operation of the business that they are engaged in. While the market board members and market manager will provide information and educational materials to the vendor the market is on no way responsible for the vendors' actions or non-compliance with governmental rules, regulations or taxation laws that apply to their involvement in the market.

The following allowable items are taxable and require a City of Farmington Business license and for the vendor to collect gross receipts tax on the sale:

- Cut flowers
- All nursery plants
- Any processed food item such as jams, jellies, bread etc.
- Hot foods and hot food products prepared for immediate consumption
- Any other grown item or product that is not edible or is considered a "raw agricultural product" by the state taxation standards

**Definitions of products:**

**A. Dried...**

- Dried **whole, unmixed** edible products grown and dried by the vendor: chile, chile powder, beans, ristras, (ristras are edible if not lacquered) herbs, traditional Navajo steam corn, etc. Any edible item containing more than one ingredient is considered to be "processed" and must go through the NM Environment Dept for an approved process and is subject to the collection of gross receipts tax.
- **Non-edible products not for human consumption:** gourds, wreaths, flowers, potpourri, lacquered ristras, etc. Vendors must obtain a business license and collect gross receipts tax on all non-edible products. All non-edible items must go through board approval process. (see Board approval application for board approval process)

**B. Other value-added Products:** Value added items that do not utilize items grown by the vendor are subject to the board approval process. Vendors making processed food items are required to obtain a City of Farmington Business license and are subject to gross receipts tax. Priority for spaces may be granted to locally grown items and will be handled on a case by case basis by the board. See "Guidance from the NM Environment Dept" for additional information. Contact Chris Chavez at the Farmington Office for assistance: 505-566-9751

- Jams, jellies, low risk baked goods, etc...These items must list ingredients and be labeled with the vendors name and contact information as well as the New Mexico Environmental Department certificate number & batch code validating the proper production requirements for these items. Items must be made in a commercial or in an approved home based kitchen. See NM Home Based Food Processing Law and Regulations for additional information. Please submit your approved process documentation with your vendor application paperwork for board approval.

Commercial Kitchen rental facilities:

- Sycamore Park Community Center (505) 566-2480
- Bloomfield Multicultural Center (505) 632-6371
- Aztec Boys and Girls Club (505) 334-8861

## 6. Special Rules, Regulation which apply to grower's market Vendor items

Vendors are required to provide proof of compliance with all applicable rules, regulations, and taxation by providing copies of inspection, licenses, permits and renewals of these to the market **Board before they will be allowed to sell.** Vendors that do not have proper documentation will not be allowed to sell.

- A. Value added vendors** selling items subject to gross receipts tax (all non-edible and processed items) must provide a copy of their City of Farmington Business License to the market manager. The manager may periodically check to ensure that the license is valid and active. The vendor is personally responsible for collecting and paying the gross receipts taxes that are payable to the State Taxation and Revenue Department in Santa Fe, as required by law.
- B. Meat Vendors** are required to have raised the livestock from which the meat was produced. The meat must be processed in an USDA licensed and inspected facility, and must be continually maintained at legally required freezing or cold storage temperatures prior to sale. Copies of ownership and branding records for the animals whose meat is being sold, as well as copies of current licenses and inspection papers for the processing facility must be submitted to the market manager as each new animals meat is brought to sell at the market.
- C. Egg vendors** must be registered with NMDA, proof of registration must be provided to the market manager, and all egg cartons must be new or completely covered concealing ALL indication of grading and clearly labeled with UNGRADED and the vendors name and contact information. Eggs must be continually maintained at the legally required temperature prior to sale.
- D. Nursery vendors** selling plants, cut flowers and plant parts must have prior authorization from the market board and have a current Nursery Inspection Certificate issued by the NM Dept. of Agriculture or the market must possess a blanket license. These items are additionally subject to gross receipts tax and a City of Farmington Business license is required, a copy of which shall be provided to the market manager.
  - i. The Farmington Growers market will no longer purchase a blanket nursery license for the market as it is not financially feasible. All vendors choosing to sell nursey plants at the market must obtain their own nursery license with the NM Department of Agriculture. Vendors may purchase a special dealer license annually for \$25 call 575-646-3207 <http://www.nmda.nmsu.edu/entomology-nursery/nursery-licensing/>**
- E. All Scales**, if used, MUST be certified by a New Mexico Department of Agriculture inspector and must have the sticker clearly visible. Copies of proof of certification and re-certification as periodically required shall be provided by the vendor to the market manager

7. Each vendor is responsible for providing at his/her own cost all shade, tables, chairs, scales (if used), display containers, signage, customer sales bags (Vendors are responsible for providing bags to customers that request it.), labels, and any items necessary and required for their participation in the market. Vendors are personally responsible for the inherent liability of all items brought to the market.
8. Each vendor is responsible for having enough cash on hand to make change for his/her customers. The vendor is solely responsible for all checks that they choose to accept in the course of doing business.
9. All vendors shall wear clean garments and will follow all reasonable food safety practices necessary to ensure the safety of their products for their customers. All vendors serving ready to eat foods or sampling fresh products must maintain a hand washing station. Disposable gloves are recommended for any contact with ready to eat foods.
  - a. Sampling of fresh products: vendors must maintain a clean food preparation environment including handwashing station, sanitation solution, clean utensils, and cutting boards.
    - i. **Handwashing station requirements:** dispensed potable water, hand cleansing liquid in a pump dispenser, a collection basin for used water and individual, disposable paper towels.
10. No animals including fowl shall be allowed or kept in the immediate market sales area. This includes domestic pets such as birds, dogs or cats. If you have service animal questions please contact the board.
11. No Smoking is allowed on premises by vendors or customers.
12. All vendors' possessions shall be removed at the end of each day's market operation.
13. All vendors are responsible for keeping the market area clean and free of litter. Each vendor is responsible for the appropriate disposal of any garbage they generate or collect.
14. No public sales shall occur before the 8:00 am bell on Saturdays and the 4:00pm bell on Tuesdays although set up may begin at the vendor's arrival to the market.

**Exceptions:**

1. Vendors may purchase items from other vendors (**for personal use only**) 30 minutes prior to the start of each market (**NO reselling will be tolerated**)
  2. At the market manager's discretion, s/he may elect to start or end the market before the scheduled time. Even under extreme weather conditions (lightening or hail storms) the market will still open if vendors choose to sell. If no vendors are present at the market open time, the market may be canceled for the day.
15. The Market manager is in charge of the market each sales day. Information and questions should be directed to the manager or to a current board member.
  16. Each vendor is free to set their own pricing for their products.

**17.** One time/occasional vendors will be assigned a space by the Market Manager on the day they decide to sell at the market. All vendors must have prior approval and training to vend on Saturday. Untrained, one time vendors can vend on Tuesdays. Permanent spaces will be assigned based on size required and special needs as available for vendors that pay for the season in advance. **ALL other vendor spaces are first come, first serve, no exceptions.** Vendors must understand that spaces may change due to the size of the market throughout the season.

**18.** For the safety and consideration of other vendors and customers, all vendors must be parked in their market manager assigned spaces at least 30 minutes prior to the start of the market (7:30 on Saturdays and 3:30 on Tuesdays). Vendors that arrive after 7:30/3:30 are not guaranteed a space, at the manager's discretion. After 8:00/4:00 no vehicles will be allowed to enter the market space.

**19.** All vendors must sign an affidavit that they have read, understand, and agree to abide by these rules. This affidavit also includes a liability statement releasing The City of Farmington, The Gateway Museum, The Farmington Growers Market and all of the staff employees, and volunteers associated with these entities from any and all damages incurred at or arising from participation at the market.

**20.** Vendors choosing to accept SNAP/DUFB or the WIC Farmers Market Nutrition Program (FMNP) and Senior Farmers Market Nutrition Enhancement Program (SFMNP) checks must participate in a required training session, fill out all necessary registration forms, and abide by all rules of the program. Vendors who are not authorized under this program **MAY NOT** accept WIC coupons or SNAP/DUFB tokens. **Acceptance of these coupons or tokens by unauthorized vendors will be grounds for immediate termination from the market.** Farmington Growers Market will not reimburse vendors for returned WIC or fees resulting from returned WIC checks for any reason. Acceptance of WIC checks and any related liabilities are the vendors' sole responsibility.

**21.** Booth spaces will measure 12' X 12' (twelve feet square) with parking space for **one (1)** vehicle behind each space. Vendors desiring a double space with parking behind will be restricted to a few available choices with parking for one (1) vehicle behind per space. Trailers and roasters will be considered as exceptions by the manager's discretion. Vendors who will be roasting chilies will also be restricted to a few suitable spots that can accommodate the requirements of their activities. Every reasonable effort will be made to meet your requirements on an individual basis.

The space fee schedule for 2018 will be;

- **One space on Saturday \$15.00, one space on Tuesdays \$10.00.**
- A prepaid season space \$225.00 for Saturday & Tuesday
- Saturdays **Only** prepaid season space for \$175.00
- Prepaid season double space pricing will be Saturdays & Tuesdays \$425.00,
- Double space on Saturdays **Only** \$350.00,
- **TWO** Saturday spaces and **ONE** Tuesday space, the fee is \$375.00

If you require special parking arrangements please contact the market manager as soon as possible to see what can be done to accommodate your needs.

Vendors with special parking needs are encouraged to request a permanent (for the season) assigned space/s and to pay for the space/s required for the whole season. To assure you always

have your permanent space you must always arrive no less than 30 minutes before the start of each market.

**If you use a canopy/s for shade at your booth it is your responsibility to secure the shade in your space to protect other vendors, customers, vehicles, and the goods and property which surround your booth.**

### **2018 Board of Directors:**

The board of directors of the Farmington Grower's market are voluntary members dedicated to serving the vendors of the Farmington Grower's market and community. They oversee the employment of the Market manager(s); vendor concerns and input; the budget and allocation of funds; and any and all changes to market policies and bi-laws. All board meetings are open to all vendors and community members. Board elected officials serve one year terms. The 2018 board members are:

Member: David Elder 505-330-8786 [eghg@gobrainstorm.net](mailto:eghg@gobrainstorm.net)  
Member: Patricia Benally 505-592-1044 [pabenally@gmail.com](mailto:pabenally@gmail.com)  
Member: Bonnie Hopkins 505-334-9496 [bhopkins@nmsu.edu](mailto:bhopkins@nmsu.edu)  
Member: Ralph Jaramillo: 505-632-8975  
Member: Paula Sunner 505-325-7687 [plsunner@gmail.com](mailto:plsunner@gmail.com)  
Member: Mary Beth Bandy 505-793-7492 [horsech1ck2011@gmail.com](mailto:horsech1ck2011@gmail.com)  
Member: Jason Oberholser 505-592-2551 . [jroberholserfam@gmail.com](mailto:jroberholserfam@gmail.com)

Any and all disagreements and discrepancies arising concerning these vendor requirements for 2018 shall be arbitrated and settled through the Board of Directors, not the manager. All decisions decided by the board will be final and all vendors participating in the market agree to hold the Market and its management body consisting of the Board members the market manager, agents, and employees harmless for all claims related to or arising from their participation in the market.

These rules and regulations were approved and accepted by the Board of Directors for the San Juan County Farmers, Growers Market Farmington on 03/21/2015 and revised on 4/06/2016 and 2/24/2017 and 2/16/18 for implementation for the market year 2018.



# Vendors Copy: PLEASE KEEP FOR YOUR RECORDS

## Affidavit

I agree to abide by the operational requirements for vendors of the Farmington Growers Market, and to obtain any and all permits, licenses, or certifications required to sell agricultural products that I have handcrafted, grown or produced from my farm or garden. I agree that I **will not accept** SNAP or WIC Farmers Market Nutrition Enhancement Program (FNMEP) and Senior Farmers Market Nutrition Enhancement Program (SFNMP) **coupons/checks until the Market manager has informed me that I am authorized to do so and have been assigned a vendor number for this program.** I agree to maintain auto liability insurance on the vehicle used within the market space. I further agree to abide by all the rules and regulations which govern this program of the New Mexico Department of Health Farmers Nutrition Enhancement Program or the Home based food processing law. I agree not to sell any non-edible items without board approval. I understand that failure to abide by market requirements and regulations will result in my loss of ability to sell at the Farmington Growers market, with or without a refund of my unused portion of my space fees, at the discretion of the Growers Market Manager and Board of Directors. I also agree that I will not hold The City of Farmington, The Gateway Museum or any of their staff members, The Farmington Growers Market, its board of directors, agents, employees or volunteers responsible for any damages arising out of my presence at or the sale of my products at the market site at Gateway Park and Museum.

Printed Name (s): \_\_\_\_\_

Signature (s): \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_

\* **Note** All Vendors, family members or agents of the vendor who will be present at the vendor's booth or will be helping to sell the vendors produce must sign this form. Use the back of this page for additional signatures if necessary. Required signatures may be added to this form at the market booth as necessary through out the season with advance notification to the manager by the main vendor/s listed for your booth.

**Market managers Copies; please detach here (2 pages) complete and submit to the market manager.**

**Farmington Grower's Market  
Vendor Application**

Vendor Name/s: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Business/Farm Name: \_\_\_\_\_

Business/Farm Physical Address: \_\_\_\_\_

Phone Number/s: \_\_\_\_\_

Auto insurance Policy: \_\_\_\_\_ expiration date: \_\_\_\_\_

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

I am selling:  Fresh produce only     value added/craft     processed item

**\*\*\*ALL value added, craft, and non-edible items must be board approved and may require additional certifications and/or licensing that must be obtained before seeking approval. See "Board approval process application" for additional information. All craft items, nursery plants, processed items and non-edible items are subject to taxation and require a City of Farmington business license prior to any sales. Attach all additional documentation to this application and submit together for approval.**

Please list all types of produce you expect to sell this year:  
(Example; Meats, honey, eggs, breads, cookies, pies, ristras, flowers fresh/dried, plants- types, fruits- types, vegetables- types, Mushrooms, Gourds, produce Craft items, Berries- types, melons-types, Chiles- list types & if you'll offer roasting ?, Jams & Jellies, dry mixes, dry teas, herbs fresh/dried etc...)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Comments:**

**Market manager's copy**

**Affidavit**

I agree to abide by the operational requirements for vendors of the Farmington Growers Market, and to obtain any and all permits, licenses, or certifications required to sell agricultural products that I have handcrafted, grown or produced from my farm or garden. I agree that I **will not accept** SNAP or WIC Farmers Market Nutrition Enhancement Program (FNMEP) and Senior Farmers Market Nutrition Enhancement Program (SFNMP) **coupons/checks until the Market manager has informed me that I am authorized to do so and have been assigned a vendor number for this program.** I agree to maintain auto liability insurance on the vehicle used within the market space. I further agree to abide by all the rules and regulations which govern this program of the New Mexico Department of Health Farmers Nutrition Enhancement Program or the Home based food processing law. I agree not to sell any non-edible items without board approval. I understand that failure to abide by market requirements and regulations will result in my loss of ability to sell at the Farmington Growers market, with or without a refund of my unused portion of my space fees, at the discretion of the Growers Market Manager and Board of Directors. I also agree that I will not hold The City of Farmington, The Gateway Museum or any of their staff members, The Farmington Growers Market, its board of directors, agents, employees or volunteers responsible for any damages arising out of my presence at or the sale of my products at the market site at Gateway Park and Museum.

Printed Name (s): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature (s): \_\_\_\_\_ Date: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**\* Note All Vendors, family members or agents of the vendor who will be present at the vendor's booth or will be helping to sell the vendors produce must sign this form.** Use the back of this page for additional signatures if necessary. Required signatures may be added to this form at the market booth as necessary throughout the season with advance notification to the manager by the main vendor/s listed for your booth. Vendors are liable for communicating the policies of the market to their employees.

**Approved by board:** \_\_\_\_\_ **date** \_\_\_\_\_