** 2022 MARKET HANDBOOK**

**Village of Homer**

**31 North Main Street**

**Homer, NY 13077**

**The Village of Homer Handbook notes the regulations for the Village of Homer Farmers Market only based on NYS, County, Village, or other regulations. Changes may occur as needed and be adopted by the Village of Homer.**

**Questions or comments? Please contact Tanya DiGennaro at tdigennaro@homerny.org**

1. The market is sponsored by Village of Homer and is operated by its employees/

2. The Village Treasurer, with the assistance of others, shall oversee processing and approving vendor applications. Any concerns will be brought the Village of Homer Board, which may either accept or reject an application or note any restrictions or added regulations.

3. All vendor issues will be brought to the Village Board, which can vote on any issues via email. The Village Treasurer will represent the Board and provide a verbal warning and reason if there are any issues, as voted on by the Board. Vendors will only be allotted 2 verbal warnings. If upon 3rd and final warning you will be dismissed from market for the season.

4. In the event of media presence at the market, the Village Employee present is the voice of the market and will direct all media interviews.

5. The market will be located at the Village Green, Homer, NY with some tables next to the green for the Summer Season. The Holiday Market will be located at the Community Building behind the Homer Fire Department.

**Summer Market:** The market will operate **–**

**Saturdays**, 9am-1pm, May 7- October 29th , Closed July 16. (25 weeks)

**Wednesday’s**, 4:30-7:30 June 1- October 26th (20 weeks) except closed Wednesday August 3, but open Tuesday August 3: 4-8 pm

**Holiday Market: Artisan Craft Fair, Bakery November 19, and December 17**

6. All vendors must be ready to sell by 8:45am, with arrival to set up no later than 8:30am.

7. Vendors are required to stay throughout the duration of the market hours. If a vendor must leave early for any reason, please send an email to Tanya DiGennaro at tdigennaro@homerny.org.

8. All vendors must vacate the premises within one hour after the market closes. Discuss with market manager if special arrangements need to be made.

9. If a vendor is unable to attend a market, they must notify the market manager via email a week in advance. Special requests can be discussed with the Manger. No show/no calls will be dismissed from the market.

10. Attendance. Vendors can choose all dates, All Saturdays, or All Wednesdays. For any other attendance requests, please note on the application. /

11. There are no fees for the Calendar Year Ending December 31, 2022.

12. Vendors are required to submit market applications, licenses and receive approval prior to attending market.

13. Vendors will be asked to resubmit applications on a yearly basis.

14. The market will accept one-time drop in vendors as needed with appropriate paperwork. Regular vendors receive priority on set-up location.

15. No soliciting from outside sources or entities will be allowed during market hours unless educational in nature and approved by the Village Board in advance. Nonprofits providing information at tables will be approved by the Village Treasurer with locations assigned.

16. All vendors must have signage on their table or behind them. All products must have proper signage/labels/pricing at every market. No product/table/sign can be outside of the assigned space. You must always bring your own tables and tents (if desired) as the Village of Homer does not provide them.

17. Types of vendors allowed to sell at the Village of Homer’s Farmers Market:

a. **Growers and farmers**: producers of product from land owned, rented, or controlled, who harvests and markets with a financial interest in product; all fruits, vegetables, poultry, meats and meat products, eggs, general dairy products, plants, and cut flowers.

b. **Craftsperson**: ie, home goods, beauty products, etc. Objects must be created by the hand of the person.

c. **Bakers and food purveyors**: products baked or produced by the seller. 18. Areas assigned will be 10 X10 each. Locations will be the same all season.

19. If a vendor plans to add to their product line mid-season, a letter/email of intent must be submitted for approval prior to new products coming to market to sell.

**Guidelines for Selling**

20. Only vendors that have been approved by the Village of Homer Board can sell at the Market.

21. Resale is allowed at the market. Each vendor is required to table 80% of their own items. The remaining 20% may be products purchased by resale from other farms. **All resale items must be labeled with the original source and cannot be purchased from a store**. The market manager reserves the right to enforce these percentages by asking for information from the vendor.

22. Vendors that have a signed and approved Farmer’s Market Wireless EBT (Electronic Benefits Transfer) Program Participation Agreement Form will be allowed to accept EBT and/or Debit/Credit tokens. Only vendors selling qualified products listed on the Agreement Form will be permitted to accept EBT $1 tokens. Any vendor found to be in violation of this rule, or the terms of the agreement form will immediately be removed from the program. Please submit all EBT/SNAP/FVRX to manager at the end of market.

23. All vendors must comply with the directions and orders of the Village of Homer’s employee as it’s the Village of Homer authorized representative designee

24. Vendors are permitted to share locations. Any vendors wishing to share space must notify the Village Treasurer upon turning in applications of their intent to share a space

25. Vendors must provide their own stall displays such as tables, table coverings, etc. Vendors are required to stay within the boundaries of their space, as determined by the Village of Homer and its employees.

26. Displays should be constructed in such a way that they do not block customer walkways, sidewalks, or roads, nor pose any other hazard to customers inside their vending space. No signage in walkway. All tables behind tape lines or other designated area.

27. Any vendor wishing to provide samples of product to customers must follow all sampling rules and guidelines set forth by the Department of Health. Follow basic sanitation practices for healthy and legal sampling.

28. Vendors are required to keep their market space neat and clear of obstacles, litter, and debris.

29. At the end of the market day, all assigned space and displays must be cleared and cleaned and should be left in the same state at which they were at the beginning of the market day.

30. No smoking, alcoholic beverages or firearms are permitted at the market. Exception is approved farm spirit, wine, cider, and beer vendors.

 31. No amplified music is permitted at the market unless arranged by the Village of Homer.

32. All products offered for sale must be of good quality and condition.

33. Vendors are responsible for the actions of their representatives, employees, or agents.

34. A wait list will be created upon full market as product allows, new vendors will be permitted into market to diversify what’s available to consumers. The wait list is not first come, but rather what’s needed most in market.

**Permits/Licenses/Certificates:**

35. Fresh produce: No permits, licenses or certificates required, if raw, uncut, and unprocessed.

36. Plant Sales: Only one nursery license is required and must be posted in public view at the time of sale. **Must provide proof of all with application (copies).**

a. NYS Department of Agriculture & Markets Nursery Growers License, if engaged in the production of plant material intended for sale. A nursery grower is also permitted to purchase and resell plant material under this same license.

b. NYS Department of Agriculture & Markets Nursery Dealers License, if purchasing and reselling plant material only and the vendor is not involved in any growing of potted plant material.

c. Valid NYS Sales Tax Certificate

37. Eggs: No permits, licenses or certificates required, for cleaned shell eggs maintained at 45 degrees F or less (in a cooler or on ice sheets). Eggs must be from farm owned hens (not purchased eggs) and **sold in new, unused containers**.

38. Honey, Maple Syrup: No permits, licenses or certificates required, if single ingredient products. Article 20C License from NYS Dept. of Agriculture & Markets, if additional ingredients are added to the products.

39. Baked goods: 20C Exemption from NYS Dept. of Agriculture & Markets if home baked, non-hazardous, i.e., bread (no breads containing fruits or vegetables), rolls, cookies, cakes, brownies, fudge & double crust fruit pies. (Quick breads are considered potentially hazardous and cannot be done under 20C Exemptions). No internet sales or advertising allowed. Article 20C License from NYS Dept. of Agriculture & Markets on all other baked products provided the business does 51% of its sales at wholesale. (Requires a separate, commercial kitchen.) All other baked goods must come from a licensed NYS Department of Health facility.

40. Mushrooms: Cultivated mushrooms, sold whole or otherwise processed, require no license. Cultivated mushrooms, sliced, chopped, washed, and identified as ready to eat or any other processing requires an article 20-C License. Mushroom species picked in the wild shall be obtained from sources where each mushroom is individually

inspected and found to be safe by an approved mushroom identification expert prior to sale. Currently, there are no approved mushroom experts in New York State.

41. Non-Alcoholic Cider/Fruit Juice: Article 20C License from NYS Dept. of Agriculture & Markets for manufacturers/bottlers. All cider and fruit juices must be pasteurized, or UV treated.

42. New York State Wine, Beer & Liquor: All NYS Alcohol Vendors must enforce age restrictions regarding sales by the bottle and sampling at farmers markets. To offer samples, you must have a one time or annual tasting permit from the State Liquor Authority (SLA). All alcohol vendors also need Valid NYS Sales Tax Certificate and must submit their brand label for approval (http://www.sla.ny.gov/brand-labeling-1).

43. Farm Brewery License: Beer producers sourcing 20% or more of their ingredients from New York State farms are eligible for a Farm Brewery License which allows them to produce beer in NYS. No other State Liquor Authority (SLA) license is needed for farm breweries to sell NY labeled beer by the bottle at farmers markets as defined above.

44. Craft Breweries: Beer producers making 60,000 barrels or less per year with any ingredients can get a Craft Brewery License. Craft Breweries can sell at farmers markets with either a no-fee permit from the NYS Liquor Authority OR a marketing permit:

 No-fee permit: http://www.sla.ny.gov/system/files/BrewerOffPremisesPermit.pdf Marketing permit: http://sla.ny.gov/online-permit-applications

45. Farm Wineries or Micro Wineries: Farm Wineries produce 150,000 gallons or less per year whereas Micro Wineries produce 1,500 gallons or less per year. Both licenses require wines to be made from 75% grapes, fruits, or other agricultural products made in NYS. No permit is needed from SLA for licensed Farm and Micro Wineries to sell at farmers markets; however, the market itself must apply for an official famers market designation with the Dept. of Agriculture & Markets. The farmers market designation should be kept on hand at every market/event.

46. Farm Cidery: A Farm Cidery license from the SLA is for those producing 150,000 gallons or less of cider per year and cider must be NYS labeled. In order to be NYS labeled, the product must be made exclusively from apples or other pome fruits grown in NYS. Cider is defined as partially or fully fermented juice of fresh, whole apples or other pome fruits, 3.2 - 8.5% alcohol with nothing added that increases alcoholic content produced by natural fermentation, but it may be sweetened or flavored after fermentation. In many cases, cider may also be labeled as a low alcohol or high alcohol wine. A cider producer with a permit to conduct tastings may sell their cider at a NYS farmers market where they are conducting a tasting.

47. Farm Distilleries: Farm Distilleries produce 35,000 gallons or less of spirits per year and use 75% or more New York State ingredients. In addition to the Farm Distillery license, a Marketing Permit is needed to sell distilled products by the bottle at NYS farmers markets.

 http://sla.ny.gov/online-permit-applications.

48. Processed foods:

a. Home Processors are eligible for an article 20-C Exemption from NYS Dept. of Agriculture & Markets, for non-hazardous foods only, including traditional fruit jams, jellies, and marmalades; candy (excluding chocolate); spices and herbs (repackaging only); and snack items such as popcorn, caramel corn, and peanut brittle. Information on registering as a Home Processor in New York can be found on the website,

http://www.agriculture.ny.gov/FS/consumer/processor.html, or by calling one of the Regional Offices.

b. Article 20-C License from NYS Dept. of Agriculture & Markets, prepackaged and labeled in accordance with NYS Food Labeling Law; Identity of food in package form; name of manufacturer, packer, or distributer; place of business; ingredient declaration in descending order of predominance by weight; and net quantity of contents.

c. County Board of Health Permit if processing is on-site, i.e., cutting of baked goods to be sold by the piece, slicing of cheese to be sold by the pound; cooking and selling ready-to eat foods.

d. home processing of canned fruits and vegetables is not permitted. All canned fruits and vegetables must be done under 20C license and registered with the Federal government as a food processor.

e. Article 20-C License from NYS Dept. of Agriculture & Markets is required for dehydrating herbs and spices or for the blending of any spices for repackaging.

49. Meats: license is required is grinding or processing. License is not required for cutting.

a. Red Meat (beef, lamb, goat): USDA slaughtered and/or processed must have USDA legend. Article 28D License required if warehousing for wholesale. Must be maintained at 0 degrees F or below if sold frozen, 40 degrees F if sold fresh.

b. Chicken: License not required to sell 250 turkeys or 1000 birds of other species annually. No license required if USDA slaughtered. Article 28 license if warehousing for wholesale accounts. Article 5A license required if selling over 250 turkeys or 1000 birds of other species annually.

c. Exotic Meat: Must be slaughtered at an article 5A licensed establishment. Must be labeled “Processed at an NYSDAM facility.” Article 28 license required if warehousing for wholesale accounts, if not licensed under Article 5A.

d. Processed Meats: Article 20C license from the NYS Dept. of Agriculture & Markets.

e. Fish: No permit, license or certificate is required if a freshwater fisherman is selling only whole, non-protected species. Article 20C License from NYS Dept. of Agriculture & Markets if fish is pan-ready. NYS DEC hatchery permit required if selling protected freshwater species. NYS DEC permit required if re-selling any protected freshwater species. NYS DEC Food Fish license to catch and sell marine fish. NYS DEC Food Dish and Crustacean Dealers & Shippers license to resell marine fish purchased from a licensed fisherman.

50. Dairy:

a. Cheese & Other Dairy Products (such as yogurt, butter, sour cream): For producers, Part II Permit, issued by NYS Dept. of Agriculture & Markets Division of Milk Control and Dairy Services. If cut and wrap cheese, need Part II Permit issued by Division of Milk Control and Dairy Services unless part of a food establishment regulated by Division of Food Safety, in which case just need Article 20C license.

b. Milk and Fluid Milk Products (such as 2%, 1% and non-fat milk): Milk must be pasteurized. Producer must have Part II Permit issued by Division of Milk Control and Dairy Services. Producer and any distributor must have a Milk Dealers License issued by Division of Milk Control and Dairy Services unless amount handled is less than 3000 pounds per month.

51. Grains and Legumes (prepackaged - cannot be packed on site): No permits, licenses or certificates are required.

52. Fresh Cut/Dried Flowers: valid NYS Sales Tax Permit.

53. Crafts: Valid NYS Sales Tax Permit.

 54. Products not specifically identified must be pre-approved by the Village of Homer Board of Trustees.

55. All applicable food safety regulations, both state and local, must always be adhered to. Gloves must be worn if passing out samples and changed frequently.

56. All alcoholic beverages, including wine, beer, and distilled products, must have approved NYS Farm Winery/Brewery license from the NYS Liquor Authority.

57. All applicable licenses and permits for products sold must be obtained and kept current. Copies of applicable permits and licenses will be kept on file with the Village of Homer Offices.

**Compliance/Rules**

58. The Village Treasurer or duly authorized representative will be present at all market events. In the event of an emergency, vendors should address the employee on site to resolve the problem. Formal complaints should be addressed to the Village of Homer Treasurer in writing or via email for documentation. Unless it’s an emergent situation with a vendor or customer, no market issues will be handled during market hours.

59. A vendor should not become combative with another vendor or market staff. There will be one warning given. If there is a second occurrence, you will be asked to leave the market for goo. A vendor or staff member should not raise their voice in an aggressive manner or make other vendors/staff feel uneasy. Upon this happening, the event will be written up and kept on file.

60. All complaints will be investigated by the Village Treasurer or designee within two weeks of submission, and a decision will be made regarding the complaint. Complaints against the market manager should be made to the mayor at mayor@homerny.org.

61. Covid guidelines will be monitored and adjusted as needed throughout the market season. If there are questions or comments, please direct them in writing to management. The Village of Homer will have hand sanitizer at its table.

**I hereby declare that I have read the 2022 Village off Homer’s Farmers Market Handbook and agree to abide by all policies established therein.**

**Signature \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

Please send completed applications with all forms completed to tdigennaro@homerny.og, hand in at current market or mail to:

Village of Homer

Re: Village Treasurer

31 North Main Street

Homer, NY 13077

 Questions? Please contact Tanya DiGennaro at above email or (607) 749-3322.