



Cache Valley Gardeners' Market

2018 Vendor Info and Market Guidelines

Cache Valley Gardeners' Market is an independent farmers' market, a subsidiary of the Sustainable Agriculture Association of the Bear River Area (SAABRA), a 501(c)(3). CVGM reserves the right to refuse vendor applications for any reason. Rain, snow or shine, CVGM can be found Saturdays May 12th through October 20th from 9 a.m. until 1 p.m. 199 North Main St. Logan Utah. In the parking lot, behind the Historic Cache County Courthouse

Website: www.gardenersmarket.org - Email: gardenersmarket06@yahoo.com Phone: 435.754.7402
Address: Cache Valley Gardeners' Market, PO Box 3832, Logan UT 84323-3832

TABLE OF CONTENTS

| | |
|---|--------------|
| About SAABRA and Cache Valley Gardeners' Market | Introduction |
| Applications | Section 1 |
| Fee Structure | Section 2 |
| Vendor Space Assignment and Use | Section 3 |
| Vendor Set-Up, Take-Down and Parking | Section 4 |
| Vendor Site Obligations | Section 5 |
| Selling Agricultural Products at Market | Section 6 |
| Farm Production Guidelines | |
| Producers/Farmers/Gardeners | |
| Plant & Flower Vendors | |
| Taxable Farm Production Guidelines | |
| Dairy/Eggs/Meat | |
| Specialty Vendor | Section 7 |
| Taxable Product Guidelines | Section 8 |
| Artisan/Craft | |
| Service Vendor | |
| Display Only Vendor | |
| Processed Food | |
| Baked Goods & Grain Products | |
| Concessionaire/Demonstrator | |
| Educational/Non-Profit Community Groups | Section 9 |
| Children Vendor/Junior Vendor | Section 10 |
| Vendor Studio/Greenhouse/Farm Inspections | Section 11 |
| Market Management | Section 12 |
| Disciplinary Procedures | Section 13 |
| Regulatory Policies | Section 14 |

The Market Manager is the first and final authority on market day. Decisions made on market day will be at the Manager's sole discretion.

Verbal and/or physical abuse towards the Market Manager, member of the Management Team, CVGM Advisory Committee or SAABRA Board of Directors will result in immediate expulsion from the Market.

The Cache Valley Gardeners' Market Advisory Committee may, at any time, modify or add to these rules to better serve CVGM interests.

Cache Valley Gardeners' Market is a function of the Sustainable Agriculture Association of the Bear River Area (SAABRA), a Utah non-profit organization.

About Cache Valley Gardeners' Market

Cache Valley Gardeners' Market is an independent farmers' market, a subsidiary of the Sustainable Agriculture Association of the Bear River Area (SAABRA), a 501(c)(3). We are not connected to either Logan City nor Cache County governments.

Sustainable Agriculture Association of the Bear River Areas (SAABRA) was formed in October of 2001 as a 501 (c) 3 non-profit corporation to organize citizens and professionals throughout the Bear River Region into a structure to support and enhance sustainable agriculture in our area and throughout Utah and Southern Idaho.

The goals of SAABRA are to:

- educate our consumers, legislators and other government officials to the benefits and techniques of sustainable agriculture
- assist farmers and food-based entrepreneurs to develop value-added products
- provide educational literature, research, and technical assistance to farmers and citizens
- organize methods of linking consumers with locally produced food and products; and obtain and administer the resources needed to accomplish these goals.

The objectives of SAABRA are to:

- promote sustainable agriculture by educating farmers, consumers, policy makers, and the general public
- coordinate the education and training of owners/managers of value-added agriculture and food-based businesses
- provide mentoring opportunities for food-based business owners
- provide outreach and linkage among businesses, producers, and consumers
- coordinate needed infrastructure and resources to enable the above listed objectives.

Cache Valley Gardeners' Market, is a function of SAABRA to provide a venue in Cache Valley to support the above goals and objectives.

Mission Statement of Cache Valley Gardeners' Market

The mission of Cache Valley Gardeners' Market is to educate consumers about sustainable agriculture and healthy foods, provide a source of revenue for local farmers and artisans, and create a vital community gathering place for all ages. Our Market showcases locally homegrown produce, fine arts and handmade crafts. In support of this mission, we will:

- Foster commercial and educational relationships between our vendors and city-dwellers;
- Serve as a small business incubator for local farms, artisan food producers, and handcraft artisans;
- Enhance the region's quality of life by encouraging environmentally sound agriculture and access to local, healthier foods.

Who can sell at Market?

It is Cache Valley Gardeners' Market's goal to help create a sustainable Cache Valley. It is also the goal of CVGM to support local farmers and artisanal food producers. In keeping with these goals, all agricultural products, arts and crafts, processed foods, value-added products and hot food must be made, grown and/or raised by the vendor within the Bear River Drainage Area.

PROHIBITED ITEMS.

- Items that are grown, raised or made outside of the Bear River Drainage Area are prohibited (except branding and related merchandise). Specialty items approved by Cache Valley Gardeners' Market's Advisory Committee are allowed.
- Garage Sale and Flea Market items are expressly prohibited from being sold.
- Private Label, franchises and Multi-level marketing products are expressly prohibited.
- Value-added foods and crafts not produced by the seller are expressly prohibited.
- Food products produced at home in Idaho - all food products from Idaho must be made in an approved commercial kitchen.

Section 1

Types of Vendors and Applications

(Carefully review the guidelines before applying. Cache Valley Gardeners' Market reserves the right to limit the number of vendors accepted to market and CVGM to refuse vendor applications for any reason.)

The Market is a combination of the following Categories:

- Farmer/Grower – category for raw, unprocessed produce, plants and flora raised within the Bear River Drainage Area. No reselling is allowed.
- Mixed-product – category accommodates vendors who sell produce AND processed foods or crafts, which changes their tax status. Also includes meat, honey, dairy, jams, and other products if the base ingredients of the product(s) came from items raised on the applicant's farm.
- Prepared Food – Packaged food products must be prepared and packaged in an inspected commercial kitchen. Prepared food vendors cook and serve on site for immediate consumption.
- Baked goods – must be prepared and packaged in a commercial kitchen by the vendor selling the products.
- Arts and Crafts – applicants must be Utah residents and products must be handmade locally by the applicant. We will consider admission of residents in the USU Summer Citizen program.

1.1 All products must be grown, raised, produced, prepared, handmade or gathered by the vendor within the Bear River Drainage Area. Due to market growth, priority is given to residents of Cache Valley. Vendors living outside the boundaries will be considered by the Cache Valley Gardeners' Market Advisory Committee as needed, year to year. Approval for a market season does not guarantee yearly approval. The need for "outside vendors" will be re-evaluated yearly.

1.1.1 Vendors must submit a complete list of products they intend to sell with their application.

1.1.2 Agriculture Vendors must submit each locations used to raise/grow their products.

1.1.3 Product Acceptance The Cache Valley Gardeners' Market has the right to approve, refuse, and limit products to be sold. Vendors must request approval from the Market Management Team before adding additional product during the season. Adding items without approval will result in the vendor NOT being allowed to market the items in question.

1.2 Representation at CVGM. Principle farmer vendors are given priority but may request to send family members, partners, or employees to the Market in their place providing they are involved with the production and are responsible for having their on-site representative aware of all Market rules and policies. **Principle Craft and processed food vendors are expected to be onsite at each market.** If you have a conflict of schedule, please send a representative to that activity and attend CVGM.

1.3 Summer Citizen. We encourage our part time summer residents to sell at market. Please give us your home address information as well as your summer address.

1.4 Application due date. Returning Vendor April 1st.
Returning Vendor Application/Application fee due date is April 1st.
New Vendor Application/Application fee due date is April 15th.

1.5 Market Fee due date. Payment for first day of market due no later than May 1st. We no longer accept any payments at Orientation.

Email addresses: Updates and vendor information will be sent to the email address provided on the application. It is the vendor's responsibility to retrieve and read all communication from the Market Manager prior to market day. Please do not unsubscribe from the program we use for this purpose. Please update your email address as needed.

Section 2

Market Fees

2.1 . New application and Market fees - Carefully review the guidelines before applying. If you have questions, email the office at info@gardenersmarket.org

- **Returning Vendor** – By April 1st due date: **\$25**. After due date: **\$50**.
- **New Vendor** – By April 1st due date: **\$35**. After Due Date: **\$70**.

***To be considered for approval, all vendors must submit the following with their application:**

- Complete list of products.
- Menu (Concession Food Vendors) Due March 15th.
- Copy of Certifications (Food vendors)
- Photos of your craft (For uploading images they need to be less than 2MB and JPEG format. Also, the filenames cannot have spaces or periods in the name.) Most problems can be solved using Chrome.
- Produce vendors must send in a crop list **and** be inspected.

Vendor Fees

2.2 New Vendor Program (fees are not refundable and additional late fees will apply after the market begins)

New vendors are accepted into CVGM on a four-week trial basis. The Market's program will no longer let you apply if your category is closed. If closed, and you feel you have a unique product, email us about being added to the **waiting list** (\$25 non-refundable application fee). We will use the waiting list to add additional vendors as space opens during the season. New Vendors **MUST** personally attend market – no substitutes allowed. New Vendors can sign up for four Saturdays (singular or consecutive). At the end of the four weeks, the CVGM Advisory and Management Committees will decide if the new vendor can continue to attend. Being in the new vendor program one season does not guarantee automatic acceptance as a weekly vendor the following season.

Four-Week Vendor Fees – Add Yearly Application Fee (\$35.00) plus the following:

- Craft, packaged food, bakery, service: Half Space - \$36.00 Full Space - \$72.00
- Hot Food: Full Space - \$120.00
- Produce: Half Space - \$28.00 Full Space - \$52.00

Yearly Booth fees must be paid prior to May 1st to receive two days free.

Daily Vendors must pay first week fee by May 1st.

No fees will be accepted at orientation.

Returning Weekly Vendor Fees

● **Farmer/Grower** – category for non-taxable, raw, unprocessed produce, plants and flora raised within the Bear River Drainage Area. Frozen meat, honey, dairy and eggs must not include any value-added process. No reselling is allowed.

Weekly: \$13.00 (per space) Yearly (24 weeks): \$286 (per space).

● **Truck Vendor:** Ag/Produce vendors who require a combination Truck/Tent or Truck/Trailer space.
\$25 per Week for the combined space.

● **Mixed Produce Vendor:** Taxable items sold with Produce:

Weekly: \$18.00 (per space) Yearly (24 weeks): \$396 (per space).

● **Taxable Vendors** - Arts and Crafts, Service, Packaged food, Bakery, Non-hot prepared food vendors:
Weekly: \$18.00 Yearly (24 weeks) \$396.

● **Onsite Hot Food Vendor:** (Fire Department spacing)

Weekly \$30.00 (per space.).

Might be subject to attendance rotation.

● **Specialty/Visiting Vendor:** By invitation only. See Market Manager.

Weekly \$35.00 per week.

● **Child Vendor: Under 12**, Child-size space (card table) - \$1.00 Per week.

● **Junior Vendor: 12 – 17**; Child size space (card table) – Craft: \$5.00; Produce: \$3.00

Half space sites - \$7 (produce) – \$9 (other) – assigned by Market Management for smaller vendors or older children.

2.3 Late Payment and Late Fee fines. \$5.00 To avoid a late fee fine, weekly vendors can reserve a space either by paying

online (using Paypal) or paying by cash/check the Saturday before. Online payments are due no later than Thursday, noon. At that time, the link automatically turns off and you will have to pay on Saturday morning. Any payments Saturday morning will have a \$5 fine added to the space fee.

2.4 Non-compliance. The booth fee will not be refunded if the vendor is asked to leave the Market by either the Market Management or a government agency due to non-compliance with market or government regulations.

2.5 Drop Ins. Any individual that comes to the market on Saturday without previously submitting an application AND receiving approval will not be allowed to vend that day. Doing so will delay your application process two weeks. NO exceptions will be made.

Section 3

Vendor Spaces

Note: Most spaces are approximately 10'x10'. The size of each space varies depending on the location of trees, poles, sidewalks, and other permanent fixtures. Canopies cannot be larger than 10'x10'.

We expect our vendors to observe and follow market rules. Habitual problems will result in suspension from market the following week, payments not refundable.

- 3.1 Weekly Space Assignment:** The Market Manager assigns spaces to create and maintain the market flow. Management may assign the same space each week to the same weekly vendor or move vendors around to improve the layout of the market.
- 3.2 Late Payment:** Space payment is due no later than noon Thursday, prior to Market (at that time the Paypal link will not be accessible). If you do not have a computer to pay online, you can pre-pay the week before at market. If you neglected to pre-pay for your space, you will need to check in at the CVGM Market Information table on the west side of the courthouse to receive a space number Saturday morning. Additional fines apply. See Section 2.5.
- 3.3 Cancellations:** Assigned Vendors, not able to attend market, are required to contact the Market Management Team via phone or email no later than **6:00 PM, Thursday** prior to Saturday's Market. If a cancellation is made after that time, then a \$10.00 late Cancellation Penalty will be incurred, and fees cannot be reassigned to a later date. Three No-shows without contacting the Market Management Team, late cancellations, or a combination of these, will result in a forfeit of "reserved space" or suspension for the remainder of the season. **Unforeseen emergencies will be taken into consideration when applying the cancellation policies.**
- 3.4 Movement of Payment for weekly vendors:** If you need to cancel your space reservation, you can request that your payment be transferred to a different date. Please let us know so we can check to see if there is space available. We will move your payment one time for free, provided you have contacted us before the market in question. Habitual requests, late requests or requests made after a market has passed, will incur an additional \$5.00 fee.
- 3.4 Late Arrival:** Reserved spaces will be guaranteed until 8:30 AM. After this time, vacant spaces will be allocated as "weekly" space. If you arrive late and notice your space has been re-assigned, please do not approach the vendor, the Market Management Team will assign you a temporary space for the day. Disrupting market over losing your space can result in being suspended from the market the following week with no refund.
- 3.5 Multiple Spaces:** Only produce growers may request a second 10'X10' space. Produce vendors that misuse their extra booth space will lose the privilege to use two booth spaces and may have their space relocated. No refunds will be given. The Market Manager can ask a vendor to vacate misused/unused space when the market is full and more space is needed (no refunds). Refusal to comply can lead to loss of multiple space rights.
- 3.6 Non-Transferable:** Vendors may not sublet and/or promise their space to others. Only the Market Management Team can assign spaces.

- 3.7 Opt-Out Policy:** Fees are not refundable nor transferable. If you have paid for your space in advance, are in good standing and wish to remain in good standing to qualify for a reserved space in the future, you must notify the Market Management prior to leaving market.
- 3.8 Relocation:** Space assignment can be changed at the discretion of the Market Management Team as needed for the good of the market.
- 3.9 Leaving Early:** Vendors **May NOT** leave the market early for **ANY** reason (emergency excepted). Doing so is dangerous and makes the market look poorly. If you sell out, your canopy and other market equipment must remain in place until the market is over. Leaving early will result in suspension from the market the following week.

Section 4

Vendor Set Up/Break Down and Parking

Please Note: With the exception of breakfast foods and coffee vendors, no sales are allowed before 9:00 a.m. or after 1:00 p.m. If an unusual circumstance arises, please ask the Market Management Team's permission to sell to a particular customer. Please note that it is okay to sell to other vendors before the Market opens but we ask that it is done quietly to avoid customers assuming market is open.

- 4.1 Unloading/Set-Up & Loading/Take-Down** Set-up begins at 7:30. Vendors should be at the market site and their cars moved, at least 1/2 hour before the market opens (8:30) and **MUST** be ready to begin selling when the Market opens. Our contract asks that vendors be loaded and out of the market area no later than 2:00 PM. **Please observe.** Late arrival and habitual leaving late is a discipline action (See Section 13)

Vendors must move their car ASAP. **Please unload your cars *BEFORE* you set up – Not AS you set up. In other words, *Do Not* set up before you move your car.**

- In order for the market management to complete their set up before the market opens, all vehicles must be fully unloaded and parked away from the Market site by 8:30 a.m. This is especially important for the parking spaces on Main Street.
- Please note: Due to safety, early booth disassembly is not allowed until market is closed. If you sell out early, cover your tables and come back at 1:00 to dismantle. If you have an emergency, please contact the market management

4.1.1 All vendors are responsible to set up and take down their own space. Design your space with your abilities in mind. Volunteers are primarily for market management use. If you require assistance to set up and take down, it is your responsibility to hire help.

Just as in Market Set Up, during market breakdown, vendors must break down stalls and canopies and prepare everything for loading before bringing vehicles in to load. Repeated failure to adhere to the Market Set Up/Break Down guideline can result in Market disciplinary action (See Section 13).

The Market Manager will create groups of vendors and assign them specific weeks to help with Break-down.

IMPORTANT!!

Watch your emails for messages from the market manager concerning parking.

- 4.2 Vendor Parking:** Vendor parking is available on the far west side of the parking lot (along 100 West). Vendors should have their cars moved from Main Street by 8:30am. If you have mobility and/or health issues, please notify the Market information table and we will help you with parking.

Remember, customers will drive on if they don't find convenient parking.

No vendor parking allowed on Main Street.

We do not rent space in the city parking lot. Be respectful of the neighboring businesses. Do not park behind or near their stores.

4.3 The Market Management Team will enforce our Market Parking Rules.

4.3.1 The Market Management Team will determine if any vendor is failing to adhere to the policies set forth herein.

Such failure will result as follows:

Parking Violations: CVGM has volunteers who help us manage parking. They check weekly to determine if any vendor is failing to adhere to the policies set forth herein. Such failure will result as follows (All fines must be paid before next market day for admission):

1st offense – Verbal warning from Market Management Team.

2nd offense – Written warning. \$10 fine.

3rd offense – Suspension from next market plus \$20 fine.

4th offense – Expulsion from the market for remainder of the season**.

4.3.2 The vendor is responsible for packing his/her product and belongings when asked to leave the market. If the vendor does not pack, the Market Management Team has the authority to appoint others to help pack the vendor's products and belongings. The Cache Valley Gardeners' Market and any of its vendors or volunteers will not be held liable for any damage caused during such packing. The vendor is legally responsible for any damage that might occur while being escorted out of the Market.

Section 5 Vendor Site Obligations

- 5.1 **Care of space:** Vendors shall provide their own tables, chairs and shade (which must not be a hazard to the public or other vendors). Please be considerate to neighboring vendors and remember the Market is a business. Look at your space from all positions. Vendors with non-market related items in plain view will be asked to remove them.
- 5.2 **Accessibility:** Table displays, canopy walls, temporary displays in front of stalls, and signs must not block accessibility to adjoining stalls or impair another vendor's ability to sell. Driveways, parking lot, market entrances, vendor stalls, etc., must be accessible to all. If anything is obstructing access to any component of the market, please correct the situation or alert market management. Remember that people with disabilities must be able to access and enjoy the same goods, services, and benefits available to all. Consider them as you plan your space.
- 5.3 **Canopies/Umbrellas:** Shade structures of any type cannot be no larger than 10'x10'. They are required to be weighted from the time it is put up to the time it is taken down. Any vendor who fails to properly secure his or her canopy or umbrella will not be allowed to sell at the farmers market on that market day, unless that vendor chooses to take down and store their canopy or umbrella and sell without it. All canopies must be weighted down by a minimum of 40 pounds weights on each leg. Umbrellas need to be weighted down with 50 pounds. If your tent is not properly weighted down, you will be asked to take it down immediately. The Market will not be responsible for losses/claims due to unsecured tents/canopies.
- 5.4 **Electricity/Generators:** At this time, CVGM does not provide electricity. Do not request the county/city allow you to use their electricity – it is not part of our contract. The Market Management Team will consider the use of generators. They must be extremely quiet. Vendors must be able to set up and take down generators without help. Vendors must know how to use their generator and not expect others to maintain it for them. The Market has the right to repeal generator use at any time. Any cords must have appropriate OSHA rated cord mats to cover the part of the cord that lies in an area utilized by Market customers. **Any vendor who contacts the county/city about use of power outlets or uses the power outlets will not be allowed to market the following week without refund.**
- 5.5 **Clean-up:** Vendors are responsible for keeping their space clean and attractive during market hours and must clean up their space after the market closes, **this includes** sweeping up any debris and removing trash. There is no reason someone should have to pick up after you. Vendors whose products generate waste (e.g., on-site prepared food and samples) must provide a trash receptacle at their booth for customers to use. Look around you! Vendors habitually leaving trash will be asked to leave market.

- 5.6 Permits:** Before you can sell: Vendors shall provide CVGM with copies of any permits and licenses applicable to the sale of their products. Some examples are nursery licenses for perennial/woody plants, organic certification, food handler permits and licensed kitchens for processed foods. Vendors must post ALL CERTIFICATION on their stalls. NO EXCEPTIONS.
- 5.7 Hold Harmless:** Vendors assume full liability for the products they sell and agree to hold the CVGM, Logan City and Cache County harmless from and against any claim of injury, or damage by any buyer, vendor, or other persons, resulting from the use, consumption, disposition, display, or marketing of vendors' products. The Cache Valley Gardeners' Market is not liable for any injury, theft, or damage to either the buyer or vendor (or their property), arising out of or pertaining to preparation for or participation in the Market. Vendors further agree to indemnify and hold the Cache Valley Gardeners' Market, Logan City and Cache County harmless from and against any claims for such injury, theft or damage.
- 5.8 Children** – Vendors with little children are responsible to keep track of them. If your children become a nuisance, you will be asked to take them home. Children under 8 are NOT allowed in hot food booths. This is strictly prohibited by the Bear River Health Department.

Section 6

Agricultural Products

The Utah Department of Agriculture and Food, Division of Regulatory Services has the authority to regulate and inspect areas where food is offered for sale. The Market is functionally a produce stand; an inspection from this agency is anticipated every year. Each Produce/Dairy/Meat vendor station must have the ability to sanitize hands (e.g. antibacterial wipes or gel hand sanitizer).

All products to be sold must be consistent with ALL USDA, FDA and UDAF food safety regulations. This is to protect you, your customers and the market. Please be careful and cognitive of food safety on your farm.

6.1 Producers, Farmers, Gardeners Description: Persons who raise produce (fruits, vegetables and herbs), flowers, nursery crops from seed or plants (annual, perennial or woody), and harvested livestock (eggs, beef/pork, wool, honey, etc.) offered for sale at the Market.

6.1.1 Nonprofit and Education Organizations: may sell at the market but must apply as a vendor and will be expected to meet all regulations applied to vendors as well as follow all the guidelines of the Market.

6.1.2 Truck Space Vendor:

- Truck Spaces are reserved for Ag vendors only.
- Part time Produce vendors, specializing in a single crop, must sign up for a minimum of four (4) weeks at a time regardless of the number of weeks desired. The fees MUST be paid BEFORE you come to the market. *NO exceptions will be made!*
- See section 2 for fees associated with a Truck Space.

6.2 Signage: Each booth space must prominently display a sign clearly identifying the farm by name and the location of the farm. Signs must be a minimum of 8" x 11" and be in place by 9:00 am. All descriptions of products must be accurate. **If you are handing out samples, a copy of a food handlers' permit must be in posted.**

6.2.1 Organic labeling: Products sold as "unsprayed" or "natural," etc. are not required to be certified by any recognized certification agency. All products sold as organic must be grown, produced and processed in accordance with the USDA National Organic Program (Certified organic growers must provide a copy of their organic certificate to the Market Management Team). Since market inspectors are not qualified to determine compliance we ask all non-certified organic growers to not use the term. All vendors are required to advertise

truthfully and to respond to customers' questions in a like manner.

6.2.2 Pricing. Produce vendors are responsible for fair business practices and setting their own prices. Vendors are not allowed to give produce or other items away for free or at unreasonably low prices, thus undercutting potential sales of other vendors. See section 14.8

6.2.3 Marketing or informational: Vendors are strongly encouraged to use signage and other print media to help market their business and products at the market as well as educate the customers about agriculture.

6.3 Plant and Flower Vendors: Bedding and landscape plants and flowers (live or cut) must be propagated by the vendor from seed, cuttings, bulbs, plugs or plant divisions. Plugs or other starts purchased by the vendor must have been grown by the vendor for at least 60 days prior to sale at the Market. Perennial plants must have been started by the vendor or grown by them for at least 6 months prior to sale at the Market. **Perennial** plants are taxable. Purchasing receipts may be requested at any time by the Market Management Team. If not available, the decision will be left solely to the Ag Committee of the Market Board.

6.3.1 Dried Flower Arrangements and Wreaths must be made from materials grown or gathered by the vendor. **No silk or other artificial flowers or arrangements made from these materials can be sold at market.**

6.3.2 UDAF Nursery License. Plant vendors must be in full compliance with the regulations of the UDAF. For licensing information call 752-6263. http://ag.utah.gov/plantind/nursery_license_types.html.

6.4 Honey, Dairy, Eggs, Meat Vendor: Additional tax regulations apply to these vendors.

6.4.1 Milk and milk products: Raw milk may not be sold at an outdoor/farmers' market. Cheese made with raw milk may be sold if aged 60 days and beyond and the manufacturer is licensed by UDAF.

6.4.2 Egg Vendors: The vendor must be the owner of the flock. Eggs shall arrive and be maintained at the market at 45 degrees or less and be clean and sound. Egg cartons must include safe handling instruction. The rules concerning reuse of egg cartons changes, consult Market Management about the latest update.

6.4.3 Frozen meats: Must comply with all UDAF/USDA regulations (requires inspection stamps or exemption number). All meat present at the market must be kept at appropriate USDA temperatures. Mechanical refrigeration equipment should be used; however, dry ice may be used to maintain freezing temperatures. Meat must come from animals raised by the vendor. Vendors must have owned animals for a minimum of 6 months before butchering. Purchasing receipts may be requested at any time by the Market Management Team. If not available, the decision will be left solely to the Ag Committee of the Market Board.

6.4.4 Honey and Beeswax: Must be produced by bees kept by the vendor within the Bear River Drainage Area. Vendors must be involved in all aspects of beekeeping to be considered for the Market. All bottled honey products, both pure and 'value added' must be registered and approved by UDAF. Beeswax must be produced by the bees owned by the vendor, any candles or other items must be manufactured by the vendor him/herself.

6.5 Quality: All products sold or displayed at the market should be top quality. The quality of products being sold at the market reflects on the vendor as well as the rest of the market. It is the responsibility of the vendor to bring high quality products and create an appropriate and attractive display for the products being sold.

6.5.1 Lower quality seconds or "canners": Items being sold for home processing may be offered but must be labeled as such and *preapproved* by the Market Manager. These products **Can Not** be rotten, frozen, moldy, or otherwise uneatable.

6.5.2 Plants sold at market: All plants sold at market must be quality plants. Vegetable starts and bedding plants should be grown with appropriate light and nutrient levels to keep them from being spindly and/or yellow. Plants with

ANY disease or pests should NEVER be brought to the market. Please do your part to keep plant diseases and pests from being spread through our beautiful area.

6.5.3 Packaging: Packaging for any products sold at the market should be clean and appropriate for the use. DO NOT reuse or use dirty packaging or displays.

6.5.4 The Market Manager and Market Ag committee has the right to ban or remove any inferior, low quality or diseased products from the Market.

6.6 Food Safety: It is imperative that Ag vendors take food safety seriously and always keep food safety in mind as they grow, harvest and market their crops. Food safety applies to ALL Ag products sold at market.

UDAF guidelines that apply at this market

- Fruits and vegetables must be sold whole.
- Produce must be stored at least six inches off the ground.
- Price cannot be based on weight unless a certified balance is available. Use unit pricing.

6.7 Samples: Vendors may be able to provide customers a sample of their products if they have a current food handlers' permit (Please send a copy when you apply for market). When sampling the following guidelines shall be met:

- Small items, such as cherries or strawberries, should be washed before being given as samples.
- Larger items like peaches or apples must also be washed and then cut to offer a small portion as a sample.
- If cutting off site, it should be done at an approved and inspected location.
- If cutting is done on site, the vendor must have hand washing facilities, gloves and a facility to wash, rinse and sanitize the utensils and cutting board.
- The sampling should be done by using toothpicks or individual cups to dispense the food. The public should never reach into a bulk container to get a sample.

6.7.1 Hawking: Vendors are not allowed to "Hawk" their wares or roam the market giving away samples of their goods. Samples may only be offered at the vendor's booth.

Copy of UDAF's Requirements for Food operations at Outdoor Markets pamphlet:

<http://ag.utah.gov/documents/FarmersMarketBrochure.pdf>

Section 7

Specialty Vendor Guidelines

Please note that fees will be significantly higher in this category, thus supporting our mission.

While CVGM does allow specialty items to be sold at the market, one of the market's primary goals is to support local farmers and artisans. Out of area items are only permitted under the following circumstances:

- The item in question is an agricultural or food-related product.
- The item in question is not otherwise represented at market by a primary producer.
- The item in question has been approved by CVGM manager.
- The item in question has been inspected by a representative of CVGM.

7.1 Specialty Vendors must be suggested by the CVGM Market Management Team and approved by the CVGM Ag Committee. Individuals are responsible for obtaining copies of all licenses and/or permits required by the Bear River Health Department, Cache County, and the State of Utah and the USDA. Copies of all licenses/permits must be on file with the Cache Valley Gardeners' Market before their application will be accepted or assigned a space. CVGM reserves the right to limit the number of Specialty vendors each season.

7.2 All items must be pre-approved through the Market Advisory Committee at least one week before bringing their items to the market. All specialty vendors must have some connection to the product.

7.3 Approval is valid for current season. Returning vendors will not automatically be accepted.

7.4 Specialty vendors must buy direct from farmers that grow, produce, or raise the product and must provide the name, address, and phone number of all farms. No third-party sales allowed.

7.5 Labeling. Specialty vendors must label their product or use signage no less than 5.5" x 8.5" that clearly displays the name of the farm or business and the location of the source.

7.6 Any deviation from the above is subject to disciplinary action. (See Section 13)

Section 8

Taxable Product Guidelines

Crafts, Misc., and Foods

Special Tax Guideline for Vendors:

Sales tax is assessed on all value-added products and specialty vendor produce. A Market official will issue all vendors that sells at market a form with a special event tax identification number. Please keep this form, as it is required for filing whether you sell taxable goods or not. It is the responsibility of the vendor to know how much tax they need to pay. The form, and money collected should be sent to the Utah State Tax Commission after the Market closes in October. Your name, driver's license and event identification number will be reported to the state. If you have taxable and non-taxable items on the same table, all the items become taxable. Any required sales tax collections and remittances are the sole responsibility of the vendor. For further information, contact Utah State Tax Commission-Special Events Unit at 800-662-4335.

Arts and Craft Vendors

Craft Application/Acceptance (The CVGM reserves the right to limit the number of Vendors accepted to market) Also see "New Vendor" program. The application program will automatically notify you if your category is closed.

- The Market Management Team will review each applicant. Some categories with numerous duplications might be closed each season.
- All applicants will be notified of acceptance/non-acceptance within two weeks of completed application. New vendors will be notified after April 1st.
- Photos must accompany all new artisan/craft applications.
- Returning Vendors in good standing, approved in previous years do not need to be re-approved, but should note any product changes on their application form for approval.

Items known to be heavily duplicated: jewelry, bath and body products, photography, crochet/knitting, child-related items, pottery, hair items will need to be reviewed before approval. Even if approved, the Market Manager has the right to assign a limited amount of days a vendor can attend. We ask our returning vendors who have been accepted under other categories to NOT add new items from these categories.

8.1 Artisan/Craft: Artisans create products of original art or craftwork. An observer of the craft can appreciate the technique and execution of the manual skill in the craft's production, which are obtainable only through a significant period of experience and dedication.

Artisan/Craft: (Summer Citizen vendors are exempt from boundary limitations).

- Must represent their own work at market. No substitutes allowed.
- Repetition of certain crafts may be limited.
- All items must be made by a single artist/craftsperson within the Market boundaries and be the product of a home or cottage type industry, not mass produced. Machine embroidery/quilting is an embellishment – the original article must have been made by the vendor
- An artisan may not sell anything that has not been approved prior to the day of the market.
- Use of natural material encouraged.
- Please price fairly and in consideration of your fellow vendors.

Examples of unacceptable items would be, but not limited to: tracings or paint by number, printed fabrics, "no sew" fleece items, ceramics or pottery from commercial molds, wood carvings using duplicating machines, signs using computerized lettering and or templates as opposed to hand lettering, computer program printed/sewn/cut items, kits in any form and any other items which clearly do not reflect originality of design.

8.1.1 Jewelry

- Must be handmade and created by market vendor.
- No plastic beads may be used in adult division (over 18).
- Please price fairly and in consideration of your fellow vendors.

8.2 Service Vendor: All service vendors must be pre-approved. All are subject to limitations as determined by the Market Management Team. This includes but is not limited to: Face painting, balloons, knife/scissor sharpeners, or delivery

service.

8.3 Storefront Vendors: As a business incubator, CVGM gives priority to Market-only vendors. Vendors who have a storefront other than their home and use the market for advertising their off-site business or classes will only be allowed to attend 5 markets a season.

8.4 Processed Food Vendor Guidelines: All food preparers MUST have copies of ALL PERMITS ON FILE with the market management team before their application will be accepted or assigned a space NO EXCEPTIONS.

*Precedence is given to vendors who use locally sourced products.

8.4.1 Processed Foods: Processed foods are those fresh food products that have added value to their product through processing such as: preserves, jams, jellies, cider, syrups, salsas, smoked meats or fish, dried fruit, flours, spice mixes and salad dressings. Dried processed foods, such as mixes, must enhance food rather than replace it. No powdered food supplements allowed.

Requirements: Processed foods must be produced by the vendor from whole, raw ingredients. Processors must meet all federal, state, county and local safety and health requirements. All appropriate permits and licenses must be up to date and available to the Market Management Team in order for the processor to be considered eligible to sell at CVGM. All applicable licenses and permits must be available for display whenever a processor is selling at the market. Vendors must have produced the items in an approved commercial kitchen or under the UDAF Cottage Food Program. Idaho based vendors must have produced the items in an approved commercial kitchen.

8.4.2 Baked Goods and Grain Products: This category includes homemade pastries, cookies, muffins, breads, pies and related take home desserts, not prepared on site. Pastas, granola, etc. are also included in this category.

Requirements: Baked goods and grain products must be produced by the vendor from raw ingredients (no packaged mixes). Vendors in this category are those who have cooked, baked or otherwise treated the product they sell. Vendors must have made the product in a certified commercial kitchen or under the UDAF Cottage Food Program. All permits must be posted onsite. No exceptions. Idaho based vendors must have produced the items in an approved commercial kitchen.

8.5 On Site Food Vendor (Hot Food/Beverage)/Demonstrator Guidelines:

Food Vendors must meet all federal, state, county and local food safety and health requirements. All appropriate permits and licenses must be up to date and copies must be provided to the Market Manager before the Food Vendor can sell at the CVGM. All applicable Licenses and Permits must be available for display whenever a Food Vendor is selling at the market.

*Preference is given to vendors using locally sourced products. Vendors must make everything they sell. Drinks and chips are allowed but must be pre-approved by Market Manager. These types of products must compliment the main food being served from your booth or the Market Staff will ask you to no longer sell that product.

To avoid duplication, menu items must be approved by CVGM. Additionally, disposable food service items including but not limited to plates, cups, flatware etc. produce the majority of the waste at CVGM and as such must be minimized in the first place and should be compostable or made of materials able to be recycled in Cache County when used (e.g. 1 & 2 plastics).

Utah law states children under 8 should not be in the cooking area.

8.5.1 Acceptance: A limited number of on-site prepared food and processed/preserved foods from Cache County will be allowed. All such foods will be evaluated before they are approved for sale in the market. Priority will go to vendors who have not progressed to a storefront restaurant, are unique, ethnic, and grow or use market ingredients in their product. CVGM reserves the right to prohibit anyone from selling and/or prohibit any product from being sold.

8.5.2 Permits: All food and beverage vendors must obtain all necessary Health Department permits. Permits must be clearly displayed during the Market. CVGM is not responsible to teach potential vendors where/how to obtain these permits. For more information, contact the Bear River Health Department, 655 E. 1300 North, Logan; 753-

5135. UDAF Cottage Food Program – Local Contact: Blake Millett (801) 706-9202 or Rebecca Nielsen in Salt Lake City, (801) 538-4956.

Commercial Kitchens:

Bridgerland College co-manages the Cache Business Resource Center Kitchen Incubator. Cindy Roberts is the manager. The Cache Business Resource Center Incubator Kitchen is located at 1410 North 1000 West, Logan, UT Room 1915; Phone: 435-760-7937 Email: kitchen@cachebrc.com Call to make reservations for use of the kitchen.

Incubator Kitchen at USU. Those interested in using the Incubator Kitchen can contact Karen Allen for further information at kitchen@usu.edu or by calling 435-797-1768. She can also answer questions about quality, shelf life testing, regulatory requirements, product development and finding sources for ingredients, production equipment and packaging.

8.5.3 Fire Regulations: Food vendors cooking on site must meet Logan Fire Department regulations. Call 716-9515 for more information.

8.5.4 Sharing Booth: Food vendors cooking on site may not share their booth space with other vendors. The Market Management Team can determine the number of people allowed in the area.

8.5.5 Duplication: CVGM does not offer exclusive rights to any one vendor to sell any one product. Market customers generally benefit from having a choice. However, if CVGM believes the number of vendors offering the same or similar products is excessive, duplicate products may be denied entry. The application program will automatically notify you if your category is closed.

Section 9

Educational/Non-Profit Community Groups

Limit of 2 per week

The CVGM has allotted space at the market to help other non-profits do public outreach and education. Unfortunately, there is not enough space for all the groups that would like to attend. Depending on the number of requests, Educational/non-profit community groups may be granted space twice a season, on a revolving basis. We restrict participation to only a few community-based groups that work directly within the market neighborhood areas. Non-profit groups interested in doing outreach at the markets must contact the CVGM by email at gardenersmarket06@yahoo.com to inquire about eligibility and requesting a Non-Profit Application.

Non-profits should have a tax number in order to be scheduled and contracted with the CVGM. The Market Will Not accommodate non-profits that show up without prior written approval. The Market does not supply canopy, mats, table or chairs - please bring your own.

9.1 Community groups and Non-Profits must comply with the same rules as regular Market members.

9.1.1 Non-Profit groups pay \$10 application fee but no weekly fee.

9.1.2 Community groups are not allowed to sell merchandise without permission from the Market Management Team. Do not exchange merchandise that does not meet market approval for donations. You must request permission to do so from Market Management during the application process.

9.1.3 Community groups are NOT allowed to raffle off an item. Do not hold any sort of raffle. The state of Utah considers raffles to be a form of illegal gambling. Participants may display 'auction' items but do not ask anyone to pay for a 'chance to win.'

Section 10

Child and Junior Vendors

Children's booths are intended for the child to learn business basics as they endeavor to sell **their** home-made crafts or home-grown produce while having a good real-world learning experience. We encourage the children to sell unique items and not duplicate what is already available at market.

We strongly request parents allow their children to contact the market, make their own arrangements and to "own" their own booth area as well as be the producers/stewards of the products being sold. All junior vendors under 12 must be accompanied by an adult.

10.1 We limit the number of children and size of space used. We also limit the amount of product a child vendor is allowed to bring each week to market. **Adults found abusing the program will be billed up to \$88.00 for the day (late application fee & weekly fee) and lose the right to sell as a vendor in the future.**

10.1.1 Child Vendor's booths are limited to one card table-sized booth. Larger amounts must apply as Four Week Vendor. Children do not have the space for a canopy and might/might not have the space for an umbrella. The market manager will assign space as the child/junior vendor arrives at market.

Produce Amounts Allowed: The amount of produce that will fit in one cooler approximately 14"x14"x24". **Refilling is not allowed.** Vendors found refilling abusing the program will pay up to \$45.00 for the day (late application fee & weekly fee) and lose the right to sell as a Junior vendor in the future.

10.1.2 Eggs. Market Management has the right to determine the cost of space based on the number brought to Market.

10.1.3 Junior vendors selling any agricultural items MUST follow ALL market guidelines for Ag products found in section 6

All products to be sold must be consistent with our market guidelines including paying taxes and ALL USDA, FDA and UDAF food safety regulations.

10.2 Child Vendors are allowed to sell their produce and handmade crafts within their parents' 10' x 10' space for no extra fee. An additional charge if extra space is required.

Child/Junior Vendor FAQs

- If you have more than one cooler full of produce to sell or more space than a card table, you are more than welcome to apply to join our market as a weekly vendor for \$7 a week. We have many families who sell side by side with their children.
- **We do not accept baked goods from children under 8.**
- If your child requires more space, sign up as an adult and request a half-size space. A half space does not accommodate a canopy. Only umbrellas may be used with this size space.

Section 11 Vendor Inspections

The purpose of inspections is to assure that products sold at the Market are vendor produced as required, are not limited to farm inspections, and to verify the vendor lives and works within the geographical boundaries.

11.1 Farm Inspections **All agricultural vendors are subject to farm or facility inspections by the CVGM Agriculture Committee.** The purpose of these inspections is to assure that the products sold at the market are vendor produced as required, that the vendor lives and works within the geographical boundaries of the market as well as being produced in compliance with current USDA, FDA, and UDAF guidelines for food safety. Please make sure you provide the address and location of all sites.

The Market Management Team has responsibility for vendor inspections, as needed in accordance with this policy.

- 11.1.1 The Ag committee may delegate authority to two knowledgeable vendor members or knowledgeable county extension agents to assist in the inspections.
- 11.1.2 Inspectors will note the production capabilities of the farm and facilities that they visit and report to the Ag committee and Market Management Team.
- 11.1.3 If discrepancies are found the vendor may be denied current and future access to the market without any reimbursement of fees.

11.2 Market vendors who are unwilling to have a farm inspection should not apply for participation.

11.3 Inspections should be done in a timely manner. The Market Management Team can remove a vendor from the approved list and prevent them from attending market until the inspection is completed.

Section 12 Market Management Team

**The Market Manager will not be available after 10 am on Saturdays.
No payments for the next market accepted after 10 am.
Please direct all problems to the Market Information Booth.**

12.1 The Market Management Team is the first and final authority on market day.

12.2 Verbal and/or physical abuse towards any member of the Management Team, member of the Market Advisory Committee or SAABRA's Board will result in immediate expulsion from the Market.

12.3 The Cache Valley Gardeners' Market Management Team's job is to implement the guidelines and policies of the Market. This includes:

Overseeing Market set-up, assigning vendor spaces, collecting fees, providing information on policies, and assuring vendor compliance with all Market policies. The Management Team has authority to grant exceptions to market policies on an individual basis for just cause. It is the Management Team's responsibility to respond to public concerns and complaints regarding vendors. The Management Team acts as a conduit of information from the vendors and customers to the Cache Valley Gardeners' Market Advisory Committee.

Market Management

The CVGM employs four part-time staff who carry out the day to day management of the market and its business. The Market Manager is the primary staff person and serves as liaison between the Advisory Committee, the vendors and the community. It is the responsibility of the Market Manager to coordinate all the activities of the day-to-day functioning of the market and implement Advisory Committee policies. Other duties include: maintaining market permits and licenses, promoting and advertising of market activities, overseeing market set-up and booth assignments, collecting fees and dues, providing membership information to vendors, assuring vendor compliance with the market guidelines, and answering questions about the market and its policies. The other part time staff supports the Manager in their duties.

It is the Market Manager's responsibility to respond to public concerns and complaints regarding any vendor. **The Manager has the authority to interpret and implement policy and the right to impose disciplinary action on-site.** The Manager has the right to grant exceptions to market policies on an individual basis for just cause. Vendors have the right to appeal the discretionary decisions to the Board.

Market Management Team

| | |
|--------------------------|------------------|
| Market Manager | Mary Laine |
| Assistant Market Manager | Crista Sorenson |
| Secretary | Mary Ann Hubbell |
| Treasurer | RaNae Curdy |

Market Phone 435.754.7402

Email gardenersmarket06@yahoo.com

If you desire to email the Market Management Team, Market Advisory Committee or SAABRA Board of Directors, please send an email to the above address.

Market Advisory Committee

| | |
|--------------------------------|---------------|
| President | Mark Fryer |
| Vice President | Kelby Johnson |
| SAABRA Representative | Penny Trinca |
| Community Representative | Todd Milovich |
| Two additional members pending | |

Section 13

Disciplinary Procedures

13.1 Enforcement of Market Policies

The Market Management Team will determine if any vendor is failing to adhere to the policies set forth herein. Such failure will result as follows:

1st offense – Verbal warning from Market Management Team.

2nd offense – **Market Manager option: Written warning or suspension from next market (no payment refunds).**

3rd offense – Expulsion from the market for remainder of the season**.

**The vendor is responsible for packing his/her product and belongings when asked to leave the market. If the vendor does not pack, the Market Management Team has the authority to appoint others to help pack the vendor's products and belongings. Cache Valley Gardeners' Market will not be held liable for any damage caused during such packing. The vendor is legally responsible for any damage that might occur while being escorted out of the Market.

A vendor has the right to appeal any decision of the Market Management Team within two weeks of the action. An appeal must be presented in writing to the CVGM Advisory Committee at the CVGM mailing address.

The CVGM Advisory Committee reserves the right to take action on a complaint or an appeal, which may include issuing additional warnings, barring a vendor from selling during any number of Market days including the remainder of the season. They further reserve the right to dismiss a request for an appeal on the basis of procedure or other legal considerations. Their decision shall constitute a final decision on any appeal or complaint. A member of the Market is entitled to receive in writing a response to his or her appeal or complaint in a timely and reasonable manner.

No vendor, asked to leave for verbal/physical abuse towards a member of the market management, can return or be reinstated without permission of the Market Management Team. Cache Valley Gardeners' Market is an independent farmers' market, a subsidiary of the Sustainable Agriculture Association of the Bear River Area (SAABRA), a 501(c)(3). CVGM reserves the right to refuse vendor applications for any reason.

Section 14

Regulatory Policies

The Cache Valley Gardeners' Market welcomes all vendors regardless of ethnicity, creed, color, sex, religion, sexual orientation, age, nationality or marital status.

- 14.1 Alcohol/Drugs:** No alcohol or drugs are permitted on the premises. If the Market Staff believes a vendor is intoxicated or under the influence of drugs, they have the authority to ask the vendor to leave the market immediately.
- 14.2 Behavior and Email Use:** All vendor members, family and staff, whether at the market site, market functions, or on social online sites (such as Twitter, Facebook and public blogs) will behave toward Market customers, Market members, staff and volunteers in a professional manner. Access to the Market's email list does not give vendors or market staff the right to use those emails for private use. Abuse will result in immediate expulsion.
- 14.3 Entertainment and Music:** CVGM books entertainment in the form of music and other events on most market days to enhance the environment for Market vendors and customers. Entertainers are permitted in the Market so long as they do not interfere with the commerce for which the Market is established and so long as they do not violate these rules. Unscheduled musicians are not allowed. Playing from the curb is prohibited. Performers may sell their CDs. **Entertainers are expected to comply immediately when asked by Market Staff to use the microphone. This will only be requested in the event of an emergency or a missing child.**
- 14.4 Franchise Vendors:** No licensed or franchise-type home business selling and or advertising allowed. Any home business advertisement must be pre-approved by the Market Management Team. Vendors found attempting to bypass this guideline may be asked to leave the market immediately.
- 14.5 Insurance:** Vendors are strongly encouraged to obtain general liability insurance. CVGM is not responsible for any loss or damage incurred by vendors.
- 14.6 Pets, Poultry and Livestock: Vendors are not permitted to bring pets to market.**
We are aware that customers enjoy bringing their pets to market and CVGM is a currently a Pet Friendly Environment.
- 14.6.1** Owners are fully responsible for their pet at all times. Owners need to be respectful of those who have allergies and those who are uncomfortable around dogs, etc.
- 14.6.2** Assistance dogs are always welcome.
- 14.6.3** Due to Safety and Health Regulations, no pets are allowed in or around food stalls.
- 14.6.4** The Market Manager has the authority to ask people to remove their pet from the Market area if it is disturbing the shoppers or if the owner brings it into areas it is not allowed.
- Pick up after your dog!**
- 14.7 Political/Religious Activities:** The Market is not a forum for political or religious activities. Vendors are asked to refrain from campaigning or proselytizing. Space will not be allowed for this purpose. No petitioning is allowed. There is a designated "Free Speech" area out in front of the courthouse by the eternal flame.
- 14.8 Pricing:** Each vendor is responsible for fair business practices and setting their own prices. All prices must be clearly marked or posted. Collusion and deceptive pricing practices are prohibited. Deliberate and significant undercutting of a competitor's pricing to gain market advantage is strongly discouraged and will be considered unfair. We suggest, for good community and vendor relationship, that products not be priced below 80% of the prevailing market retail price.
- 14.9 Radio/Stereos:** Vendors are not permitted to play radios or use other sound-generating electronics on market grounds.
- 14.10 Returned Check Policy:** Checks returned for non-sufficient funds (NSF) will be charged the banking fee and the vendor will not be able to attend the market until the matter is resolved. The market is not responsible for fees charged to vendors for late deposit of their EBT checks.
- 14.11 Tobacco and E-Cigarettes:** City of Logan law prohibits smoking in public areas (UT Clean Air Act) including e-cigarettes (UT Admin Code R392-510).

14.12 Volunteering: The Market appreciates vendor volunteers for setup and takedown. The Market Management Team will assign dates.

14.13 Branding Merchandise: Branding items (e.g. tee-shirts, caps, shopping bags) that bare the vendor's logo and/or company name may be sold or given away at the market regardless of origin.