

**TRANSYLVANIA FARMERS' MARKET**  
**2021 Market Policies, Rules and Responsibilities**  
**& 2021 Vendor Application**

**Mission/Purpose**

The mission of the Transylvania Farmers' Market is to encourage and promote local agriculture, horticulture, value-added, and craft industries in Transylvania County, North Carolina; to provide producers a site to market their goods directly to residents and visitors; to provide consumers a market to obtain quality goods directly from local producers; and to promote health, wellness, and a sense of community.

**Market Location** – 200 East Main Street in Downtown Brevard, North Carolina

**Market Dates/Times**

The 2021 Market will be held every Saturday, with the exception of 12/25/21 and 1/1/22 when the market will be closed for the holidays. Hours will be:

- Months of May – November: 8:00 a.m. to 12:00 p.m.
- Months of December – April: 10:00 a.m. to 12:00 p.m.

\*NOTE: As of January 2021, hours are currently 10am-12pm for the winter and future hours in 2021 will be determined as we navigate the pandemic.

**Vendorship**

1.) It is the intention of the Market to support local products that are handmade/ homegrown.  
2.) To sell at the Market, every vendor must be approved by the Market Committee as deemed appropriate for the marketplace. The Market Board has the right to deny any applicant. Steps to becoming a vendor:

a.) Previous vendors – If the party was a vendor in 2020, they will receive first consideration upon receipt of the three bulleted items listed below, provided they attended the 2020 market (as determined by 2020 rosters and Market management).

b.) New vendors – Must submit an application first to be reviewed by the Market committee. No fees or licenses should be submitted until preliminary approval is received. If the item to be sold is an arts or crafts item, a photo(s) must be attached to the application. Applicant will be notified if they have received preliminary approval. NOTE: A new vendor may be put on a waiting list, particularly if they are a craft vendor or want to sell an item in a category that is already saturated at the market. To comply with policies, only 25% of Market vendors may be crafters.

After approval, all vendors must submit a current copy of the following prior to selling at the market:

- Any required certifications and licenses
- NC Certificate of Sales Tax Registration Number
- Vendor Fee
- A signed Covid-19 Plan, provided by the market, which lists special vendor requirements during the pandemic

## **What May Be Sold**

Quality grown local products including, but not limited to: Fresh produce such as vegetables, fruit and herbs. Animal products such as meat, poultry, fish, eggs, honey, and cheese. Live plants, seedlings, and cut flowers. Processed foods such as baked goods, jams, jellies, relishes, prepared foods, and packaged foods.

NOTE: Meat, eggs, baked goods, and packaged or processed food items must be produced, packaged, labeled, and marketed in accordance with state and federal regulations. The Transylvania Farmers' Market reserves the right to make a scheduled visit to the farm, garden, kitchen, office, workshop, or processing facility of any vendor.

Handcrafted items such as jewelry, woodwork, fabric arts or clothing, body care products, metal works, art, and crafts must be made by the vendor or the vendor's family and be of original design. Items made from locally-sourced materials are encouraged.

As of January 2021, sampling is not allowed at our market due to the pandemic and our requirement of face coverings. Take home samples may be provided but they may not be opened and sampled on site. Vendors will be notified when that policy changes. At that time, vendors may sample a product they are selling at the market that day but they may not accept payment or donations for those samples.

## **Sales & Reselling**

The Transylvania Farmers' Market is a producer only market with sales of products within a 100 mile radius of the Market. No new or used resale or flea market items are allowed.

Vendors must be the producer of the items sold or the listed representative (family member, employee, intern, partner). With specific permission of the Market Committee, you may "carry" and sell a food or produce item for another vendor, thereby selling their product at your space. If interested in this, request a "Carrying Application" from the Market Manager.

Vendors may sell and promote only the items listed on their vendor application. New requests must be made at least 48 hours before Market Day and approved by the Market Manager.

## **Market Spaces**

*Note: Due to distancing requirements during the pandemic, in 2021, vendor spaces will be determined by the Market Manager on a weekly basis, as to allow for distancing and safety. Location requests will be taken into consideration but accommodation is not guaranteed. At a time that it is deemed safe to go back to a regular market layout, regular rules as listed below for non reserved/reserved spaces will be followed.*

Each vendor is allowed a space up to 12' wide x 18' deep. There are three types of spaces:  
1.) Assigned, reserved spaces, at which vendors are expected to participate in the Market on 75% of regular season Saturdays. These spaces are \$100/year.

- 2.) Non reserved spaces, at which a vendor is not required to attend for the majority of the time but at which the vendor is also not guaranteed any specific space. These spaces are \$100/year.
- 3.) Day vendors with non reserved spaces for a specific number of days are \$15/day and follow the same guidelines as the regular non reserved spaces.

All vendors, regardless of number of days at the Market, are required to have the proper certifications and licenses. Spaces may not be “sublet.” All vendors are required to RSVP to the market manager by midnight on each Thursday night before market.

### **Vendor Responsibilities**

1.) To preserve safety at the Market and to customers, vendors are responsible for providing a current copy of the following licenses, permits, certifications, and inspection requirements.

Examples of applicable documentation include:

- North Carolina Department of Agriculture (NCDA) kitchen inspection for processed, packaged, and prepared foods
- NCDA Division of Meat and Poultry meat handler’s license
- FDA Short Course Certification for acidified foods (pickles, relishes, etc.)
- USDA Organic Certification
- Sales Tax ID Number (NC Certificate of Registration Number)

While the Transylvania Farmers’ Market will require a copy of any of the above items that are applicable, the market will not be responsible for vendors in violation of these licenses, permits, certifications, inspections, or sales taxes.

2.) To preserve safety at the Market, vendors will arrive at least 15 minutes prior to market opening and are required to be set up by the start of business. Vendors may not set up after the market opens or close before the market ends without specific permission from the Market Manager prior to the actual day of Market.

3.) Each vendor is required to display a visible sign at their booth identifying the vendor by the name and location of their farm/business. If any items are carried (sold for another vendor), that info must also be displayed.

4.) Vendors will clearly display prices on all items.

5.) NCDA-certified scales must be used in sales of products sold by weight. If a NCDA scale is not used, the seller is encouraged to sell by the item, bunch, number or volume. ALL prices must be clearly posted during the times of the market.

6.) Vendors are responsible for their own personal and product liability insurance.

7.) Vendors are responsible for ensuring that they are properly licensed (city, county, state), and are permitted for their particular activities.

8.) Vendors are responsible for set-up, clean-up and safe operation of their space.

9.) Vendors will bring only fresh, quality products to the Market.

10.) Vendors will help foster an orderly, friendly, cooperative market atmosphere. Transylvania Farmers' Market requires that all vendors comply with standards of professionalism that promote open communication, mutual respect, and the best interests of the market. Disruptive actions or remarks that undermine the shared success of any or all of our community of vendors are unprofessional and unacceptable. Failure to comply with these standards could result in suspension or removal from the market.

11.) Vendors will abide by all market policies, rules, and responsibilities outlined in this document and the Market application.

12.) Vendors, as a condition of participation in the Market, agree to the following hold harmless provisions: Each vendor participating in the Transylvania Farmers' Market shall be responsible for any loss, personal injury, deaths, and/or other damage that may occur as a result of the vendor's negligence or that of its servants, agents, and employees, and hereby agrees to exonerate, hold harmless, indemnify and defend Transylvania Farmers' Market, its successors and assignees, from and against any and all losses, damages, claims, suits or actions, judgments and costs, and attorney's fees which may arise or grow out of any injury or death of persons or damage to property in any manner connected with the vendor's products, operations, or vending at the Market.

### **Violations**

Violations of any of the Policies, Rules or Responsibilities will be brought to the attention of the vendor by the Market Manager. Severe or repeated violations may result in the vendor being barred immediately, without refund of fees paid, from further Market participation.

### **Grievances and Concerns**

Grievances or concerns should be put in writing, include a clear and specific description of the situation, and given to the Market Manager. All violations of the Market Rules and any grievances are resolved by the Market Committee and/or Board.

### **Miscellaneous**

1.) All vendors will receive a copy of the Policies, Rules, and Responsibilities with the Vendor Application; they must be read and agreed to before submitting a signed application.

2.) No vendor pets are allowed at the Market and vendors may not play music at Market.

3.) All vendors must wear shoes and shirt.

4.) Vendors may not smoke or consume alcohol at the Market.

5.) Tents and umbrellas must be tied down at all times in compliance with the Fire Marshall Regulations.

# Vendor Application for 2021 Transylvania Farmers' Market

**Open Every Saturday Morning Year Round!**  
**Months of May through November: 8am to 12pm**  
**Months of December through April: 10am to 12pm**

Name \_\_\_\_\_

Farm or Business Name \_\_\_\_\_

Address (mailing) \_\_\_\_\_

City \_\_\_\_\_ Zip \_\_\_\_\_

Physical Address \_\_\_\_\_

City \_\_\_\_\_ Zip \_\_\_\_\_

Phone \_\_\_\_\_ Alternate Phone \_\_\_\_\_

Best time/way to be contacted \_\_\_\_\_

Email \_\_\_\_\_

Website \_\_\_\_\_

Have you been a member of the market before? \_\_\_\_ yes \_\_\_\_ no When? \_\_\_\_\_

## What would you like to sell at the Market?

Farm Products (list specific products)

Produce such as vegetables, fruit, or herbs:

Animal products such as meat, poultry, fish, eggs, honey or cheese:

Live plants, seedlings, cut flowers:

Other:

Processed Foods (list specific items)

Baked Goods:

Jams, Jellies, Relishes:

Prepared Foods:

Packaged Foods:

Other:

Handcrafted Items (list specific items)

Jewelry:

Woodwork:

Fabric Arts or Clothing:

Body care products:

Metal works:

Art:

Crafts:

Other:

**Percentage of sales:**

Please indicate the percentage of what you are selling in the following categories so that the total below adds up to 100%:

\_\_\_\_\_ Produce                      \_\_\_\_\_ Animal Products                      \_\_\_\_\_ Plants  
\_\_\_\_\_ Processed Foods                      \_\_\_\_\_ Handcrafted Items

**Sales & Resale**

The Transylvania Farmers’ Market is a producer only market with sales of products within a 100 mile radius of the Market. No resale or flea market items are allowed whether new or used. Vendors must be the producer of the items sold or the listed representative (family member, employee, intern, partner).

In order to expand our produce and food offerings, and with specific permission of the Market Board, you may “carry” a food or produce item for another vendor, thereby selling their product at your space. If interested in this, request a “Carrying Application” from the Market Manager.

**Certifications**

Every vendor must have the proper certifications in order for their application to be approved. If you are not sure how to acquire certification, please contact Bart Renner at Cooperative Extension, (828) 884-3109.

Please check below for certifications you are including:

- \_\_\_\_\_ North Carolina Department of Agriculture (NCDA) kitchen inspection for processed, packaged, and prepared foods
- \_\_\_\_\_ NCDA Division of Meat and Poultry meat handler’s license
- \_\_\_\_\_ FDA Short Course Certification for acidified foods (pickles, relishes, etc.)
- \_\_\_\_\_ USDA Organic Certification

**Sales Tax ID Number (NC Certificate of Registration Number)**

As per changes by the NC Legislature in 2014, all farmers markets “must maintain a daily registration list of all specialty markets or other vendors selling or offering goods for sale at the specialty market or other event. The registration list must clearly and legibly show each vendor’s name, permanent address, and certificate of registration number.” Due to this change, the Transylvania Farmers’ Market must now require a copy of this certificate from every vendor. Please note that the certificate numbers will not be submitted to the state but we are required to keep them on file should the state request them.

**Release of Information**

To be included in advertising, on the Market website, and given to customers, please check the following areas for release of information:

\_\_\_Name and/or business name    \_\_\_Address    \_\_\_Phone Number    \_\_\_Email    \_\_\_Website

**Vendor Fees**

Choose one and include a check made payable to: Transylvania Farmers' Market  
If you are a new vendor, do not make payment until your application is approved. If for any reason your application is denied and you made payment, your check will be returned.

\_\_\_\_\_ \$100/year Reserved Space

Reserved vendors will be assigned a space and are expected to participate in 75% or more of regular season market days. New reserved spaces will be assigned by the market taking seniority & best placement into consideration.

If you are a returning reserved vendor, would you like the same space?

\_\_\_\_\_ yes                      \_\_\_\_\_ no, I would like a new space

\_\_\_\_\_ \$100/year Unreserved Space

Unreserved vendors are not required to attend for the majority of markets and the vendor is not guaranteed any specific space and will be assigned a space each week.

\_\_\_\_\_ Daily Unreserved Fee – \$15/day

Daily unreserved vendors will be charged per day of attendance. The vendor is not guaranteed any specific space and will be assigned a space each week.

Note that all vendors, regardless of number of days at the Market, are required to have the proper certifications and licenses. All vendors must RSVP weekly.

**Please return your application by:**

- 1.) Mailing it to: Transylvania Farmers' Market, P.O. Box 204, Brevard, NC 28712
- 2.) Or, bring to the market and give to the Market Manager or staff directly.

Applications will not be accepted if they do not have all the requirements listed above. Applications require a minimum of seven (7) days to review and reply to applicants.

**Questions? Contact the Leslie Logemann, Market Manager, at 1-828-548-0660 or TransylvaniaFarmersMarket@gmail.com**

\_\_\_\_\_ Date \_\_\_\_\_  
Your Signature

Your signature indicates your agreement to abide by the Market Policies, Rules & Responsibilities of the Transylvania Farmers' Market.