



## Antigonish Farmers' Market Association 2021 - Rules & Regulations

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### MANDATE

The Antigonish Farmers' Market is a non-profit organization whose mandate is to support local growers and producers by providing a low-risk venue that will help promote their products and give exposure for their business. The Antigonish Farmers' Market is committed to an agriculturally based market and supports other like-minded non-profit organizations.

### OBJECTIVES OF THE MARKET

- To enable local farmers and producers to sell their products directly to consumers
- To give consumers the opportunity to buy fresh quality products
- To encourage increased production of quality local products for local consumption
- To foster a unique, ongoing community event
- To help increase public awareness of the rural, farm experience

All vendors are the heart of the Antigonish Farmers' Market where vendors rent individual spaces and are free to focus on their own products, sales and personal marketing and displays while volunteers and the Operations Manager take care of the detailed aspects of Market operations. All vendors must adhere to the Rules and Regulations.

### DEFINITIONS

*AFMA* – Antigonish Farmers' Market Association (referred to as the "Market")

*FMNS* – Farmers Markets of Nova Scotia

*AGM* – Annual General Meeting

*Primary Producer:* A producer that grows, raises or forages the raw product for sale in its unprocessed or processed form: (for example: honey, vegetables (pickles), fruit (jams and jellies), flowers, plants and trees)

*Secondary Producer:* A producer that purchases raw materials for local manufacture into secondary products made from 'scratch' (for example: baking, pickles, preserves, woodworking, jewelry, etc.)

Vendors of the Antigonish Farmer's Market must be primary or secondary producers.

## LOCATION, HOURS & SEASON OF OPERATION

### **Market Season – 2021:**

#### Winter Months:

- Runs from January 9<sup>th</sup> to, and including, April 24<sup>th</sup>
- Occurs every Saturday from 10am to 1pm

#### Summer Months:

- Runs from May 1<sup>st</sup> to, and including, December 18<sup>th</sup>
- Occurs every Saturday from 8:30am to 1pm

#### Wednesday Market:

- To be announced

## GENERAL

### **Communication**

The primary form of communication is email. This is the most effective way for the Market to relay important information to vendors. As such, vendors are expected and responsible for checking their email.

It is up to all vendors to read and comply with requests or concerns in these emails. It is the responsibility of the member to keep their contact information current. Any change, please notify the Operations Manager.

### **Right of Refusal**

The Farmers' Market Board of Directors reserve the right to refuse any member or vendor who does not comply with all the Market rules and by-laws on a regular basis.

Furthermore, NS Agriculture and Marketing (Food and Safety) may exercise its right to terminate a vendor's operation if their regulations are not being followed.

### **Market Data**

Anyone wishing to use AFM data or financial figures for studies, etc. must present the Board with a written proposal, stating the purpose and proposed outcome of the study.

### **Soliciting**

The Market is a community gathering place that offers a comfortable, safe and welcoming environment that is inclusive to all people. As such, it is our policy that the Market does not allow soliciting in any form.

Patrons and vendors who attend the Market are expected to respect this. Soliciting of any kind is prohibited at the Market, this included but is not limited to the passing out of materials or publishing photos which imply the endorsement of the Market.

If a person is found to be engaged in such activities, they will be asked to stop. If they continue, they will be asked to leave the Market property.

### **Animals**

No animals or pets are permitted in the Market. The exception to this rule is the use of helper and certified guide dogs or service animals.

Where a vendor requires a service animal, the service animal should remain in the vendor's working space and should not encroach on another vendor's working space.

### **Parking**

Vendors can unload their wares through the front and side doors of building between the hours of **6:30am – 8:00am**.

Vendors must move their vehicles away from the building to leave room for customer parking.

### **The Community Table**

The purpose of this table is to allow local organizations with public messaging, particularly having to do with healthy food, nutrition, agriculture, local economic development and the environment, access to our customers and vendors to communicate their organization's message.

In return, we ask that they promote the Farmers' Markets to their members. One table will be available free of charge each week to a community-based group when space is available. This space will be assigned by the Operations Manager.

### **The Business Table**

AFMA is committed to supporting local ventures that support social, economic and environmental goals in our community. Like-minded companies are welcome to apply to attend a market day to promote their activities. No sales are permitted but businesses can display and explain how their products or services benefit the community at large.

Acceptance to attend a market is at the discretion of the Operations Manager and Board Members. Attendance is restricted to two market days per month (one Wednesday and on Saturday market). Standard application and table fees apply.

**Youth Entrepreneur Table** – available at a discounted rate to students 18 years of age or younger, as space permits. Please check with manager for availability.

### **Kitchen Facilities**

The kitchen will not be available for use by vendors during market hours. Plans are that the commercial dishwasher will be used to wash any dishes/cutlery used during the market day but the logistics of this still need to be worked out.

### **Harassment and Bullying**

The Market strives to provide an environment that is free from tensions arising from matters that do not relate to the Market's operation. The Market strongly disapproves of any form of harassment/bullying including but not limited to ethnic, racial, or sexual harassment/bullying.

Actions, overtures, or remarks involving ethnic or religious animosity, or conduct of a sexual nature will not be tolerated.

Vendors have the responsibility to bring any form of harassment to the attention of the Operations Manager. In the case that the person alleged of harassment is the Operations Manager, the complaint should be taken to a member of the Board.

Those reporting an incident will not be subject to reprisal and all reports will be kept confidential. The Market will investigate the report promptly and in as confidential a manner as possible. If it is determined that the individual did engage in harassment, disciplinary action will be taken.

### **Criminal Proceedings**

Any vendor, upon being investigated or charged due to their business dealings where it is connected to the products they sell at the Market, must report it forthwith and their contract to continue to sell at the Market will be immediately suspended and will only be reinstated if / when it is determined that the issue has been rectified through the court or they have complied with any terms and conditions imposed through the courts or any other governing body to the satisfaction of the AFMA Board of Directors.

### **Social Media Policy**

We recognize that many of our vendors use social media tools as another way to connect with customers and share information about not only your own business but the Market as well.

When referencing the Market, always use good judgment and follow these guidelines:

- Obtain approval before using the Market's logo or photos in any communication or packaging
- Respect customer privacy. Never give out personal customer information.

- Do not post comments about another vendor, customer, volunteers or staff that could be perceived as harassing, threatening, retaliatory, discriminatory or otherwise defamatory
- You may be legally responsible for the content you post, so be aware when you post
- Follow terms and conditions for social networking sites
- If you are posting about another vendor, make sure that you have their expressed permission to do so and obtain permission to use any photos in connection with them or their business
- When sharing or creating your own posts, do not discuss or paraphrase Market programs, policies or procedures
- If you have a concern or issue with the Market, social media is not the place to air it. It is highly unprofessional and reflects poorly on the Market and other businesses that operate within it. Airing your grievances related to the Market in any way in a public forum, including social media, will be considered disparagement

## MEETINGS AND COMMITTEES

### **Membership Meetings**

Annual General Meeting:

- Held the 3<sup>rd</sup> Wednesday of March after every fiscal year end
- Written notice shall be given to each member by email at least 14 days prior to meeting

New Season Meeting:

- Shall be held in conjunction with the Annual General Meeting

Special Meetings:

- In order to call a Special Meeting, 25% of the membership must sign the request and a written notice of the intent of the meeting must be forwarded to the Board of Directors no later than 14 days prior to date of meeting.
- As soliciting is prohibited at the Market, calling a Special Meeting will be done with the assistance of the Operations Manager, where Chimp Mail will be used to facilitate this request.

### **Committees**

As described in the Antigonish Farmers' Market Association By-Laws

## MEMBERSHIP

### **Member Vendors**

To be a considered a member vendor of the Antigonish Farmers' Market:

- Must be 18 year of age
- Support the objectives of the Market in accordance to the official Rules and Regulations
- Paid an annual membership fee of \$110 (50 weeks @ 1.91 per week, HST inc.)
- Expected to participate in market activities

### **Membership**

- Membership is not valid until the fee is paid in full and a receipt has been issued
- Fees for the 2022 Market Season - must be paid prior to December 12<sup>th</sup>
- Membership fees are nonrefundable and nontransferable
- Submission of the membership fee does not automatically constitute acceptance
- Applications will be posted on the AFMA website
- Should said application not be accepted, the membership fee will be refunded
- One membership payment equals one vote
- To maintain membership, a member must attend 30 weeks between January 9th and Dec 18th, 2021

### **Voting Member benefits**

- Members will be given the same spot each week, provided this is possible
- Eligible to contribute to the direction of the Market through nomination to the Board of Directors, committees/projects, and able to vote at membership meetings
- Weekly table fees at a reduced rate
- By request, first refusal for any new available space, based on seniority
- Profile of Business on the Market website: [www.antigonishfarmersmarket.ca](http://www.antigonishfarmersmarket.ca)
- Option of purchasing AFMA promotional products at reduced price
- Access to professional Training Programs through the FMNS

### **Cessation of Membership**

Membership will cease when:

- A member gives notice to the Operations Manager
- A member fails to subscribe to the objectives and rules and regulations of the Market and/or to satisfy the criteria for membership
- A vendor, who engages in a way that is detrimental to the positive ambience of the market environment or is in conflict with the objectives and policies of the Market, will have their membership withdrawn.
- In the event that membership is being withdrawn, confidential, written notice from the Market Board will be delivered

### **Hardship Clause**

In the event that a vendor is unable to attend the number of weeks required to fulfill their membership due to hardship, the member may be able to maintain their membership until the following new market year. The Board will look at this on a case-by-case basis.

### **Non-Member Vendors**

A primary or second producer who attends on a week-to-week basis and is assigned a space based on availability at the Market.

A non-member may apply to become a member after having attended 20 markets, including 10 consecutive markets in each of the two preceding years. May also attend Professional Training Programs as put on by FMNS.

## **VENDOR APPLICATION & SELECTION PROCESS**

**All vendors must apply every year for a Market space:**

### Members:

A completed application must be submitted along with your membership fee before December 12<sup>th</sup> for the new market season.

### New Vendors & Non-Members:

In order to be considered for the Market:

- a completed application must be submitted along with a yearly non-refundable \$20 signup fee. Payment may be made by cash or by e-transfer to [manager@antigonishfarmersmarket.ca](mailto:manager@antigonishfarmersmarket.ca)
- the Vendor Application form is found on the website: [www.antigonishfarmersmarket.ca](http://www.antigonishfarmersmarket.ca) By signing said form, you agree to having read and understood the Rules & Regulations of the AFMA and have ensured that you can comply.
- Submission of photos of your display and/or products. These are required to determine if your product fits into the market. It is understood that when product photos are submitted, permission is granted for use for promotional purposes.
- The Market requires all food vendors have taken, or be signed up to take, a Food Handler's Safety Course. <https://novascotia.ca/nse/food-protection/food-hygiene-course.asp> A copy of this certificate must accompany your application.

The Operations Manager and/or Board of Directors reserve the right to limit any products to maintain a balance of products at the Market.

As a Certified Farmers' Market, primary producers (farmers) are given priority, followed by food producers.

Peddlers are not permitted and are defined as *persons who are reselling goods that they have not produced themselves, but rather have purchased (this can also be referred to as direct sale vending)*. Examples would be Epicure, Everyday Styles, Tupperware, Avon, Scentsy.

Allow 10 days for approval. Acceptance is not guaranteed, and all applications are reviewed based on the current needs, fit, and balance of the Market. The AFMA is committed to creating a diverse and vibrant marketplace with the highest quality, locally produced products available.

Include any questions you may have on the space provided on the application or on a separate paper.

Initial contact with the Operations Manager may be made by:

- Email: [manager@antigonishfarmersmarket.ca](mailto:manager@antigonishfarmersmarket.ca)
- Phone: 902-867-7479
- Facebook message, website, or in person at the market

## VENDORS & PRODUCTS

### **Vendor Requirements & Expectations**

- Ensure they are aware, and prepared to uphold, through the nature of their business and the way they conduct themselves on site, the objectives, bylaws and rules and regulations of the operation of the Market and expected to attend Market meetings regularly
- Offer feedback for positive change through the Market Operations Review Committee
- Participate in assisting with the Market's operations, according to skills, interests and by volunteering for special events or tasks, participating on committees.
- Arrive on time and must be set up and ready to sell by 8:25am
- Do not pack up early
- Follow cancellation guidelines
- Follow all the rules and regulations and the code of conduct without the need for progressive discipline
- Notify the Operations Manager as early as possible if they are unable to attend any scheduled market but no later than 5pm on Tuesday. If no notice is given, they are required to pay for the missed week. Until payment is received for missed week, they will not be eligible for a table. This applies to all vendors, no exceptions (*Exceptions will only be made in situations of emergencies, which will be at the discretion of the Operations Manager and/or Board of Directors*)

### **Vendor Products – 25% Rule**

It is expected that a minimum of 75% of all wares on a table must be homemade or grown, by you.



25% of the wares may be other products that relate to or complement the items you are already selling and:

- **Must not** be an item that is being passed off as homemade when the vendor was not involved in designing or making that item (i.e. flea market goods, items purchased from stores or online mass purchases, or used items)
- **Must not** be the same material and design as what is already sold by a vendor at the market
- **Must not** exceed 25% of the total displayed merchandise.

Pre-approval from the Operations Manager for all products falling into the 25% category is mandatory.

All vendors are required to provide clear information about the origin of all products they sell that is not produced by the vendor representing said product. Products that are not produced by the vendor must have a sign stating where it was produced, must be legible and displayed with the product(s) in plain view of the customer.

## **Exceptions to the 75% - 25% Rule**

### Vegetable and Fruit Growers

The executive of the AFMA recognizes that there are times in the growing season when fresh fruits and vegetables are not available locally. During these times of irregular supply, **member growers only** are allowed to secure up to 50% produce from NS growers to meet the demand of the market.

Growers are allowed to bring in and resell nonmember produce and must follow the following rules:

- product must be specifically approved by the Operations Manager to ensure that the product fills a gap in the offerings being made at the market and by filling out the appropriate "Revised Product Application Form"
- vendors will be required to display signage each market day indicating the source/origin of each product not of their own production
- must not be the same item, and/or in some cases the same variety (ie: apples) being sold by a member grower and is subject to approval by the Operations Manager and/or the Board of Directors. We want to encourage a safe secure venue for members that are primary producers to sell their goods, but those members must also ensure that they have sufficient produce to meet the demands of the market.
- The Operations Manager and a member of the Board of Directors may conduct a visit to the vendor's farm or site to ensure that product being sold comply with AFMA policies. Vendors will be given 48 hours' notice prior to visit.

### Fish Traders

Because fishermen are often out fishing when the market takes place, it is not a feasible option for the fishermen to be at our market. Therefore, the market will allow fish traders to sell fish that is caught or produced in or around Nova Scotia and its waters.

### Alcoholic Beverage Vendors

We accept company representatives as the vendor to Alcoholic Beverages that are produced in Nova Scotia. Preference will be given to companies that source their ingredients from local producers. Vendor is responsible for any licenses; permits required and must conform to all Municipal, Provincial, and Federal regulations that pertain to the sale of alcoholic beverages.

### Commercial Food Establishments

Existing commercial restaurants, cafés, bistros, lunch counters and commercial bakeries will not be permitted as market vendors unless it is family run and owner operated, no big chain foods or goods.

It is the policy of the market to promote local and such local food establishments are welcome to apply but acceptance is at the discretion of the AFMA. The owner and/or family member must be present when selling at the market.

Preference will be given to cooks/chefs that source their ingredients from local producers.

## COMPETITION & COPYRIGHT

It is important that vendors feel secure in developing new and innovative products without fear of having them copied and thus losing sales.

All vendors will comply with the Copyright Legislation and shall not copy or infringe on the original work of another who is an artist, author, crafter, etc. unless specific written consent is given.

## FOOD VENDORS: HEALTH & SAFETY

Prepared items must be produced by the vendor from *basic ingredients* and should be sourced locally and from the market whenever possible.

It is the responsibility of the vendor to make sure that all regulations and guidelines are followed. Vendors at the Market are subject to inspection by the Department of Environment either by request or unannounced. It is up to each vendor to ensure they are complying with all regulations.

### **Food Safety Specialist, Antigonish area**

Daniel McGee  
[Daniel.McGee@novascotia.ca](mailto:Daniel.McGee@novascotia.ca)  
902-863-7389 (office) 902-930-1281 (cell)

### **Public Market Guidelines and for Permit Applications**

- Public Market Guideline: <https://novascotia.ca/agri/documents/food-safety/publicmarketguide.pdf>
- Permit Application: <https://novascotia.ca/nse/food-protection/docs/publicmarketapp.pdf>
- Food Handler's Safety Course Schedule: <https://novascotia.ca/nse/food-protection/food-hygiene-course.asp>

### **Customer Complaints**

Customer Complaints received by the Operations Manager will be forwarded to the vendor and kept on file. Ongoing complaints may result in disciplinary action, including removal from the Market. When decision making occurs, the standing of a member may be taken into consideration.

## **BATH & BODY VENDORS**

Any bath and body products sold at the Market must have proper permitting and labeling as outlined by Health Canada's Cosmetics Legislation:  
<https://www.canada.ca/en/health-canada/services/consumer-product-safety/cosmetics/regulatory-information.html>

Vendors must be prepared to produce required documentation for any product on request.

## **DISPLAY REGULATIONS**

- Each vendor must display their name and/or the name of their farm or business clearly for customers to see
- Displays must fit within the vendor's designated space. Any displays are required to be movable, or on wheels, so that they can be moved around when not in use
- If a vendor is asked to move or remove display(s) or item(s) from the Market and the vendor does not do so in the timeline requested, the Market reserves the right to remove and/or discard display(s) or item(s)
- Please note that leaving a display or equipment is a privilege extended by the market

## **VENDING**

## General

- Vendors with seniority will receive their preferred space from the previous year, if possible. The management/Board of Directors reserve the right to allocate any available space it deems fit for produce and food vending.
- Vendors that arrive without a vending space booked must wait until **8:25am** to setup and this will strictly depend upon table availability and the discretion of the Operations Manager.
- Extra tables must be paid for unless there is a shortage of vendors, in which case the vendor may move onto the adjacent table for free of charge upon the approval of the Operations Manager. In the case of a table between to vendors wanting the same table, it is up to the discretion of the Operations Manager to allot the additional table.
- Each vending space will be 8 feet x 8 feet and includes a table and chair if needed. Displays must not extend into the walkways.
- Vendors must ensure their area is free of obstacles to endure customer safety.
- Do not switch tables with anyone unless approved by the Operations Manager. Vendors cannot sublet their tables to another vendor.

## Setup

- All vendors must be at the Market no later than **8:15 am**. The Market is open at 6:30am for unloading and setup. If you are not at the Market to setup by 8:15am and without notifying the Operations Manager of being late, your table will be given away that week. This is to ensure all tables can be filled and everyone is ready to sell at 8:30am. Exceptions to this will be at the discretion of the Operations manager and/or AFMA Board of Directors.
- A fine of half the table fee will be imposed on vendors who are not set up by 8:30, payable that day.
- All vendors are required to use a tablecloth to cover their table. If forgotten, a tablecloth can be obtained from the Operations Manager
- All vendors are expected to adhere to opening and closing hours (8:30am to 1pm) and should attempt to bring an appropriate amount of product.
- If vendors must leave early, they must inform the Operations Manager by **8:30am** on market. Vendors not complying will be given an initial verbal warning; further infractions will result in written warnings.
- Vendors must notify the Operations Manager when they are sold out of product and a sign must be placed on their table. Every effort must be made to ensure that vendors have sufficient product to last the duration of the market. Repeated occurrences of insufficient product for market will result in a verbal warning.
- If a vendor has sold out early, this would be a good opportunity for some volunteering (i.e., empty recycling bins, clean up around building or stay at your booth and continue to promote your product and the market)

## Closing

- Vendor must clean up their vending space after each market. This included picking up any garbage from your operation around you table(s) and making sure

that the tabletops are clean. If using a chair, place on top of the table for ease of cleaning.

- If using another vendor’s table(s) when setting up or closing your display, ensure no remnants of your display is left behind and the space returned as it was found.
- Vendors are permitted to leave their booth and display materials within the market facility from week to week but do so at their own risk.
- Vendors are to dispose of their market day waste in the appropriate sorting receptacles, conforming to the Antigonish County recycling guidelines.
- All empty cardboard boxes must be taken home – **no exception**
- The AFMA has banned the use of all plastic bags except those allowed under the NS ban: <https://novascotia.ca/single-use-plastic-bag-ban/>

## VENDING FEES (include tax – GST #89788 0522 RT0001)

### **Table Fees**

All vendors must pay the vending fee in full on the day of the market unless other arrangements have been made with the Operations Manager. A receipt will be issued.

Market Day	Table Location	Member	Non-member
Saturday	Wall	\$ 35.00	\$ 40.00
	Center	\$ 30.00	\$ 35.00
	Outside	\$ 30.00	\$ 35.00
Wednesday -June - date to be determined		\$20.00	\$20.00

### **Additional Fee for Electricity**

Electrical cooking appliances are **not** allowed to be left plugged in during the week  
All appliances must be CSA approved and may be subject to inspection

Electrical outlet for a light	\$ 2.00 per week
Electrical outlet for cooking	\$ 3.00 per week
Electrical outlet for a fridge/freezer/appliance	\$ 5.00 per week
Electrical outlet for cluster of 3-4 appliances	\$10.00 per week
Fridges and freezers left plugged in during the week	\$ 5.00 per week

## DISMISSAL OF A VENDOR

AFMA has the right to dismiss a vendor if the above standards are not met on a regular basis.

Violations of any of the above-mentioned rules will be subject to the following procedure:

- First Offence – a warning from the Operations Manager
- Second Offence – a second written warning from the Operations Manager and Board Member
- Third Offence – exclusion from the AFMA. \*\*Under extreme circumstances, the Board of Directors reserves the right to meet and immediately expel a vendor.

When significant changes to these policies must be made urgently between meetings, the Board has the power to make those changes subject to approval by the members at the next general meeting.

## DISCLAIMER

Although the Antigonish Farmers' Market Association does carry liability insurance, the Association does not assume responsibility for loss or damage to the stall area, product, vehicle and any other property of the Market vendor.

The vendor accepts all reasonable risks associated with the use of the Market stall and will exercise sound loss prevention measures at all times.

The vendor shall not make claim or take any legal action against the Antigonish Farmers' Market Association or its representative for any loss, damage or injury caused to the vendor, agents and/or property, including vehicles.

The Antigonish Farmers' Market Association strongly recommends that each vendor obtain their own general liability and product liability insurance.

Exceptions to the above rules can always be made on compassionate or common-sense grounds.