

WEST ASHLEY FARMERS MARKET



2017 Vendor Manual

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ACKERMAN PARK

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The West Ashley Farmers Market (WAFM) will resume activity at Ackerman Park, located at 55 Sycamore Avenue following a successful pilot season in autumn 2016, with an initial schedule of Wednesday afternoon markets running April 19 through October 4, 2017, with market hours starting at 3 p.m. each week (closing time is anticipated as 7 p.m., but may vary based on actual time of sunset). Information about additional market dates and related special events will be announced as the market season proceeds.

The market is dedicated to the support and advocacy of Lowcountry farmers and growers and will offer a variety of local produce, plants, herbs as well as food concessionaires, community groups, live entertainment and a variety of activities. Attracting locals and visitors alike, the market offers a place for community connection, bringing together people from all parts of the Lowcountry and beyond.

2017 WAFM Season

Wednesday

April 19th – October 4th

3:00 pm – 7:00 pm

Hours of operation are subject to change at the discretion of Management. Change in hours of operation typically arises in the event of an “Extreme Weather Warning” issued by NOAA’s (National Oceanic & Atmospheric Association) National Weather Service. See Weather Related Cancellations (*pg. 14*).

The market is committed to creating a diverse marketplace with the highest quality, locally produced products available. All applicants must reside and operate within the market’s geographical boundaries (*pg. 15*), while priority acceptance is given to Charleston County. Proof of Business Address will be required to include one or all of the following: Lease agreement or Title to Real Estate (Deed) and/or Property Taxes. Additionally, all vendors must have all required paperwork prior to operating, which includes, but not limited to; City of Charleston Business License, SC Retail License, Proof of General Liability Insurance, SCDHEC certificate and/or SCDA-RVC. The City of Charleston reserves the right to make onsite visits to business establishments and reserves the right to require additional proof of residence or business location. Although the market will not be bound to apply a particular set of selection criteria in every instance and must reserve unconditional discretion to accept or deny an applicant, Management considers many factors while evaluating each submission and invites all eligible vendors to apply.

About

Vision

The market is dedicated to the support and advocacy of Lowcountry farmers and growers and offers a variety of local produce, plants, herbs as well as food concessions. The market allows for:

- Local food growers and producers to prosper by finding local market places for their products
- Every resident to have access to high quality nutritious, locally grown food
- Residents to understand the value of strengthening the local economy by purchasing locally grown food
- Sustainable farming and local food production expansion as more people choose to enter these professions
- To grow, nourish and inspire the community

The market is playing a central role in creating this food system and in fostering an economically, ecologically and socially sustainable community.

Mission

To provide a venue where local farmers, producers and food concessionaires are able to come together to offer a variety of fresh, local produce and regional fare directly to the consumer. The market encourages direct communication between consumers and producers, fostering social gathering and community development.

We Value

- **Nourishment:** food is the heart and soul of our lives. Access to fresh, nutritious food is a foundation for health and human dignity
- **Sustainability:** our market and operation model social, ecological and economic sustainability
- **Relationships:** positive, personal connections and cooperation underlie our contributions to the community
- **Excellence:** by combining innovation and industriousness, we can achieve our best while making the market fun, functional and beautiful
- **Organizational Strength:** maintaining financial strength and the integrity of our organization's practices allows us to offer personal and professional fulfillment to our employees and valuable support to our vendors

Market Advisory Committee

Market Advisory Committee (MAC) constitutes a panel of interested volunteers and vendors who recommend vendor program priorities and who serve as a sounding board for program initiatives, as informed advocates for CFM. The MAC assists the CFM staff in reviewing CFM rules and procedures. The MAC provides a channel for CFM vendors to have their voices heard by members of the MAC for consideration and vetting to CFM Management.

General Acceptance

In order of priority

1. Agriculture

- Farmer & Grower Vendors have priority over all other vendors
- Priority is given to Farmer & Grower Vendors who bring product to market that is 100% grown and harvested on farmland, located within the market's Geographical Boundaries, which they own/operate
- Farmer & Grower Vendors who use environmentally responsible and sustainable growing, breeding, raising and harvesting methods will also have priority
- Priority is given to other vendors displaying a more abundant use of local ingredients in prepared food

2. Product Quality

- Consistently high product quality
- Products should be grown or processed using traditional and/or sustainable techniques
- No genetically-modified seeds may be sold at the market at any time
- Clean and attractive displays

3. Conduct, Compliance & Customer Service

- History of compliance with market rules and federal, state, and local regulations
- Positive vendor conduct toward customers, fellow vendors, market staff and volunteers
- Courteous, strong customer service and knowledgeable staff
- Timely submission of application, licenses and other market correspondence
- Acceptable billing and payment history according to Fees & Payment Procedures

4. Product Balancing

- Products that are unique or unusual
- Products not already represented in the market
- Product not readily available through national distribution channels
- Products not included in an application may be restricted from the market to avoid duplication

5. Record as a previous vendor

- Attendance record
- History of compliance with market rules

Products Not Accepted

The market is committed to showcasing locally grown produce. With this in mind, the market will not accept the following items:

- There is no opportunity for re-sale of manufactured food products. The vendor must have prepared the food in a SCDHEC approved kitchen within the market's Geographical Boundaries (*pg. 14*)
- Applicants living outside of the market's Geographical Boundaries (*pg. 14*)
- Vendors cannot be part of a national franchise or a corporate chain of businesses
- Locally produced packaged food products with broad national distribution
- Vendors shall not use the name of an existing restaurant or business at the market without written permission from market Management prior to vending. All kitchens must meet SC DHEC requirements, and all food items sold by the vendor at the market shall not duplicate the food items sold by the vendor at the restaurant.

Certificates, Licenses & Permits

Vendors are responsible for complying with all City, State and Federal requirements governing the sale and production of all products and for acquiring the necessary permits and licenses necessary for operating their business. The following is a list of common permits and licenses required; however, it is not exhaustive.

- **At the time of application**, vendors must provide clear, written information about production methods, which can be available to market Management or any consumer upon request
- **At the time of application**, vendors must provide proof of residency and proof of business address, which must be within the market's Geographical Boundaries (*pg. 14*)
- **All Food Concessionaires, Processors, Seafood, and those offering samples** must abide by all regulations enforced by SC DHEC (Department for Health & Environmental Control) and have a SC DHEC approved kitchen, and/or the proper SCDA-RVC (South Carolina Department of Agriculture – Registration Verification Certificate) for select packaged products. For more information regarding DHEC and/or SCDA, use the contacts listed below;
- **SC DHEC:** (803) 898-3432 – Email: info@dhec.sc.gov
- **SCDA:** (803)734-2190 – Email: ACuller@scda.sc.gov

Upon acceptance, **all vendors** must provide the following;

- Charleston Business License:
 - Licensing Clerk & Revenue Collections Office
 - (843) 724-3711
 - 2 George Street, Suite 1700 – Charleston, SC 29401
- SC Retail License
 - SC Department of Revenue
 - (803) 898-5000
 - SC Department of Revenue Sales Tax Return – Columbia, SC 29214-0101
- **Proof of General Liability Insurance** of no less than \$1,000,000 with the City of Charleston named as the Certificate Holder; City of Charleston – 80 Broad Street, Charleston, SC 29401. Vendors are responsible for obtaining insurance coverage on their own and provide proof in accordance with these requirements to CFM Management prior to operating.

Definitions of Vendor Business Types

The market **does not** offer exclusive rights to any one vendor to sell any one product. Customers benefit from having a choice. Management reserves the right to deny entry to same or similar products if it is believed the number of vendors offering the product is excessive. **A vendor is the owner/operator of a business entity approved to sell specific products during a specific duration by market Management.** A vendor shall not operate under a franchise agreement. A vendor shall not share their assigned location with other entities. All products must be grown, raised, produced, caught or gathered by the vendor within the market's boundaries and must be approved prior to operating. A **Rotating Vendor** is only allowed to operate on days assigned to them by market Management.

1. **Active Farmer & Grower** is a person actively involved and invested in the planting, growing and harvesting of agricultural product on owned, rented, leased or share-cropped land. This definition includes ranchers and dairymen. If a Farmer & Grower Vendor farms on land(s) they rent or lease, they must provide Management with a copy of the signed lease agreement(s).
 - a. **Farm Products** are grown or raised by the Farmer & Grower Vendor upon land located within the market's Boundaries that the farmer controls through ownership, lease, rental or other legal agreement. These products are fresh fruits and vegetables, nuts, honey, eggs, herbs, flowers, meat, seafood and dairy products.
 - b. **Meat & Dairy Products** must be labeled as processed food products in accordance with SCDA and SCDHEC regulations for processed, packaged, and hazardous food products.
 - c. **Seafood**; edible marine fish and shellfish raised or caught by the Farmer & Grower Vendor in SC waters.
 - d. **Processed Farm Products** are farm products made from raw ingredients, a majority of which are grown and produced by the farmer. These products include all farm products that must in some way be processed **including cheeses, dairy, meats, viticulture, dried fruits and vegetables, juices, jam or other processed agricultural and livestock food products.** Some processed farm products are not processed by the farmer but, are processed products which the vendor made from raw ingredients purchased from a local farmer which have been cooked, canned, dried, baked, preserved or otherwise significantly treated. **The market recognizes the distinction between processed farm products made by the farmer and those products that are purchased and then processed.**
 - e. **Nursery Products** are grown or raised by the Farmer & Grower upon land they control through ownership, lease, rental or other legal agreement. Nursery products are fresh cut or potted flowers, bedding plants, seeds, perennials, annuals, trees or shrubs that are propagated from seed, cuttings, bulbs, plugs or plant divisions. Nursery product vendors require a nursery license issued by SCDA, which must be submitted prior to vending at the market.
2. **Food Concessionaire** is a vendor who sells food that is freshly made and available for immediate consumption on-site or packaged food for future consumption.
 - a. **Bakery/Chocolatier** bakes breads, pastries, desserts or makes chocolates.
 - b. **Cheese Maker** is a person who makes and sells cheese that contains milk sourced from a local farmer or other entity who produces the local milk for the Cheese Maker.

Rules & Regulations

Market Management reserves the right to deny a vendor's application or to prohibit anyone from selling at the market, or to prohibit any product from being sold at the market. Vendors and their employees must comply with all Rules & Regulations and On-Site Operation Guidelines. Management reserves the right to promulgate new and/or modify existing Rules & Regulations and On-Site Operation Guidelines during the course of any Regular Season, or other special event, if necessary.

Application & Participation Agreement

- All prospective vendors must read the current Vendor Manual in full, complete and sign a Vendor Application & Participation Agreement.
- Application fee: All applicants must submit a non-refundable application fee of \$20. (Check/Money Order)
- Vendor selling privileges are for a specified period of time and limited to the current season.
- All accepted vendors are required to attend a vendor meeting, which will be scheduled upon acceptance.
- Acceptance into the 2017 Season, in no way guarantees acceptance into a future season.

Product Declarations

- Vendors must include a full list of products they intend to sell with their application. Vendors are only permitted to sell products that have been approved by market Management.
- This is a producer-only market with no re-sale products permitted. Buying products from another business and then reselling those products is not permitted at the market and can result in disciplinary action.

Absences

Vendors are expected to operate at each market that is assigned to them by market Management. Vendors are financially responsible for all fees at markets for which they operate. The owner of the business must be present at the market at least 75% of the regular season; the other 25% can be a designated employee; however this practice is discouraged.

Booth Setup

- Vendors must supply their own tables, chairs, trash receptacles and signage.
- Canopies (measure; 10' x 10' or 8' x 8'), will be provided by market Management. A specific quantity of canopies will be determined at the discretion of Management and any number of canopies, exceeding one will require an additional rental fee.
- Weights for securing each canopy leg will be provided by market management; although each vendor is responsible for making sure their canopy is properly secured and must provide weights if market management is unable to provide them. Weights must remain on each canopy leg for the entire duration in which the canopy is setup.
- Clean and safe: vendors are responsible for keeping their spaces clean and attractive at all times and must clean up their spaces prior to departing, including sweeping up any debris and removing all trash from Ackerman Park and the adjacent property. No dumping; ice, liquids, food waste, sewage.
- See "Appendix I for expectations for compliance with SC DHEC Regulations regarding handwashing stations.

Vendor Conduct & Courtesy

- Vendors are not allowed to operate handheld devices of any kind while driving in Ackerman Park and the adjacent parking lot.
- The speed limit in Ackerman Park is 10mph; speeding will result in immediate disciplinary action.
- Vendors must turn all motored vehicles off while stationary to reduce inhalation of hazardous fumes.
- Vendors **are not permitted** to use the following techniques while operating at the market: hawking, calling attention to products in a loud, repetitive public manner, selling products in an aggressive manner, standing in a pedestrian right-of-way, or conducting business outside of their assigned space.
- **Threatening behavior, vandalism and the use or threats of violence will constitute immediate removal from the market.** Threats, threatening behavior or acts of violence against any participants while on-site, at offices or by electronic means will not be tolerated. Any person who engages in this behavior shall be removed from the premises as quickly as safety permits, and must await disciplinary measures prior to operating at a following market. Subsequent to the investigation, Management will respond appropriately. Possible outcomes include, but are not limited to; suspension, termination of any business relationship, and the pursuit of criminal prosecution of the person or persons involved.
- Any Vendor who is convicted of a crime during the course of the season must report their conviction to Management. In the event of such a conviction, Management and City of Charleston at its sole election reserves the right to expel a vendor in light of this criminal conviction.
- Vendors and their employees must behave courteously and conduct themselves professionally at all times. Vendors are not allowed to publicly disparage other vendors or their products; this behavior is grounds for immediate expulsion and other disciplinary actions may be taken.
- Vendors must ensure that all persons working at their booths are familiar and knowledgeable of all products and adhere to all **Rules & Regulations** and **On-Site Operation Guidelines**.
- Individuals under the age of 18 must be accompanied by an adult while operating a booth at the market.

Damage to City Property

The City of Charleston shall be reimbursed for any damage caused by a vendor, to market or City of Charleston property. This requirement includes, but is not limited to damage to; sidewalks, grounds, vehicles, fencing, canopies, and any other property owned by or provided by the City of Charleston.

Customer Queries

Vendors are discouraged from selling at below-cost pricing, thus undercutting potential sales of other vendors. All items for sale must be clearly marked with their retail price. Prices may be posted on the product with an individual sign or posted as a list of prices on a large sign or board. Questions regarding production techniques must be answered factually and knowledgeably. False packaging and incorporating the exposure of the best products at the top of a package with inferior product(s) packed below will be considered fraudulent and a violation of **Rules & Regulations**.

Staying Green

Vendors are encouraged to use environmentally responsible and sustainable methods of production and packaging. These practices are recognized during the annual vendor review. The use of Styrofoam and plastic bags are highly discouraged.

Vendor Identification

Each vendor's booth must prominently display a sign which clearly identifies the business by the name listed on their application. Signs must be professional in appearance. Signs must be in place *during hours of operation*. All descriptions of products must be accurate and truthful. Signs are subject to approval by Management.

Electricity

All electrical equipment must be preapproved by Management. Vendors that require access to electricity are responsible for providing their own outdoor extension cords as well as an adequate number of mats or runners which must cover all portions of the cord that lie in areas used as pedestrian right of ways. Access to electricity within Ackerman Park is limited and any request to power electrical equipment must be preapproved. Management is unable to guarantee electricity to all vendors. A specific number of outlets will be assigned upon acceptance.

Trash

Vendors are responsible for collecting and removing all trash and other waste, which their booth generates and shall not dispose of it at a nearby business's receptacle/dumpster.

Possession of Weapons

Firearms, knives or other objects used as a weapon by a vendor, his or her employee(s), or agent, constitutes a violation of **Rules & Regulations** and will constitute immediate and permanent expulsion from the market.

Solicitation

Solicitation for products, services, or charitable contributions, not specifically addressed as a market commodity, or by vendors other than market vendors, will not be permitted, except with special permission granted by the City of Charleston and Management.

Alcoholic Beverages

The selling or consumption of alcoholic beverages is prohibited at all times and will be grounds for immediate and permanent expulsion from the market.

Illegal Drugs

The selling, distribution, or possession of drugs or drug paraphernalia is prohibited and will be grounds for immediate and permanent expulsion from the market.

Rotating Vendor

A rotating vendor operates on a schedule less frequent than full time vendors and may differ from those of other rotating vendors. A rotating vendor is not a full time vendor. A rotating vendor is only permitted to operate on days assigned to them by Management. A vendor must signify on the Application & Participation Agreement form whether they are applying to be a full-time or rotating vendor. Rotating frequency will be determined by Management upon acceptance.

Vendor Space

Vendors **are not permitted to** sublet their space to others. Prepaid fees are non-transferable to other vendors. If a vendor sells their business, the vendor is not permitted to transfer the space to the new owner or any other party. A vendor's space is assigned to them by Management and is subject to change at the discretion of Management at any time.

Payment Methods

1. **Full Season Advanced payment (25 Markets: April 19 – October 4)**
 - a. Payment due in full on or before the first market date of the season
 - b. Discount, 20%
 - c. Payment must be submitted by; Credit Card (No Amex), check or money order; made payable to; City of Charleston. (Cash is not accepted for vendor fees, at any time)
2. **1/2 Season Advanced payment (13 Markets: 4/19 – 7/12; 12 Markets: 7/ 19 – 10/4)**
 - a. Payment due in full on or before the first market of each period; April 19 and July 19
 - b. Discount, 15%
3. If a vendor cancels the remainder of a season, any advance discounts will be forfeited, in the event a refund is issued.
4. **Pay online with a Credit Card**.....Links will be provided upon acceptance
5. On-site payments must be submitted to market management prior to the start of each market day and must be submitted by; Credit Card (No Amex), check or money order; made payable to; City of Charleston. (Cash is not accepted for vendor fees, at any time)

Fees & Payment Procedures

1. **Application Fee of \$20:** Due to the level of attention required to process and verify information presented in vendor applications, a non-refundable fee must accompany all applications.
2. **Vendor Fees per day:**
 1. \$25 – Cart Space (No Canopy)
 2. \$30 – One canopy, provided and setup by the City of Charleston
 - a. \$15 per additional canopy
 - i. Assigned upon acceptance at Management’s discretion
3. **Late Payment**
 - All vendor fees must be paid in full prior to operating at the market each week.
 - Vendors must notify Management *in writing* of any change of mailing address or contact information.
 - Vendors are responsible for any late payment fees, which accrue due to a change of address not being communicated to Management *in writing*.
 - A late payment fee of \$10 will be assessed to a vendor’s account on the following business day, while recurring every 7 days.
 - All vendor fees, including late payment fees must be paid in full prior to returning to operate.
4. **Returned Check Policy**

Checks or ACH transactions returned for insufficient funds will be charged a \$25 fee. Vendors are not allowed to operate at the market until all fees have been paid in full and the violation must have been remedied prior to the vendor returning. The City of Charleston is not responsible for bank fees charged due to a redeposit of bounced checks.

FARMER & GROWER RULES & REGULATIONS
(IN ADDITION TO GENERAL RULES & REGULATIONS)

- The WAFM is a producer-only market. Exceptions are noted during the non-harvest periods outlined in the **Rules & Regulations**; produce must originate within the SSAWG (Southern Sustainable Agriculture Working Group) region, including; NC, SC, VA, GA, FL, AL, TN, WV, KY and MS. Produce grown outside of the SSAWG region is not allowed to be purchased and resold at the WAFM at any time.
- Vendors must reside and operate within the designated geographical boundaries in order to be considered eligible to participate: East of I-95, within SC borders, while preference is given to Farmer & Grower Vendors operating in Charleston, Colleton, Dorchester and Berkeley Counties.
- WAFM Farmer & Grower Vendors must be involved in either full-time or part-time agriculture. A Farmer & Grower Vendor is one who grows produce from seed propagation, plugs or established tree crop orchards and harvests it for sale. Individuals who solely buy and resell agriculture produce are not considered eligible Farmer & Grower Vendors and are therefore excluded from participating in the WAFM.
- WAFM Management, in cooperation with Clemson University Extension Services, will determine eligibility. Scheduled site inspections and document verification may be conducted throughout the season.
- Seafood vendors are included within the Farmer & Grower Vendor category. There is no resale of seafood; all seafood must be harvested by the Farmer & Grower Vendor holding a SC Commercial Boat License and sold by the fisherman or an immediate family member. Farmer & Grower Vendors selling seafood must comply with all rules and regulations enforced by SCDHEC, SCDA and DNR.
- Value-added products such as, but not limited to; jams, jellies, honey and sauces may be sold by a Farmer & Grower Vendor and must be approved in advance by WAFM Management. All products must be produced by the eligible Farmer & Grower Vendor or an immediate family member and must be in accordance with all rules and regulations enforced by SCDHEC, SCDA and DNR.

***HARVEST PERIODS ARE SUBJECT TO CHANGE & WILL BE DETERMINED BY WAFM MANAGEMENT.**

- **The 75/25 Percent Rule IS in effect during the two Lowcountry harvesting periods while a great variety of locally grown produce can be grown and harvested: May 1 - July 15 and Sept. 1 – Nov. 30.** During these designated times, 75% of all produce offered for sale at WAFM must be grown on the vendor's farm and during the time the 75/25 Percent Rule is in effect, Farmer & Grower Vendors are permitted to purchase and resell a maximum of 25% Certified SC Grown produce that is not grown on the vendor's farm.
- **The 75/25 Percent Rule IS NOT in effect from April 1 - 30; July 16 - Aug. 31; Dec. 1 - 31.** During these designated times, produce sold at the WAFM, which is not grown on the vendor's farm must originate within the SSAWG region and must be labeled in accordance with all state and federal regulations. WAFM Management reserves the right to question the origin of any produce being sold at the WAFM and to make a decision on whether the Farmer & Grower Vendor is allowed to continue the sale of the product in question.
- Farmer & Grower Vendors must label all produce, which has been purchased for resale with specific details of its origin. All labels must be clearly visible to the customer and the Farmer & Grower Vendor must be able to provide proof of origin to WAFM Management upon request at any time.
- Products can only be labeled as organic if the farm operation has been designated as Certified Organic, and the current 2017 Certified Organic Certificate must be displayed in a conspicuous place at the vendor's booth during hours of operation. However, Farmers & Grower Vendors may label produce with descriptions such as; "Naturally Grown" or "Chemical Free" as long as the claims are not a misrepresentation of the products and/or methods used during the production process.

General Information

Information Booth

Location may vary. The Information Booth operates at each market and has someone to answer questions during hours of operation. The Information Booth is intended to assist vendors and community members with specific questions.

Pet/Animal Policy

Vendors are not permitted to bring a pet/animal; exception is made for those with a Certified Service Animal which is legally defined in the Americans with Disabilities Act, 2010.

We ask all vendors to review the pet policies to be aware in the event that a customer brings a pet to the market. If customers do choose to bring a pet, we ask them to abide by the following rules to make a pet's visit to the market an enjoyable and safe experience for all:

- Pets must be kept on a short leash and by the owner's side at all times
- Pets must be kept away from produce, plants and other food products
- Be considerate—not everyone loves animals and some people are allergic to them
- Pet owners must clean up all waste produced by their pet(s). Waste bags are located at the dog run area within Ackerman Park
- No pets are allowed on the athletic playing fields at any time
- Management reserves the right to request that owners remove pets from the market

Vendor Roster Publication

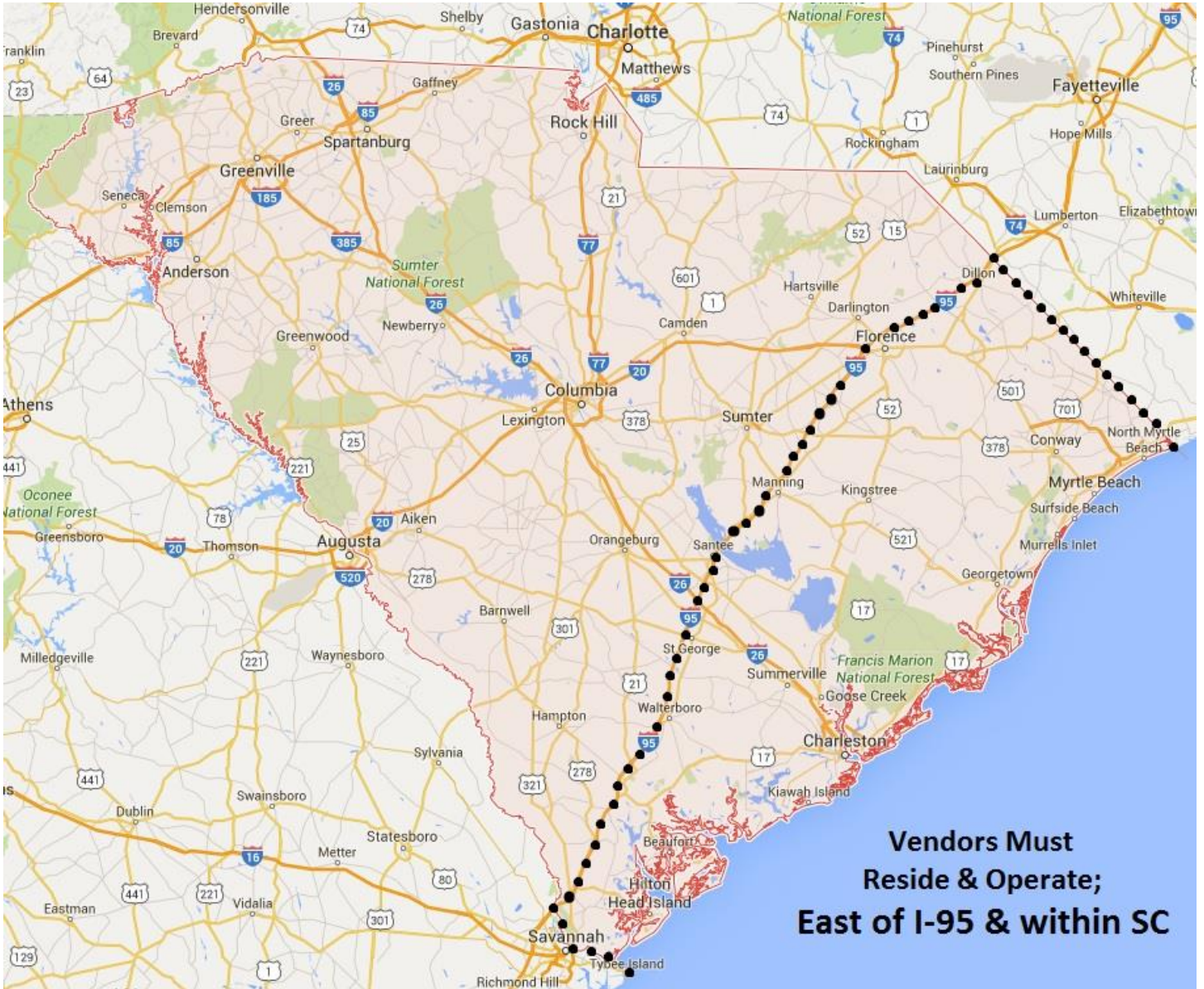
The market supports an open policy in regards to publishing a vendor roster. The roster is posted on the CFM website and individual names released upon inquiry by the press or potential customers or pursuant to SC Freedom of Information Act request. Vendors must inform Management in the event they do not want specific information published. A vendor roster will not be shared or sold by Management to prospective markets or competitors for the purpose of soliciting vendors. Vendor information will be listed in various market materials such as, but not limited to, brochure and website.

Weather Related Cancellations

The market is open Rain or Shine. However, since the market is an outdoor venue, Management reserves the right to close (with or without prior notification) if it is determined that severe weather conditions could compromise the safety of our participants. Please note the following information that might cause Management to cancel the market:

- An "Extreme Weather Warning" is issued by NOAA's (National Oceanic & Atmospheric Association) National Weather Service.
- If an "Extreme Weather Warning" is issued and a vendor decides to cancel, a 48 hour notice is unnecessary and the vendor will not be charged.
- Notice of cancellations will be announced as soon as a decision has been finalized and will either be by phone and/or email.
- In the event of a market day being cancelled by Management, vendors will be issued a refund of vendor fees if the market day is canceled in full.

Geographical Boundaries



Appendix I



Retail Food Establishment Regulation 61-25

Revised: July of 2014

Chapter 9 – Standards for Additional Retail Food Establishment Operations (Pages 183-187)

9-11 South Carolina Farmers Market & Seasonal Series

This standard shall apply to the service of food and the requirements of food vendors at SC farmers markets and seasonal series.

(A) Definitions

(1) Community-based farmers market means a market sponsored by a community or governmental organization either having been Certified by the South Carolina Department of Agriculture as a SC Certified Farmer’s Market or a farmers market that meets the definition of the Farmers Market Coalition which states “A farmers market operates multiple times per year and is organized for the purpose of facilitating personal connections that create mutual benefits for local farmers, shoppers and communities and implements rule or guidelines of operation that ensure that the farmers market consists principally of farms selling directly to the public products that the farms have produced.”

(2) Seasonal series means a regularly occurring event sponsored by a community or governmental organization for promoting local business, culture or other local specialties.

(B) General

(1) Retail food establishments at a seasonal series or community-based farmers market shall comply with all applicable sections of this regulation as outlined in this standard.

(2) The Department may prohibit the distribution of certain time/temperature control for safety foods, and may modify specific requirements for physical facilities when, in the opinion of the Department, no health hazard will result.

(3) Permitted retail food establishments may be authorized by the Department to cook and serve food to the public at community farmers markets and/or seasonal series only one (1) day per week during one continuous period of time not to exceed six (6) hours.

(4) Community-based farmers market and seasonal series shall designate one day of the week food vendors are allowed to operate.

(5) Roadside produce stands and flea markets are not defined as community based farmers markets or seasonal series, and this standard shall not apply to those locations.

(C) Employees

(1) Retail food establishment employees shall not contact exposed, ready-to-eat-food with their bare hands and shall use suitable utensils such as deli tissue, spatulas, tongs, single-use gloves, or dispensing utensils.

(2) Personal clothing and belongings shall be stored in a designated place away from food preparation, food service, dry storage areas, utensils and single-use article storage, and utensil washing areas.

(D) Food

- (1)** Preparation of bulk food, including washing, slicing, peeling, and cutting, shall occur at the permitted retail food establishment.
- (2)** All food items shall be protected from contamination during transportation, storage, cooking, display, and service.
- (3)** All food vendors shall prepare, hold and serve food according to all applicable sections of Chapter 3, Food.
- (4)** Time/temperature for safety foods that have been cooked or in hot holding at any point during the daily operating hours shall be discarded at the end of the day.
- (5)** Condiments shall be protected from contamination by being kept in dispensers that are designed to provide protection or offered in individual packages.
- (6)** Ice shall be obtained from an approved source, in closed single-service bags or approved covered containers and shall be protected from contamination.
- (7)** Ice used as a coolant for foods shall not be used for edible ice.
- (8)** Each retail food establishment shall have at least one temperature measuring device for checking temperatures of food that meets the following requirements:
 - (a)** Scaled 0 to 220 degrees F (-18 to 104 degrees C); and
 - (b)** Able to be calibrated; and
 - (c)** Appropriate for the food density being checked.

(E) Construction

- (1)** Food preparation areas shall be provided with overhead protection and have adequate barriers (e.g., tables or equipment) to prevent the access to the area by the public.
- (2)** Equipment and utensils shall arrive clean, ready to use, and in sufficient quantities to conduct the activity.
- (3)** Equipment and utensils shall only be cleaned at the permitted retail food establishment.
- (4)** Only single-service articles shall be provided for use by the consumer.

(F) Handwashing Sinks

- (1)** Exterior handwashing sinks shall be provided within twenty-five (25) feet of all retail food establishment food vendors and shall be centrally located and easily accessible.
- (2)** Hot and cold water or tempered running water 100 degrees F (38 degrees C) under pressure shall be provided to all handwashing sinks as specified in 5-202.12.
- (3)** If using a portable handwashing sink, it shall have a minimum five (5) gallon portable water dispensing tank and a minimum seven point five (7.5) gallon sewage holding tank.
- (4)** Gloves and/or hand sanitizers shall not be allowed as a substitute for handwashing facilities.

(G) Water System

- (1)** Drinking water hoses shall be made from food grade materials and shall be a different color from hoses used for sewage.
- (2)** Drinking water hoses shall be capped or covered when not in use and shall be stored separately from sewage hoses.
- (3)** When attached to a drinking water system the hose shall be equipped with an approved backflow prevention device.

(H) Sewage Retention

- (1)** Sewage that is not directly discharged into an approved sewage system shall be kept in closed containers adequate in number and capacity to prevent spillage and must be discharged into an approved sewage disposal system as often as needed.
- (2)** All sewage lines shall be connected to sewage tanks with watertight seals.
- (3)** Used cooking oil shall be disposed of in an approved manner.
- (4)** Adequate toilet facilities shall be provided.
- (5)** Adequate trash cans, as deemed necessary by the Department shall be provided to support the retail food establishment.

(I) Specific Exemptions

- (1)** Seasonal series or community-based farmers markets are exempt from the requirements for training certification in 2-102.20.
- (2)** Seasonal series or community-based farmers market that provide foods pursuant to 8-301.12(A),(11),(12),(19) and (20) are exempt from authorization based on the requirements of this standard.
- (3)** Mechanical ventilation of cooking equipment is not required.

(J) Authorization

- (1)** No retail food establishment, or mobile food unit may serve time/temperature control for safety foods at a seasonal series or community-based farmers market unless the sponsoring entity obtains authorization from the Department.
- (2)** The sponsoring entity of a seasonal series or community-based farmers market shall appoint an Event Coordinator as a point of contact.
- (3)** Any sponsoring entity that operates or proposes to operate a seasonal series or community-based farmers market where time/temperature control for safety foods will be served by retail food establishments shall apply for authorization from the Department. The following information shall be submitted:
 - (a)** The Event Coordinator name and contact information; and
 - (b)** The one day of the week and hours of operation for food service; and
 - (c)** A list of retail food establishments, with contact information, that will operate at the event.
- (4)** Each retail food establishment at a seasonal series or community-based farmers market shall be authorized by the Department prior to serving food to the public at the event.
- (5)** The Department may require a sponsoring entity or a retail food establishment to submit information sufficient to determine if the definition and requirements of this standard or regulation are met. This information may include, but is not limited to, information defining the community group, governmental organization, SC Certified Farmer's Market certification, association to Farmers Market Coalition, event schedule(s), hours of food vendor operations, vendor list and foods specific to those vendors, and vendor contact information.
- (6)** When the Department determines that a sponsoring entity or a retail food establishment has violated applicable provisions of this standard or regulation, the Department may issue a written notice directing any or all retail food establishment vendors to cease operations until the violations are corrected as determined by the Department.