

SAN ANTONIO FARMER'S MARKET ASSOCIATION

RULES AND REGULATIONS 2010

WHO CAN SELL AT THE MARKET?

Any MEMBER in good standing of the SAN ANTONIO FARMER'S MARKET ASSOCIATION can sell at any of the approved markets.

1. A MEMBER is a family farm unit as designated on the membership application who offers for sale produce which has been raised, grown, or produced on his/her owned or leased land or a member of the Taste of Texas or Go Texan programs.

2. All products sold are subject to local health and state licensing regulations. All produce must be TEXAN GROWN.

3. All questions about WIC or Health Department requirements should be discussed with the Board of Directors to see if they may have any updated reports since the last meeting.

HOURS OF OPERATION

The SAN ANTONIO FARMER'S MARKET ASSOCIATION will operate markets throughout the growing season. Each day, time, and location will be posted. The Board of Directors will select openings and closing dates. Each member must abide by each market's opening hours. Failure to abide by the hours of opening rule will be just cause for the Market Manager to invoke a stop sale against the seller for the market day. Excluding Saturday morning market, all markets may be opened 45 minutes early if customers are available.

MEMBERSHIP

The membership fee in the SAN ANTONIO FARMER'S MARKET ASSOCIATION will vary with enrollment date: March 1 through May 31 the cost will be \$80.00 annually for a voting member in good standing. June 1 through the end of the year will be \$150.00 for a non-voting member. The fee is to be paid with the initial application. Members from the previous year are members in good standing and voting members until they fail to renew their membership. Fiscal year is March 1 through February 28-29 of the following year.

NEW MEMBER is a family unit as designated on the application who must be sponsored by two (2) members in good standing, or if the new member is not known by two existing members, the new member must undergo a formal inspection of his/her farm or growing operation before he/she is considered for membership. The fee to be paid with the initial application for new members will be \$150.00. A new member is considered a member *in* good standing after a probation period of one (1) year.

MEETINGS

The annual meeting will be conducted before the end of January to elect officers and establish Market procedures. The second meeting will be conducted by the end of February in order to complete the application for insurance and State Certification.

FEES

The stall fees for all markets except Olmos Basin Park on Saturdays for members will be \$15.00 for all pick-ups. The stall fee for members Olmos Basin Park 011 Saturdays will be \$25.00 for all pick-ups. Each member is authorized only one stall; however, additional trucks may be parked behind the stall. If the additional truck carries produce for sale, an additional stall fee will be charged per additional vehicle. A member's vehicle may come to the market and restock the stall vehicle and immediately leave and no additional stall fee will be charged. No vehicle, which has paid a stall fee, may leave the market to pick up more produce and return to the market to sell. No trailers are allowed. There will be a charge of \$0.04 per WIC coupon collected from each member for administrative costs, with the money going into the ASSOCIATION'S treasury. The WIC fee will be taken out of each check after it is returned from the state. The claim receipt to each member will show how much was taken from each member's check. Stall fees may be eliminated from selected markets by approval of the Board of Directors. Stall fees will not normally be collected in November and December unless required security warrants the collection of fees.

MARKET MANAGER

A Market Manager designated by authority of the PRESIDENT will be present at all times on every market day at least (1) hour prior to the market opening to oversee and be responsible for all conduct of market activities. He/she bears the authority of the Board of Directors for administrative matters during that period, and has the power to perform and enforce the duties designated herewith. A Market Manager must be a member in good standing and not a representative of a member and must be present during the entire market.

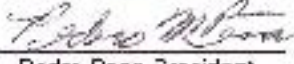
RESPONSIBILITIES OF THE MARKET MANAGER

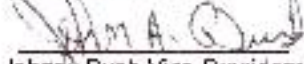
The market manager shall have the authority to:

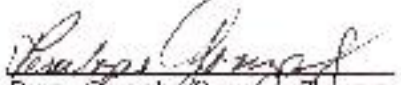
- a. Require each grower to pay the daily stall fee and to agree to abide by all published Market Rules and Regulations.
- b. Assign each truck stall spaces on a first come, first served basis.
- c. There is a limit of one (1) truck per farmer per site. The Market Manager will have his/her choice of spaces. This space will be left open every week for the Market Manager.
- d. Maintain a record of all daily transactions and coordinate activities with the Treasurer weekly and turn in all stall fees weekly to either the President or Sec/Treasurer.
- e. Will not collect stall fees if there are fewer than three (3) vendors at a market.
- f. Count the number of customers at each market, collect the total sales amount anonymously from each vendor and report both to the Secretary/Treasurer weekly.
- g. Require identification on all sales positions, issue identification signs when a member is approved, to be used at all market sites to identify themselves.
- h. Require sellers to remove bad quality goods from the tables, and to give refunds to consumers that are dissatisfied with the products they have purchased.

- i. Ensure that all products are priced and prices are displayed where customers can easily see them.
- j. Failure to abide by rules will invoke a suitable penalty to the seller by the Board of Directors to be enforced by the Market Manager.
- k. Must notify the President, in case of absence, at least 24 hours prior to market date.
- l. The Market Manager may be contracted and paid for his/her services. Market managers will not pay a stall fee for his/her market only.
- m. Shall collect all verification forms, review and submit them to the Produce Verification Committee when purchasing is allowed. No purchasing will be allowed until approval from the Board of Directors.
- n. If purchasing is approved, farmers must display signs no smaller than 8" by 10" stating which produce is not homegrown. This sign must be prominently displayed on the table in plain sight. Failure to do so will lead to the farmer being barred from the location for the rest of the day.
- o. Verify that at minimum 50% of the produce on the table is grown by the farmer when purchasing is allowed.
- p. May sell bottled water, all proceeds to the Association. Water profits will be used for marketing or other strategies to benefit the market as a whole.
- q. Be responsible for drawings or obtaining email addresses via a guest book.
- r. No consumption of alcoholic beverages shall be allowed at any market site.
- s. Prevent all abusive and vulgar language on the market site. Any member can be removed from the market site for this offense.
- t. Dress code for all farmers and their help shall be neat, clean, and properly dressed to meet all health standards.
- u. Will ensure that all vendors leave their areas clean and free of paper, trash, produce scraps, etc.
- v. All complaints shall be submitted to the market manager in writing with a \$20.00 deposit to be presented to the grievance committee. If a complaint is found to be true, the deposit will be refunded. If the complaint is not true the deposit will go to the ASSOCIATION for expenses of checking on the complaint. If a member files a complaint about another member not producing when buying is not allowed an inspection will be done within 24 hours. If complaint is founded violator will be expelled from selling for 2 weeks. If complaint is unfounded the complainant will be barred for 2 weeks. There is no review by the grievance committee on this type of complaint. A member who wants to give away produce must only give away only produce the member has grown.

Approved this the 10th day of March, 2010 in San Antonio, Bexar County, Texas on behalf of the member present and voting for approval by


Pedro Pena President


Johnny Bush Vice-President


Penny Gonzalez Secretary/Treasurer

ADDENDUM TO THE SAN ANTONIO FARMER'S MARKET ASSOCIATION RULES AND REGULATIONS 2009

The following operations of the San Antonio Farmer's Market Association can only be changed in concurrence with the San Antonio Health Department and the Texas Department of agriculture.

SAFMA is authorized to sell fresh, whole food products. The only exception is outlined in this paragraph. Each member of the SAFMA is authorized a ten foot area at each market if the site permits. A farmer may display his/her product off his/her truck on a maximum of three (3) eight foot tables aligned in a block U shape. All produce must be a least eighteen (18) inches off the ground. Other produce may be displayed or sold off the truck. The 18 inch *rule* off the ground applies to all produce including melons and fruits. At no time may any produce sample be distributed to customers. A sample is anything less than a whole product. A customer may be given the whole item to sample, for example, a whole berry, tomato, peach, plum, or fig etc. A farmer may slice open a watermelon or cantaloupe to show it, but cannot allow tasting of the cut item.

The San Antonio Health Department will issue each vendor a Mobile Vending Permit. This permit will be issued if possible, at the first Market each year except for a vendor who wishes to sell items which are not classified as fresh, whole fruits and vegetables. These vendors must obtain their permit at the downtown San Antonio Health Department Office. For these vendor's only, a one (1) year license will be issued, with no pro-rated license available for this type of permit.

Vendors selling items not classified as whole, fresh fruits and vegetables will visit the downtown San Antonio Health Department and will provide the city with all federal, state, and city required paperwork or licenses to operate or sell such items. This includes shelled pecans, jams, shelled peas, or any other prepared item. The city will list only the permit items a vendor may sell. Once a vendor has his/her city approval for selling these items, he/she must show this to the President or Secretary of this Association who then will provide a list to the Market Managers of those that may sell items not classified as whole, fresh fruits and vegetables.

All vendors who have a special permit must at all times have the permit with them. If the Market Manager does not have you listed for special sales, you must show him/her the permit and he will let you sell. No permit, no sell!!!