



LARIMER COUNTY  
COLORADO STATE UNIVERSITY  
EXTENSION

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# Larimer County Farmers' Market

## 2021 Vendor Rules and Regulations

### 1.0 INTRODUCTION

The Larimer County Farmers' Market (LCFM) is operated by CSU Extension in Larimer County and Master Gardener volunteers. Larimer County Extension and Larimer County Master Gardeners have adopted the following rules and regulations, and at any time, may amend, delete, or modify these to meet the needs of the LCFM. In order to promote the LCFM to the community, we ask that all participants in the LCFM treat customers, staff, and volunteers in a professional manner to foster community and cooperative involvement.

The LCFM will kick off its 46th season on May 22, 2021 in Fort Collins! Thank you for keeping us a positive and appreciated aspect of the community.

#### IMPORTANT DATES

2021 Season: May 22 - October 30, 2021

Application Opens: January 15, 2021

Initial Application Due: March 26, 2021

Application Fees Due: March 26, 2021

Vendors Accepted and Notified: March 29 - April 2, 2021

Licenses and other Application Documents Due: April 23, 2021

Infractions of any of the selling rules and regulations listed in this document will be cause to suspend a vendor's selling privilege. The LCFM will attempt to resolve vendor complaints in a professional manner; when issues are addressed to the best of the LCFM's abilities, continued complaints may result in loss of selling privileges.

## **1.1 STATEMENT OF PURPOSE**

The Larimer County Farmers' Market has three primary purposes:

1. To connect Colorado producers and artisans with consumers
2. To provide an outlet for large and small businesses, as well as the small urban gardener or child who wishes to sell their products
3. To educate the public on CSU Extension resources, including horticultural and food safety information from the Master Gardeners and the Master Food Safety Advisors

## **1.2 SELLING REGULATIONS**

Vendors are governed by:

- A. Larimer County Farmers' Market "Rules and Regulations"
- B. Larimer County Health Department Regulations
- C. Farmers' Market Association Safety Guidelines
- D. Colorado Cottage Food Act

## **1.3 HOURS, DATES AND LOCATION**

- A. The LCFM will operate Saturdays, 9:00 a.m. to 1:00 p.m., May 22 through October 30.
- B. The LCFM is located at the Larimer County Courthouse parking lot, 200 W. Oak Street, Fort Collins, Colorado.
- C. Setup begins at 7:00 a.m. and the LCFM requires vendors to arrive no later than 8:30 a.m. Vendors with large trucks requiring three (3) or more spaces must be parked and unloaded by 8:15 a.m.
- D. Vehicles arriving after 8:30 a.m. will not be allowed to drive into the market; late vendors must park outside the market and hand-carry items in to their stall space. **NO EXCEPTIONS.**
- E. Vehicles within the market must remain parked until after 1:00 p.m. when the market closes. Driving through the market when it is in operation will not be tolerated and is subject to a \$50 fine.

## **1.4 NO SMOKING POLICY**

Smoking and vaping are prohibited in the LCFM from 7:00 a.m. to 2:00 p.m.; this policy is strictly enforced and applies to vendors, customers, staff, and volunteers.

## **1.5 APPLICATION FEE**

- A. The 2021 application fee is \$60.
- B. Applicants under the age of 16 and non-profit organizations are exempt from the application fee.
- C. If a vendor is scheduled for five (5) market dates or fewer, then they will pay a fee of \$10 per market scheduled instead of the \$60 application fee.

## **1.6 PET POLICY**

- A. Customers are allowed to bring their pets to the market if they are leashed, non-aggressive, and do not interfere with market operations.
- B. Pets are not allowed behind vending tables of vendors selling food items during the Market selling hours from 9:00 a.m. to 1:00 p.m.

## **2.0 ELIGIBILITY OF SELLERS**

The LCFM provides an outlet for horticultural and agricultural produce (i.e. vegetables, fruit, flowers, and honey) from home gardens, small acreage growers, and horticulture-based handicrafts.

### **2.1 GROWERS ONLY POLICY**

Products sold at the LCFM must be grown or produced by the vendor or a cooperating partner. No resale of products is allowed and is strictly enforced! If vendors are found to be re-selling items, they will be suspended and fined \$250; a second occurrence will result in loss of selling privileges at the LCFM.

If catastrophic climate conditions affect yields, non-local products may be sold temporarily, only if pre-approved by the market and only if products are labeled with place of origin within Colorado. If products are not properly labeled or pre-approved, vendors will be fined \$250 and may lose selling privileges.

For vendors participating in produce consignment or exchange, and wanting to sell these products at the market, the LCFM requires prior written permission from the LCFM, a copy of the vendor's current Farm Products Dealers License, a complete list of traded products that the vendor wishes to sell at the market, and the name, address, phone number and email address of the trading partner. All consignment or exchanged produce sold at the market must be Colorado-grown, and cannot have been purchased from a wholesale facility or warehouse. When selling these products at the market, a sign must be placed next to the product that clearly states the farm name and location where the product was grown. Please see Appendix I "Instructions to Vendors on Produce Consignment or Exchanging." This policy was updated in 2015.

Alternatively, the vendor and the trading/consignment partner may submit separate applications and \$60 application fees, and indicate that they will be sharing space at the LCFM. This is a cheaper alternative to obtaining a Farm Products Dealer license. One employee may represent both vendors at the market, but separate check-out forms must be submitted for each vendor at the end of each market.

- 2.2** Due to the popularity of the market and limited space availability, the LCFM may not be able to accept all applications. Vendors will be notified in early April by email. Priority will be given to vendors who plan to attend most or all dates of the LCFM and those who have sold with the market in the past. You are making a commitment to the dates you put on your application and the LCFM expects you to be there, regardless of weather or other events. Vendors will be fined for dates that they have committed to but do not attend. Vendors must email [larimercountyfm@gmail.com](mailto:larimercountyfm@gmail.com) prior to any absences. Emergencies will be considered on a case-by-case basis. See Section 7.0 for more information on the attendance policy.
- 2.3** Farm inspections for vendors selling fresh produce may occur prior to and/or during the market season. Farm inspections are a method of ensuring farms are producing sufficient quantities of crops and that crops are being grown on-site. Inspections are performed by a hired independent consultant to inventory products; some farms may not receive an inspection.
- 2.4** Vendors do not have to attend all 24 market dates. Vendors must indicate the dates to which they can commit when submitting the vendor application. Vendors who sign up for five (5) market dates or fewer will pay a fee of \$10/market date instead of the \$60 application fee.
- 2.5** The LCFM allows community supported agriculture (CSA) share pick-up at the market. However, if a vendor sells a CSA share at the market during operation hours, this would be considered a sale and included in the vendor's gross sales at the end of the market day. To avoid paying the selling fee and tax on a CSA share, conduct these transactions at your place of business.

### **3.0 ELIGIBILITY OF PRODUCTS**

Only those products listed on the vendor's application will be allowed for sale. Vendors wishing to sell a new product not listed on their original application must obtain permission from the LCFM before selling any new products.

Vendors should never expect, nor is it appropriate to ask for, exclusive rights to products or services.

Marijuana or products containing marijuana may not be sold. At this time, products containing CBD oil may not be sold at the market due to potential liability.

#### **3.1 RAW AGRICULTURAL PRODUCTS**

A. Fruits, vegetables, herbs, grains, flowers, bedding plants, potted plants, and compost grown or produced by the seller.

B. Wild-collected mushrooms and/or foraged items in any form are prohibited at our market. Cultivated mushroom growers must comply with all federal, state, and local authorities.

C. Egg sales at farmers' markets are exempt from licensing and inspection by the Colorado Cottage Foods Act if there are fewer than 250 dozen sold per month. This Act requires that the eggs be transported in a clean and sanitary environment that is between 33° and 41° F. Labels must include the address at which the egg originated and the date the eggs were packaged. Any eggs not treated for salmonella such as by pasteurization must have the following statement on the package: "SAFE HANDLING INSTRUCTIONS: TO PREVENT ILLNESS FROM BACTERIA, KEEP EGGS REFRIGERATED, COOK EGGS UNTIL YOLKS ARE FIRM, AND COOK ANY FOODS CONTAINING EGGS THOROUGHLY." Also "These eggs do not come from a government-approved source" must be on the label.

- If you plan to sell eggs for "retail only" and you produce less than 250 dozen per month, then your operation would be exempt from regulation by the Department of Agriculture. "Retail only" means a stand at your home, or selling to friends and neighbors at the place of production, or at a farmers' market, CSA or similar venue where the eggs are sold directly to the final household consumer of the eggs.
- All eggs must be washed and sanitized as per Colorado Department of Agriculture guidelines. Refer to "Washing and Sanitizing Eggs" at <https://www.colorado.gov/pacific/aginspection/egg-producers>
- Egg cartons may not be reused; all eggs must be in new cartons.

### **3.2 VALUE-ADDED AGRICULTURAL PRODUCTS (RAW AGRICULTURAL PRODUCTS THAT HAVE BEEN PROCESSED)**

A. Packaged jerky or other animal products exhibiting the USDA seal may be sold; fresh meat must be kept frozen at the specified Health Department temperature.

B. Baked goods, packaged honey, cheese, jams, jellies and roasted chilies must be produced in a commercial kitchen or facility that has a current Retail Food Establishment (RFE) license, or produced under the Cottage Food Act (CFA) legislation. Copies of required documentation must be included with the application.

C. Any processed greens (lettuce, spinach, etc.) sold pre-packaged must be processed in a commercial facility and have proper licensing.

D. Only those products listed on the vendor's application will be allowed for sale. Vendors wishing to sell products not on their original application must fill out an addendum to their application. New products must be approved by the LCFM.

***Please contact the local health department with questions about licensing. The phone number for the Larimer County Health Department is 970-498-6775.***

### **3.3 CRAFTS AND NON-FOOD ITEMS**

A. High quality crafts made by the vendor may be sold at the LCFM. Craft producers who have sold at the market in the past will be given priority; however, this is not a guarantee. There may not be space available for new craft vendors.

### **3.4 ORGANIC PRODUCTS**

A. To sell products as “Certified Organic,” vendors must have the USDA approved certification clearly displayed on site.

## **4.0 VENDOR RESPONSIBILITIES**

### **4.1 PUNCTUALITY AND CRITICAL TIMES**

A. Vendors with large trucks requiring three (3) or more spaces must be parked and unloaded by 8:15 a.m.

B. All vendors must arrive between 7:00 a.m. and 8:30 a.m., with set-up complete by 9:00 a.m. Vendors can begin selling before 9:00 a.m.

C. Vendors arriving after 8:30 a.m. will not be allowed to drive into the market; vendors must hand-carry products and booth items to their space. **DO NOT MOVE TRAFFIC CONES TO ENTER THE MARKET.**

D. To ensure the safety of Farmers’ Market patrons, vendors are not allowed to move vehicles within the market between 8:30 a.m. and 1:00 p.m. Please be aware of pedestrian traffic within the market area.

E. Vendors may continue to sell to customers beyond the 1:00 p.m. closing time to accommodate customers.

### **4.2 VENDOR BOOTHS AND DISPLAYS**

A. Vendors must provide their own change. The LCFM does not have change on-site.

B. Vendors must provide their own signs, money, packaging, tables, tents, chairs, etc. for sale of products.

C. Produce should be priced by piece, package, bunch, etc. Sales made by weight must be measured with scales that have a current valid seal of approval from the Colorado State Department of Agriculture Weights and Measures Division.

D. The LCFM requires that each corner of a 10’ X 10’ vendor tent be weighed down with 40 pounds (equivalent to a five-gallon bucket of water). The LCFM has the right to close vendor stalls if booths are not properly secured. Please refer to the [LCFM website](#) for instructions on making weights.

E. Vendors must leave their sales areas clean, or a \$50 clean-up charge will be deducted from the following week’s sales.

F. Vendors must provide their own trash receptacles and haul away their garbage. Trash cans on-site are not for vendor garbage.

### **4.3 QUALITY STANDARD**

- A. Produce must be clean and fresh; vehicles, tables and containers must be clean. No products will be sold off the ground or pavement. If blankets are used underneath products, please make sure they are clean and stay clear from customer traffic.
- B. Make every effort to provide wholesome products to the consumer. If chemicals are used, please follow proper harvest intervals before their sale. This information should be listed on all labels for the products used.
- C. Be cordial and courteous to vendors and customers. Please stay within designated areas assigned.
- D. Keep display areas clean and attractive.

### **4.6 PERMITS AND LICENSES**

- A. All vendors are responsible for obtaining necessary licenses and permits and displaying them at each market. Please complete the Larimer County Health Department application (for both RFE vendors and Cottage Food Producers) and submit it to the Health Department to ensure proper licensing for sale of products at the LCFM. Cottage Food Producers must complete the “Colorado Cottage Food Producer Application” form.
- B. A copy of current licenses and permits must be returned to the LCFM by April 23, 2021. The LCFM reserves the right to refuse vendor sales if documents are not obtained. If there are delays with your paperwork, please notify the LCFM at [larimercountyfm@gmail.com](mailto:larimercountyfm@gmail.com).

### **4.7 INSURANCE**

**A. All vendors are required to carry liability insurance.**

- B. Please contact an insurance agent for pricing and options. Visit [www.cofarmtomarket.com](http://www.cofarmtomarket.com) for additional insurance information. For a list of possible insurance providers, please visit the [LCFM website](#) or Manage My Market.
- C. It is recommended you include the Larimer County Farmers’ Market as an additional insured.
- D. The LCFM has a liability policy that covers personal injury and property damage caused by market-owned or operated activities. This policy does not cover vendor-owned equipment or vendor products. Individual market sellers and their employees are not covered for claims related to their products, equipment malfunctions or any damage they may cause while at the market. \*For example, a vendor-owned canopy blowing over and damaging a car or hurting a person would not be covered by the Market’s general liability policy. A canopy owned by the LCFM is covered.

## **5.0 MARKET CURRENCY**

### **5.1 CASH**

Vendors are responsible for their own cash box and change. The LCFM will not make change for vendors.

### **5.2 SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP)**

- A. Vendors who sell products that qualify for SNAP must agree to accept SNAP coupons at their booth.
- B. SNAP can be used to purchase breads, baked goods, fruits, vegetables, meats, fish, dairy products, and seeds and plants intended to grow food.
- C. SNAP cannot be used to purchase hot foods (including tamales and breakfast burritos), jewelry, pet food, soaps, cosmetics, lotions, pottery, and other nonfood items. Vendors cannot be reimbursed for these items.
- D. SNAP purchases, as per Federal law, cannot be charged state or local sales tax.
- E. Individual vendors will not be able to accept the SNAP (EBT) Quest cards. SNAP transactions are processed at the Larimer County Master Gardener tent, located under the flagpole.
- F. SNAP benefits are in \$1 amounts; change (cash) cannot be given back for purchases with SNAP (e.g. If the total price of vegetables comes to \$3.50, the purchase must be either rounded down to \$3.00, or up to \$4.00.)
- G. All SNAP coupons must be turned in to LCFM staff at the end of the market each day.
- H. All SNAP transactions will be recorded separately at check-out; do not include SNAP sales in daily gross sales; there is a separate line to record SNAP on the check-out form.
- I. All SNAP coupons must be marked for the “2021 Larimer County Farmers’ Market”; if the vendor accepts SNAP from another market, the vendor will not be reimbursed.
- J. SNAP coupons will be reimbursed during check-out on a weekly basis.

### **5.3 DOUBLE UP FOOD BUCKS (DUFB)**

- A. The LCFM will continue participate in the Double Up Food Bucks (DUFB) program through Nourish Colorado. This grant-based program.
- B. DUFB has separate currency that will differ from the LCFM’s SNAP coupons.
- C. DUFB can only be used to purchase fresh fruits and vegetables.
- D. All SNAP coupons must be turned in to LCFM staff at the end of the market each day.
- E. DUFB collected by vendors will be reimbursed during check-out on a weekly basis.

### **5.4 PRODUCE BUCKS**

- A. The LCFM has a program called Market Days that uses Produce Bucks to purchase produce for low-income adults.

- B. Produce Bucks differ from the LCFM's SNAP and DUFEB coupons.
- C. Produce Bucks can only be used to purchase fresh fruits and vegetables.
- D. All Produce Bucks must be turned in to LCFM staff at the end of the market each day.
- E. Produce Bucks collected by vendors will be reimbursed during check-out on a weekly basis.

## **5.5 CREDIT CARDS, DEBITS CARDS, CHECKS, AND MARKET BUCKS**

### **A. The LCFM will no longer run debit/credit transactions on a wireless terminal for customers and provide Market Bucks.**

- B. Market Bucks from previous seasons can be accepted. Market Bucks are in \$5 increments, and can be treated like cash at vendor booths.
- C. All market vendors agree to accept Market Bucks via the application.
- D. Currency from other market (wooden coins, paper coupons, etc.) cannot be accepted and the LCFM will only reimburse currency distributed by the LCFM.
- F. Change can be given back for Market Bucks (e.g. If an item is \$3.00 and the customer pays with a \$5.00 Market Buck, \$2.00 can be returned in cash).
- G. Vendors must turn in all Market Bucks to market staff at the end of the market.
- H. Market Bucks must be included in gross sales calculations to determine accurate market fees.
- I. Vendors may accept credit/debit cards and checks at their own discretion. These sales must be included in the vendor's total gross sales.

## **6.0 ASSIGNED SELLING AREAS**

- A. If accepted to the market, vendors will receive a confirmation email by early April which will include dates and space assignments.
- B. All vendors will be assigned a selling area, approximately ten (10) feet wide.
- C. Vendors may not extend more than five (5) feet beyond the parking stall painted lines.
- D. Additional spaces will cost \$5 per ten (10) feet wide space per market. Requests for additional spaces on the application should be accompanied by justification of necessity; requests will be granted on a case-by-case basis by LCFM management.
- E. Space assignments will be marked in chalk on the pavement at the market. Please be respectful of adjacent neighbors and stay within the allotted space.
- F. The \$5 per extra space fee only applies when the vendor is physically present at the market.
- G. If there are vendor conflicts, please discuss them in professional manner. If neighborly discussions do not resolve the issue(s), the LCFM will arbitrate.

### **H. The LCFM has the final say regarding all selling areas, and reserves the right to schedule, assign, and move vendors as necessary to accommodate the LCFM's needs.**

## 7.0 NON-ATTENDANCE

- A. Absences must be provided in writing by sending an email to larimercountyfm@gmail.com. Verbal notifications are not accepted.
- B. If a vendor is able to come to a different market date that they had not signed up for, then there are no fines to switch dates.
- C. Vendors who are scheduled for eighteen (18) dates or more will have two “free passes” for the season. If they call or email two (2) weeks prior to the market date they cannot attend, then they do not have to pay a missed market fee.
- D. Vendors who are scheduled for seventeen (17) dates or less will have one “free pass” for the season. If they call or email two (2) weeks prior to the market date they cannot attend, then they do not have to pay a missed market fee.
- E. After the free passes have been used, vendors will be fined \$25.00 if they call or email before 5 p.m. the Wednesday prior to the market that they cannot attend.
- F. Vendors will be fined \$50.00 if they call or email after 5 p.m. the Wednesday prior to the market that they cannot attend.
- G. Emergencies will be considered on a case-by-case basis. Please communicate with the market regarding your situation.
- H. Repeated failure to attend the market on dates a vendor committed to on the application form will result in suspension or loss of selling privileges at the LCFM.

## 8.0 MARKET DAY FEE CALCULATION AND COLLECTION

- A. Each Saturday, all vendors must check-in at the entrance and provide their business name.
- B. Vendors must complete an online check-out form after each market. Forms must be submitted by 6:00 p.m. on the Sunday following the market. Late submissions are subject to a \$50 fine.**
- C. Check-out forms will calculate the 6.5% selling fee and sales tax (if applicable). Please see [local sales tax rates](#) for more information.
- D. Vendors must honestly report all sales made by the vendor or vendor’s staff at each market. “Total gross sales” is defined as total sales for the day prior to paying booth staff salaries and city sales tax.

The money generated from the LCFM helps support the Larimer County Extension Office, the Master Gardener Program and necessary LCFM logistical costs, such as insurance, personnel, marketing, rental, management, etc. Therefore, it is required that all vendors report their sales and pay their sales percentage honestly. If discrepancies are suspected, the Extension Office finance manager will have the authority to audit receipts for verification of sales.

## **9.0 PARKING**

- A. There are two entrances for vendor check-in; one is located on Howes Street and the other is on Oak Street.
- B. Vendors are allowed one vehicle in their assigned space providing the vendor's vehicle, tables, tent and product all fit within the assigned space and do not extend beyond five (5) feet beyond the parking stall painted lines.
- C. Please leave immediate parking along Oak and Howes Streets available for customer parking. Vendors parking in these spaces will be asked to move by market staff and volunteers.

## **10.0 RESTROOMS**

- A. All vendors' children under the age of 12 must be accompanied by an adult when using the restroom facilities.
- B. The LCFM will be providing portable chemical toilets for market customers and vendors.

## **11.0 EDUCATIONAL MATERIAL**

Educational material from Colorado State University Extension is provided by Master Gardeners and Master Food Safety Advisors during the Farmers' Market. Try to direct people with gardening or food preservation questions to these groups—they will be happy to help!

The Larimer County Farmers' Market reserves the right to add, subtract, and modify its regulations in order to comply with regulation established by local, state, and national public health departments.