

RULES -- Farmers' Market at Weston Nurseries

Please keep for your records.

I Terms and Conditions of Sales

1. For all vendors at the market, a written application on a form provided by the market must be submitted stating the vendor has read, understood and agreed to abide by the rules of the Market.
2. The application must include a list of items the vendor wishes to sell. The list will be reviewed with the application and a final list will be approved by the Market Manager. Only items on the approved inventory list shall be sold at the market. Additions to the inventory must be discussed with the Market Manager.

We welcome produce, food products, handmade crafts, direct sales businesses, non profits, local businesses, performers and educational promotions. All applicants are subject to Managers approval.

3. Only the following New England-grown items may be offered for sale: Fresh fruits, vegetables and cut herbs; Honey, maple syrup and fresh cider; dairy products by appropriately licensed producers; fresh eggs; meats from appropriate licensed producers; baked goods made by the seller; other specialty food products made by the seller; fresh cut flowers (potted plants may be used for decoration).
 - a. "New England grown" means the following: All pruning, spraying, fertilizing, harvesting of fruits and vegetables is undertaken by members of the seller's household or persons directly employed and paid by the seller. This may include items grown on land under written lease or license, provided that the farmer who leased the land undertakes all of the above activities.
4. All items sold at the Market must be of the highest merchantable quality. Products which are not of the highest quality must be posted as such (i.e. "seconds").
5. With the exception of storable root crops, winter squashes, and cabbages, all fruits and vegetables sold at the Market must be harvested no earlier than the day before sale at the Market. Peaches and tomatoes must be harvested no earlier than two days before sale at the Market.
6. Only produce certified by the Northeast Organic Farmers' Association (NOFA) as organic may be labeled "organic".
7. Each package or container of processed foods must be labeled with the name or product and a list of all ingredients, preservatives or treatments, name and address of the producer and net weight or volume. **All sellers of processed, cooked, packaged or mixed-ingredient foods must obtain a licensing and approval from the Hopkinton Department of Health by calling 508-497-9725. Licensing will involve a thorough explanation of all handling of foods. Please see the market application for specific details.**
8. Produce may be sold by the pound, bunch, piece, or measured container. Scales must be sealed by the Sealer of Weights and Measures each year. The Department of Health is apt to come check the scales during the season.
9. All for-profit vendors are subject to the booth fees. Non-profits who are selling any items for their organization's benefit, including raffles, are required to pay booth fees.

II. Prices and Signs:

1. Prices of all items shall be clearly posted and shall be displayed on a sign. No item shall be sold unless the price of the item is clearly displayed. Prices for products will be determined only the individual seller. Collusion among growers to raise or lower prices, or to exert pressure or persuasion to cause any grower to increase or decrease prices is not permitted.

III. Daily Operations:

1. The Farmers' Market at Weston Nurseries is located at the Weston Nurseries Garden Center, Route 135, Hopkinton, Massachusetts. The Market will operate during the months of June, July, August, September and October, **starting on June 11, 2010, weather and produce permitting.**
2. The Market hours are Fridays from 12:00 noon to 6:00 pm. Selling at the Market begins promptly at the start time, and no selling may take place before this time.
3. Participants may arrive no earlier than **10:30 am** to set up their displays. They must be finished setting up and ready to sell at noon. Participants are asked to park their vehicles immediately after unloading in either the Peach Street parking area or the Weston Nurseries employee parking lot unless arranged otherwise with the Market Manager. **If you are running late, call Buffy Cave at 508-380-2612 so she can plan layout accordingly.**
4. Vendors must commit to selling for an **entire market day. The market is open rain or shine.** The Market Manager will notify scheduled participants by e-mail by 9:00 AM if the market is cancelled due to severe weather.
5. If a vendor is unable to attend on a scheduled market day, please notify the Market Manager 24 hours in advance. Upon acceptance of your application there are no refunds for cancellations or no shows. The market is open rain or shine. Only under severe weather conditions will the market close early or be cancelled.
6. All clean-up must be completed and participants must vacate the selling area no later than **one hour past the market closing time.** If you require more time to pack up you must make arrangements with the market manager.
7. Participants must clean the sales area and aisle area in front of their stall and take home all unsold produce and non-compostable waste at the end of the sales period. Vegetable waste matter may be left in the Weston Nurseries compost container.
8. No loud hawking of wares, or political or religious activity is allowed in the selling area.
9. When selling ready-to-eat items, the individual participant must provide an approved receptacle for used wrappers, cups, etc., and must be licensed by the Hopkinton Health Department.
10. All participants must be courteous to the public at all times. A general neat and clean appearance of all market participants is required. No participant shall drink or possess any alcohol or use any controlled substance while at the market.
11. **There is no smoking permitted in the market area at any time.**
12. In the event of a dispute regarding the daily operations of the market, the decisions of the Market Manager shall be final. Any failure to abide by the Market Manager's decision regarding the daily operation of the Market shall be deemed sufficient grounds for excluding the grower from the Market for the remainder of the season.
13. Any person may submit a written grievance regarding the operation of the Market or potential violation of the rules and regulations to the Market Manager. The Market Manager will review the grievance in accordance to the market rules.
14. Collection of sales tax and Massachusetts Sales Tax Permit is the responsibility of the vendor/artisan.