Southern Miss Farmers’ Market
Rules and Regulations

1. Overview
   Dates: Mondays, April 6 through October 19, 2015.
   Market Hours: 3:00pm – 6:00pm

2. Contact
   Market Manager: Christina Foreman
   Telephone: 601-266-6802
   Email: christina.foreman@usm.edu

3. Location
   Hattiesburg: Shoemaker Square on the Southern Miss campus.

4. Check-in Requirements
   Market opens for vendors at 2PM. Set-up should be completed by 2:45PM. The market
   officially opens at 3PM, but sales before official opening are permissible. Vendors
   arriving late should call the Market Manager at least 1 hour before opening when
   possible.

5. Products to be Sold

   Produce - Vendors are allowed to supplement their products with other products as long as
   the vendor grows at least 75% by value of the overall product that they offer for sale at the
   market. Farm inspections will be conducted on a random basis with 24 hours notice
   throughout the season in order to verify compliance. Concerns regarding adherence to this
   policy will be addressed by the Market Manager directly to the vendor, and further
   information regarding the source of the product offered will be required. Farmer
   Cooperatives will be allowed to send a member to carry produce for the Cooperative when
   necessary, but we encourage individual members to bring their own produce.

   Florists/Plant Nursery – Priority will be given to those vendors who raise their own plants.
   Flower and plant vendors are allowed to bring the market plants purchased from a wholesaler
   and, in that case, must provide an appropriate sales tax number.

   Food Items – All processed foods sold to the public must be manufactured in a commercial
   food processing facility with appropriate permits and licenses. Vendors must adhere to
   government-approved methods for preparing, storing, handling, and packaging of food
   products. All prepared food must exhibit a list of ingredients if there are more than two,
   given in descending order of predominance by weight, and the name and complete address of
   the business. “Low risk” prepared foods, which include baked goods, honey, jellies, jams,
   cider, and sauces may be brought by farmers if the foods contain produce from their farm.
   Except for these “low risk” items, farmers must utilize an approved commercial food
   processing facility to sell any prepared foods.
**Original Art Work** - Examples are jewelry, ceramics, oils, water colors, photography, metal-smithing, iron works and mixed media. These are to be offered for sale by the artist/producer of said goods or their designated representative only. No resale items permitted.

**Crafts/Other** - Craft items produced by the vendor include but are not limited to: dried flowers, wreaths, baskets, garden décor, woodwork, soaps, and clothing. No resale items permitted.

6. **Space Allocation Requirements**
   Vendors will be given adequate space to accommodate vendor tents and tables. No tents larger than 10’ x 10’ will be allowed without Market approval.

7. **Application for the Market**
   Applications must be accompanied by the Market Rules and must be returned on a vendor’s first Market day. The application serves as an acknowledged agreement between the vendor and the Market to abide by the Market Rules.

8. **Civic Organization Participation**
   Nonprofit, charitable organizations are welcome to the Market. All charitable organizations must fill out an application and be approved by the Market Manager. Organizations setting up information and donation-only tables will be allowed to set up free of charge. The Market is a public space, not a public forum. Organizations espousing controversial and/or incendiary messages are not allowed (reg rule 10.C)

9. **Vendor Responsibilities**
   a) Vendors are responsible for their own sales taxes, licenses, permits and fees required for operation and will abide by all local, state, and federal laws.

   b) Food shall be clean, wholesome and safe for human consumption and shall be handled, stored, transported and offered for sale in a sanitary manner.

   c) Food products can be cut or opened for displays at the market if properly wrapped, but cannot then be sold. Free samples may be given to customers in accordance with county health regulations. Disposable utensils (i.e. napkins, toothpicks, etc.) will be provided and disposed of by the vendor.

   d) Each vendor is responsible for keeping his or her own space clean and attractive and staying within his or her designated area. Failure to maintain space upkeep and cleanliness may result in disciplinary action. Upon closing of the market, spaces are to be cleaned by the vendor. Vendors are responsible for bringing their own equipment/utensils for clean-up.

   e) Vendors must supply their own sales equipment; tables, chairs, display racks, display signs, bags for customers and money for change. Use of electricity requires Market Manager approval.
f) Tents or large umbrellas should be used by all vendors. Vendors should provide a sign posting their name and location of their farm and display a price list. Also, when applicable, vendors must be able to provide proof of license or permit. Signage is subject to the approval of the Market Manager.

g) Vendors are restricted from attracting attention to items for sale by outcries in a loud, annoying, rude or offending manner. Vendors are expected to be courteous to customers, other vendors and the market manager and volunteers.

h) Vendors are required to truthfully represent their products and operations. The Market in no way guarantees, warrants, or stipulates that any merchandise offered at the market either for sale or sample is organic. The Market requires the certification of the “organic” products by the United States Department of Agriculture Organic Certification Program certified by the Mississippi Department of Agriculture. Vendors who use methods in accordance with these standards but are not certified, may not market their goods as “organic” and must use other terminology. We encourage vendors to communicate their agricultural practices with customers.

i) Each vendor may set his or her own prices. Prices should be set in keeping with customer satisfaction and consideration of other market vendors.

j) Each vendor is required to provide scales of demonstrative accuracy and price and sell products in an easily understandable manner: by weight or by the bushel, quart, pint, or individual piece.

k) Vendor will occupy and attend assigned space until at least 6 PM. A consistently full market is vital to its success and growth. Early pack-up or departure not approved by the Market Manager may result in disciplinary action, as outlined in section 10.c.

l) To the fullest extent allowed by law, each vendor shall indemnify, defend, save, hold harmless, protect and exonerate the Board, its directors, employees, agents, representatives, the Market Manager, and the State of Mississippi from and against all claims, demands, liabilities, suits, actions, damages and losses for personal injury, death or property damage, including, without limitation, court costs, investigative fees and attorneys’ fees arising out of such vendor’s operations on the Board’s grounds, and whether caused by the vendor or his agents, employees or subcontractors. Each vendor shall be solely responsible for all costs and/or expenses associated with such defense.

m) There may be vendors selling similar items at the market.
10. Rights Reserved by the Market Manager
   a) Only the Market Manager or designated representative can close the market at any
time other than that which is scheduled, except in the case of inclement weather,
when vendors exercise their own judgment.

   b) The Market Manager reserves the right to reject a vendor application if, in the
Manager’s judgment, the goods, merchandise, or participation are not compatible
with the overall concept of the market or are inappropriate.

   c) The Manager shall have the authority to oversee and enforce the Market Rules and
has the right to refuse a vendor’s participation at any time for any reason violating the
Market Rules. The Manager may also exercise Due Process for suspension in
accordance with the following criteria: 1) adequate verbal notification to the specific
vendor by the Market Manager; 2) written notification of suspension from the Market
Manager based on noncompliance by the vendor to adhere to verbal and written
direction; 3) date scheduled to provide vendor the opportunity to address allegations
with the Market Board for reinstatement. Decisions for appropriate discipline or
notification of permanent suspension will be at the discretion of the Market Board.

   d) The Market Manager retains the right to immediately deny a vendor the privilege of
selling at the market for any of the following reasons: misrepresentation of products,
poor quality of products or produce, or disorderly conduct.

11. Modifications to Rules
   The Market Board reserves the right to revise the Southern Miss Farmer’s Market
rules and regulations at any time, but the new rules, with changes highlighted, will be
immediately distributed among all interested parties.