

Mississippi Farmers Market

Vendor Guidelines

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Mississippi Farmers Market

The Mississippi Farmers Market (“the Market”), a division of the Mississippi Department of Agriculture and Commerce (MDAC), was established in 2005 to provide facilities for the handling and sale of farm and other food products in the interest of farmers, consumers, the general public and the State of Mississippi. The Mississippi Farmers Market was created to promote and provide a marketplace for Mississippi grown fruits, vegetables, plant materials, and other products made in Mississippi. The primary objectives of the Market are to offer a diverse product selection, attract a large and repeating customer base, and afford farmers a profitable location to sell produce and other goods.

Mississippi Farmers Market Guidelines

The following guidelines were established by the Mississippi Department of Agriculture and Commerce and the Mississippi Farmers Market. These guidelines apply only to the Mississippi Farmers Market located at 929 High Street, Jackson, Mississippi 39202. These guidelines provide an outline of the operations of the Farmers Market and the expectations of both the Market and the vendors.

Section 1. Operating Hours

The Mississippi Farmers Market is open for operation on Saturdays year-round. Normal operating hours are from 8:00 a.m. until 1:00 p.m., with special winter hours determined by the Market Manager. The Market is also open seasonally on Thursdays from 9:00 a.m. until 1:00 p.m. and on special days as determined by the Market Manager.

Section 2. Becoming a Vendor at the Mississippi Farmers Market

A. Vendor Eligibility, Application/Certification, and Selection Priority

All vendors must be certified and approved by the Market Manager prior to selling at the Mississippi Farmers Market.

1. In order to become a vendor at the Mississippi Farmers Market, those interested must complete and submit an application corresponding to the type(s) of products that the applicant would like to sell. Applications are available for Farmers, Processed Food Vendors, and Arts & Crafts Vendors.
2. Applications will be reviewed and evaluated by the Market Manager for approval.

3. All items intended for sale shall be listed on the application, and only those items approved for sale will be allowed. Applications should be amended to include additional products vendors want to sell.
4. It is the intent of the certification process to ensure all products sold at the Market are produced by those actively involved in the production process, and only those individuals may become eligible vendors at the Market.
5. Vendors shall be selected and stalls allocated to promote equity, diversity, and a competitive environment to benefit both vendors and customers.
6. The Market Manager and/or staff of the Mississippi Department of Agriculture and Commerce shall perform inspections on vendor property as part of the application process for farmers.
7. Processed food vendors must submit samples of food products and packing and labeling with the application.
8. Arts and crafts vendors must have their products reviewed and approved through a jury process as part of the application process.
9. The Market Manager will notify applicants when they are approved to become a vendor at the Mississippi Farmers Market.
10. All vendors must complete the proper application form upon annual application for participation in the Market.

B. Arts and Craft Vendor Applications and Selection

Vendors with handcrafted items and/ or art must complete the Arts & Crafts Vendor application. Once submitted, the application and potential products will be reviewed for approval. Notification of approval will be communicated to the applicant within two weeks of the review committees' decision.

1. All arts and craft vendors must complete the Arts & Craft Vendor application.
2. Individuals making products using inputs sourced directly from a Mississippi farm and Members of the Craftsmen's Guild of Mississippi will be given first preference.
3. Other applicants will be reviewed and must be approved by a Standards Committee appointed by the Market Manager.
4. The Standards Committee will conduct reviews at least twice per calendar year and will rate applicants work based on criteria of design, creativity, craftsmanship and overall impact. Applicants work must be approved to qualify for active vendor status.

Section 3. Vendor Participation and Attendance

A. Vendor Participation

Vendors must notify the Market Manager weekly by 2:00 p.m. on Wednesdays as to whether they plan to participate in the Market for the upcoming Saturday. Vendors will also need to let the Manager know what they will be bringing to sell at the Market weekly. The Manager uses this information to promote the Market. Vendors failing to notify the Manager of their participation could forfeit their stall placement that week.

B. Vendor Attendance

The Mississippi Farmers Market strives to provide shoppers with the best shopping experience possible so that they continue shopping at the Market. It is vital that vendors attend the Market regularly and participate throughout the entirety of the day.

1. Vendors must arrive to the Market no later than 30 minutes prior to the Market's opening time and be ready to begin selling when the Market opens. Many shoppers arrive early to get in and out of the market and may park in your space if you do not arrive early.
2. Vendors are to continue actively selling until the Market closes, without packing up early.
3. If a vendor sells out prior to the closing time, the vendor is to notify the Market Manager. The vendor must place a 'Sold Out' sign made available from the Farmers Market in the stall.
4. Vendors that leave early for any reason, must notify the Market Manager prior to leaving.

Failure to comply with these guidelines (late arrivals, leaving early) will result in vendor being in non-compliance with Market rules and could lead to dismissal at the market or forfeiture of stall space.

Section 4. Products Eligible to be Sold at the Mississippi Farmers Market

Customers shop at the Mississippi Farmers Market expecting to find high quality Mississippi products. In order to meet customer expectations, the Mississippi Farmers Market has set the following guidelines in place.

1. Only those items listed on the application and approved for sale will be allowed to be sold at the Mississippi Farmers Market. Please note, per state law and Health Department regulations, no drug, pharmaceutical or other medical products may be sold at the Market.
2. Products that are sold at the Market must be grown, raised, crafted, or made in Mississippi by the vendor with the following exception:

- a. For each item that at a vendor grows on their farm and sells at the market at a given time, that farmer can bring in one item they did not grow, up to a maximum of three (3) items. This must be done within reason, and a majority of the produce sold by the vendor must be grown by a vendor.

Section 5. Stall Rental & Cooler Fees

The Mississippi Farmers Market has the authority to set rental rates for vendors selling on Market grounds. Rates are set to support the financial stability of the Market and to encourage participation in the Market.

A. Stall Rental Fee

1. The fee to rent a stall is \$10 per market day/per stall. Rental fees will be paid on a daily basis for each stall space occupied.
2. Each vendor, whether in cooperation with other growers or not, shall individually pay a stall fee. This includes farmers that co-op with another farmer. If a vendor co-ops with another farmer; they both pay a stall fee.

B. Cooler Rental Fees & Electricity Charges

The Mississippi Farmers Market recognizes that some vendors need access to coolers and freezers at the Market in order to meet food safety and quality control requirements. Vendors have two (2) options available for accessing coolers and freezers.

1. Vendors can provide their own coolers and freezers, with advance approval of the Market Manager.
 - a. Coolers and freezers must be commercial grade and approved by the Mississippi Department of Agriculture and Commerce's Bureau of Regulatory Services.
 - b. Vendors providing their own cooling devices will be charged a fee to cover the electricity usage for each day the cooling device is in use.
 - c. The Market Manager will determine the electrical usage fee based upon the type of cooling device.
2. Vendors can rent space in a cooler provided by the Mississippi Farmers Market. Only refrigeration is available, not freezers.
 - a. The cost to rent space in a cooler owned by the Farmers Market will be determined by the type of cooler utilized. The cost of rent for space in the small coolers is \$5 per day the cooler is in use. The cost of rent for space in the larger coolers is \$10 per day the cooler is in use.
 - b. Space rented in Market coolers can only be used for products intended for sale at the Mississippi Farmers Market.

- c. The Mississippi Farmers Market will not responsible for products kept in the coolers.
- d. Space allocation will be determined based upon cooler space availability.

Section 6. Stall Assignments

The Mississippi Farmers Market consists of 32 stalls with roll-up doors that are 12'x 20' in size. Stalls are also available in the center aisles on the inside of the building. Overflow stall placements are located in designated spaces outside of the Market, if needed.

1. Stall placement is determined by the Market Manager.
2. The Manager will assign stalls based upon seniority, the length of time participating in the market.
3. The Market Manager has the discretion to make assignments taking factors such as, but not limited to, vendor's level of active participation in the Market, stall needs, volume sold, and type products sold into consideration.
4. A single vendor may rent a maximum of two consecutive stalls. An exemption may be granted by the Market Manager based on the volume of Mississippi product grown by the farmer and available for sale on a regular basis.
5. A chart showing the stall assignments will be made available outside of the Manager's office each market day.

Section 7. Utilization of Assigned Stalls

The Mississippi Farmers Market takes great pride in the building. Vendors are responsible for maintaining the stalls they are assigned.

1. At no time can vendors expand beyond the side and front lines of the stall(s) assigned.
2. A tent or other shading structure that has been approved by the Market Manager may be placed directly behind the stall to expand the rented stall.
3. At no time may a vendor's display restrict the view of other vendors at the market.
4. No vendor may sub-lease or sub-let their space at any given time.
5. All vendors and vendor personnel are responsible for a daily proper disposal and removal of refuse, discards, and garbage from their assigned space, including, without limitation, the ten feet in front and rear of rented space and five feet on all sides of any vehicle parked at a rented space.
6. Vendor displays and storage must be kept sanitary on a daily basis.

7. Upon departure, all space for which the vendor is responsible must be left clean.
8. All unsold merchandise and personal items (fans, air conditioners, storage containers, home coffee pots, etc.) must be removed from the market at the end of the day unless properly locked away in a rolling cabinet.
9. Empty tables/counters/produce stands & chairs can remain at the market from week to week, but only if the vendor attends every Saturday. If a vendor does not attend every Saturday, all items (chairs, tables, cabinets, etc.) are to be removed from the market.
10. Merchandise and personal items can't be stored on the floor under tables.
11. Stalls spaces are to be swept at the end of the day.
12. Tables and chairs belonging to the Market are to be cleaned and returned to the racks at the end of the Market day.
13. Vendors may be required to move all items on occasion such as during building rentals and for cleaning.
14. The Mississippi Farmers Market is not responsible for any items left at the Market.
15. Vendors, if deemed eligible by the Market Manager, may expand the size of their stall for an additional fee by utilizing the parking area behind the stall. Expansion displays must not block the driving space of other vendors at the market and must adhere to the width and length restrictions of the rented stall(s).

Section 8. Guidelines Pertaining to Farmers

A. Registration of Produce Farmers

1. Produce farmers must be registered with the Mississippi Department of Agriculture and Commerce's Produce Safety Division.

B. Properly labeling product origin for Produce

Proper labeling of products and their origin is very important. The Mississippi Farmers Market prides itself in being a marketplace for Mississippi items. Although, the Market allows some reselling on a limited basis, the Market does not want to misrepresent product origin to shoppers, nor confuse them.

In order to ensure full transparency and/or to meet Produce Safety Rule Standards, vendors must adhere to the following:

1. Growers must post the name and address of their farm in their stall.

2. If co-oping with another farmer, label the products with the name and address of the farm where grown.
3. If re-selling products, growers must label the origin of products clearly so that consumers know that you did not grow it on your farm. NOTE: All growers that re-sell produce must maintain receipts from the grower/wholesaler for traceability purposes.
4. Non-Mississippi items and products being re-sold must be located in one specific area in the stall and not intermingled with produce grown by the farmer vendor.

C. Allowance of Co-oping at the Mississippi Farmers Market

Farmers are allowed to co-op at the Mississippi Farmers Market. Re-selling and co-oping are not considered the same thing.

1. Co-oping occurs when a farmer has an agreement in place to sell items grown by another Mississippi farmer at the Farmers Market in that farmer's absence. For instance, a farmer may want to sell his/her Mississippi-grown produce at the Mississippi Farmers Market but may not be able to attend the Market. In this instance, that farmer can work with another farmer that sells at the market to sell his/her products.
2. Example of Co-oping: A Mississippi satsuma farmer on the coast would like to sell his/her satsumas at the Mississippi Farmers Market, but he/she is also selling at other markets too on Saturday. He/she can work with another farmer in the market to sell his/her satsumas.
3. If farmers are planning to co-op, all farmers will need to be certified by the Market Manager. And, all farmers will receive a farm visit, as well, just as if that farmer is present selling his/her own products.
4. Each vendor, whether in cooperation with other growers or not, will individually pay a stall fee.

D. Guidelines for Nursery/Landscape Producers

The following guidelines are applicable to those vendors selling plant materials classified as either Nursery or Landscape.

1. The Bureau of Plant Industry must certify all vendors selling nursery plant materials before entering the market. Proof of certification and licensing must be provided and on file with the Market Manager.
2. All plant materials sold at the market must have been grown in Mississippi. Plugs and other starter plants not originating in Mississippi may be considered a Mississippi product if and only if it is finished in the state. For such consideration, the plant

material must not be in its original container, and it must have matured in Mississippi for a minimum of four weeks.

3. All plant materials must be disease and pest free.
4. Vendors may water plants as necessary but may not spray fertilizer, pesticides, or any other chemicals at any time at the Market.

Section 9. Guidelines for Processed Food Vendors

A. General Guidelines for Processed Foods

The following guidelines are applicable to those vendors selling processed foods at the Mississippi Farmers Market:

1. Federal and State approved methods for preparing, storing, handling, and packaging of food products must be adhered to.
2. All processed foods products are to be packaged, covered, sealed, or wrapped at all times.
3. Complaints regarding quality, unsafe practices, or reports of illness must be given directly to the Market Manager.
4. Food products sold can be neither adulterated nor misbranded.
5. Glass containers for jams, jellies, marmalades and similar products are to be provided with suitable metal covers.
6. Potentially hazardous goods may be sold at the market if the vendor has a permit from the State Health Department and meets the labeling requirements

B. Cottage Foods

Cottage Food products are specific types of foods that are made in the kitchen of your private home. Not all food products can be sold as Cottage Food products. Cottage foods are non-potentially hazardous foods that do not require time and/or temperature controls for safety. Cottage foods can be sold at the Mississippi Farmers' Market provided the following conditions are met:

1. All finished product containers are clean and sanitary and are labeled to show:
 - a. The name and address of the cottage food operation;
 - b. The name of the cottage food product;
 - c. The ingredients of the cottage food product, in descending order of predominance of weight;
 - d. The net weight or volume of the cottage food;
 - e. Allergen information as specified by federal labeling requirements:

- f. If any nutritional claim is made, appropriate nutritional information as specified by federal labeling requirements
 - g. The following statement printed in at least ten-point type in a color that provides a clear contrast to the background of the label: “Made in a cottage food operation that is not subject to Mississippi’s food safety regulations.”
2. Cottage foods must be produced in accordance with Miss. Code Ann. § 75-29-951.

Section 10. General Operating Guidelines

The following guidelines apply to all vendors selling at the Mississippi Farmers Market:

1. Each vendor operates privately and separately, and it is the individual responsibility of each vendor to comply with all city, county, state and federal laws and regulations concerning packaging, labeling, taxation, food safety and sanitation, and required permits and licensing.
2. For products sold by weight, the scale used must be a National Type Evaluation Program (N.T.E.P.) approved scale. All scales must be tested annually by the Mississippi Department of Agriculture and Commerce, Weights and Measures Division.
3. Vendors must use the space as authorized by the Market Manager.
4. The Market Manager must approve signage. Vendors are encouraged to put information and pictures of their farm or business operation.
5. The Market will provide waste containers and basic electrical service. The Market will not provide electrical cords or other electrical extensions.
6. The Market will also provide water connections for the vendors. The Market will not provide hoses or other connection equipment needed to dispense water.
7. Hoses and other watering apparatuses must be put away and turned off immediately upon termination of use and must not pose a threat to others.
8. Standing water must be swept to the nearest drain.
9. Vendors are responsible for providing their own tables and chairs. The Market has a limited amount available for vendors to use.
10. Only “whisper-type” generators are allowed in the market. Market management will determine whether any generator is too loud for use during market hours.
11. No vendor shall enter into price agreements to raise, lower, or fix prices for products on the Market. Vendors are not to influence other vendors to sell lower or higher other than through natural competition.
12. No vendor is to approach customers while at the location of another vendor. No calling out of prices will be permitted.

13. Use of the product label “Organic” must be in accordance with all Federal and State laws, rules, and regulations. . Vendors may use “pesticide free” and/or other terms, but State and Federal law controls the use of the word “Organic.”
14. No live animals shall be offered for sale at the Market.
15. No smoking or tobacco use shall be allowed in the building.
16. No alcohol, intoxicating beverage or narcotic, nor any person under the influence thereof, shall be allowed on the market premises.
17. Loitering in or around the Market after designated operating hours is prohibited.
18. No eighteen-wheelers shall be allowed on Market grounds.
19. No repairs on vehicles, other than emergency repairs, may be performed on Market grounds.
20. All vehicles belonging to or used by the vendor must be parked directly behind their rented stall or in customer parking, and must be moved on a daily basis (cannot stay after Market closes).
21. No soliciting of products other than approved items will be permitted.
22. Due to Health Department rules that apply to the restaurant located inside the Market, no pets are allowed in the building with the exception of service animals.
23. No person shall deface or damage the Market building.
24. Vendors are responsible for the actions, behavior, and dress of their representatives, employees or agents. Shoes and shirts must be worn at all times.
25. The Market is not liable and assumes no responsibility for any personal items or property in or around the stall(s).
26. The Mississippi Department of Agriculture and Commerce has the right to invite any outside vendor for temporary, promotional events with those individuals adhering to only the ‘Operational Guidelines.’
27. To the fullest extent allowed by law, Vendor shall indemnify, defend, save and hold harmless, protect, and exonerate Owner (Mississippi Department of Agriculture & Commerce), its Commissioner, board members, officers, employees, agents, and representatives, the Mississippi Farmers Market and its manager and employees, and the State of Mississippi from and against any and all claims, demands, liabilities, suits, actions, damages, losses for personal injury, death or property damage, claims, expenses and costs of every kind and nature whatsoever, including without limitation, court costs, investigative fees and expenses, and attorneys’ fees, arising out of Vendor’s use of the grounds or property and whether caused by Vendor, his agents, employees or subcontractors. Each vendor shall be solely responsible for all costs and/or expenses associated with such defense.
28. If the vendor has been absent from the Market and rent has accrued, the vendor must, upon his return to the Market, pay all delinquent rent and/or fees before engaging in business again.

29. The Market Manager reserves the right to eject from the grounds any individual who interferes with the commerce and operation of the Market.
30. If the Mississippi Legislature or the United States Congress fails to appropriate the funds necessary to operate the Market, the Market Manager may debar any or all of the vendors from operating at the Market.
31. Any complaint against any vendors, whether by a guest of the market or by another vendor, will be addressed by the Market Manager. Decisions made by the Market Manager are final.
32. Soliciting of any kind is not allowed during market without prior approval of Market Manager. This includes advertising for other events or businesses by anyone not associated with the Mississippi Farmers Market.
33. No person or organization, including vendors, may solicit money, votes or signatures or engage in a protest, demonstration or political activity/speech, including distribution of written materials, in the Market building or on the sidewalk leading up to or around the building. Such activities must be conducted at least 50 feet from the Market building or in an area specifically designated by the Market Manager. Such person or organization must register with the Market prior to a protest, demonstration or political activity/speech. The Market Manager reserves the right to eject from the grounds any individual who interferes with or disrupts the commerce and operation of the Market.
34. Sampling is allowed at the Mississippi Farmers Market. Sampling must be done in way that follows food safety protocols. All foods must come from approved sources that comply with the current Food Code. All processed food items offered for sampling must be considered a cottage food or must be made in a facility licensed by the Mississippi State Department of Health.

Section 11. Penalties for Not Following the Guidelines

In order ensure that the Market is operated in an efficient manner, it is imperative that vendors adhere to the guidelines as set forth by the Mississippi Farmers Market. If the Market Manager determines that a vendor is in violation of any provision that may interfere with the operation of the Market, penalties may be applied, including being permanently expelled from the Market.

Non-adherence to Market guidelines will result in the following actions being taken:

1. First Offense: The vendor will receive a written reprimand from the Market Manager stating the violation. The written documentation will be signed by both the vendor and Market Manager and kept on file.
2. Second Offense: The vendor will receive a written reprimand from the Market Manager, which will be signed by both the Manager and vendor and kept on file, and the vendor will be suspended from the Market for one Saturday.
3. Third Offense: The vendor will receive a written reprimand from the Market Manager, which will be signed by both the Manager and vendor and kept on file, and the vendor

will be suspended from the Market for two Saturdays, and the vendor may forfeit its assigned stall at the Market.

Please be advised that the Mississippi Farmers Market has a zero-tolerance policy for any threatening, vulgar or violent speech or actions. Depending on the severity of the offence and/or the vendor continues to operate outside the confines of the Market Guidelines, the Market Manager has the discretion to expel the vendor from the Market permanently, if deemed necessary.

These rules are effective October 22nd, 2021 by Commissioner of Agriculture and Commerce Andy Gipson.

By my signature on this document, I hereby acknowledge that I have read and agree with the Vendor Guidelines of the Mississippi Farmers Market and all applicable rules, regulations and policies of the State of Mississippi & the Mississippi Department of Agriculture and Commerce.

Vendor Signature

Date