

ACCESS Family Health Services Farmers' Market - The Farmacy

**BYLAWS**

**Purpose:**

1. To provide consumers with farm-fresh products and other natural products as approved by the board at a convenient location.
2. To provide farmers with improved marketing opportunities
3. To impact the health of low-income community residents with chronic diseases through the availability of affordable fresh produce, and promotion of good nutrition and healthy lifestyles (Farm4Fit).

**Participation/Organization:**

1. Farmers/Vendors must be within the AFHSI service area.
2. The term "farmer"/vendor means actively engaged in the production of fruits, vegetables, ornamental plants, livestock or other approved market products.
3. Each farmer-vendor shall have one vote on group decisions.
4. Issues shall be decided on the basis of a simple majority of votes cast. All vendors must be given the same notice and opportunity to vote on issues. Types of issues requiring a vote include, but are not limited to:
  - Entrance of additional vendors
  - Changes in the sales times/hours of operation
  - Setting fees
  - Major purchases or agreements for the farmers' market (when fees are charged)
5. Changes to these bylaws shall be decided on the basis of over two-thirds of votes cast.
6. Entrance of additional vendors will be allowed if the new farmer agrees to follow these bylaws and is approved by a vote of the original vendors. Reasons to disallow additional vendors include, but are not limited to:
  - Insufficient space at the market
  - Not agreeing to follow bylaws
7. Additional vendors also receive one vote on issues.
8. Farmers cannot transfer the right to be a vendor directly to another farmer.
9. After the initial season (July – October 2017), fees may consist of an annual entry fee and a weekly sales day fee. These may cover the cost of the farmers' market including, but not limited to:
  - Rent to the property owner
  - Advertising and promotions

- Utilities
  - Charges for a bank account and other products, equipment, or services
10. Vendors can eject one who willfully violates these bylaws, after a discussion and vote.
11. Officers will be the President, Vice-President, and Secretary. They must be vendors and will be elected around the beginning of each sales season. Positions can be combined.
- The Market Manager will serve as President and chair meetings. He/she shall be the main contact person for vendors and the property owner, appoint committees and bring issues to the vendors as needed. He/she will also collect fees, and keep financial records during markets, and submit to ACCESS administration for payment.
  - The Vice-President will be a vendor, and will assist with these duties as needed (optional position)
  - The Secretary will maintain up-to-date bylaws and mailing list, notify vendors of meetings, and keep minutes.
12. An audit committee of vendors shall be appointed by the President to examine financial records at the end of each season.
13. Farmer/vendors must extend their farm liability insurance coverage to their market stand. ACCESS will provide liability coverage for the market area for the first season, a separate liability insurance policy for the market area may be required when vendor fees are collected.
14. Cooperative Extension staff will play an advisory, non-voting role.

**Rules:**

1. Products displayed must be produced by the vendor who sells them with two exceptions:
  - A farmer encountering a temporary shortfall in his or her own supply of a product can purchase that product from another farmer as a supplement. The supplemental product must be grown in Mississippi.
  - Because the Town of Smithville has no local grocer supplying fresh fruits and vegetables, upon determination of products provided locally, vendors can approve for products to be brought in from larger farmers' markets to sell (i.e. bananas, citrus fruit, etc.).
2. Farmers shall indicate the major products they plan to sell on an application form to be submitted at the beginning of each season.
3. Products sold can be expanded and limited by the vote of the vendors or as restricted by ACCESS. The following can be sold:
  - Vegetables
  - Fruits

- Fruit baskets
  - Herbs
  - Honey, maple syrup
  - Preserves, cider
  - Homemade baked items such as pies, or breads
  - Eggs
  - Pumpkins, ornamentals
  - Natural Soaps and Scrubs
4. Vendors must comply with local, state, and federal regulations that apply to their products. These include but are not limited to:
    - Pesticide licensing, their safe use and residue levels
    - A seal on weight scales and compliance with other measure rules
    - Participation in mandatory research and marketing assessments for certain ag commodities
    - State sales tax collected as required
    - Health regulations that limit the preparation of ready-to-eat foods
    - Preserves, honey and canned foods labeled and limited as required
    - Eggs labeled and sold at internal temperature as required
  5. Annual and weekly fees (when assessed) must be paid according to the agreed-upon terms prior to selling at the farmers' market.
  6. Permanent vendors shall commit to and prepare to sell at least half of the sales days for the season. If a crop failure or other uncontrollable reason prevents this participation, the vendor should inform the officers as soon as possible.
  7. Vendors must arrive in time on sales days to be ready to sell at the official opening time.
  8. No sales are allowed before the opening time.
  9. Vendors have rights to operate as each sees fit (pertaining to selection, quality, pricing, merchandising, stands, services, etc.). However, activities that seem to exceed normal sales practices can be questioned by other vendors. If a vote is called, the vendor in question must comply. Abnormal activities include, but are not limited to:
    - Unsafe conditions or hazards at a stand
    - Consistent pricing of products well below profitable levels
    - A stand that impedes access to other vendors
    - A stand or conducts in a condition that detracts from the market's appearance or reputation.
  10. Failure to comply with bylaws, after vendor is approached and a vote is called, will result in expulsion from the organization with no recompensation to the expelled vendor.

11. Vendor stands will be assigned at the beginning of the season.
12. Farmers can go together to share a vendor stand (with one vote on issues).
13. Farmers can take no more than two vendor stands (with one vote on issues).
14. Vendors must re-state their intent to participate at a designated time each year.