



Binford Farmers Market 2024 Market Rules and Regulations

Each Saturday, May 4 through September 28, 2024

Market Hours are 8 a.m. to 12 p.m.

(317) 300-4584 | market@binford71.org

The Binford Farmers Market is a Binford Redevelopment and Growth, Inc. initiative. (BRAG) The Binford Farmers Market is managed by the Market Managers and BRAG's Market committee. The 2024 BFM will be held weekly on Saturday mornings from 8:00 a.m. to 12:00 Noon at 65th and Binford, Indianapolis, IN. The following are guidelines for vendors who wish to participate in the Binford Farmers Market. Your application will be submitted online.

www.binfordfarmersmarket.org BRAG reserves the right to make exceptions to these guidelines at its discretion on a case-by-case basis.

ELIGIBILITY OF VENDORS

Any person who regularly and directly works in all stages of the cultivation, production, and harvesting of quality Indiana-grown produce or other eligible prepared goods or is regularly engaged in the sale or distribution of such goods may apply to become a Binford Farmers Market vendor. Before participating in the BFM, all vendors must provide BRAG with copies of all State and local permits and licenses required to operate their vending business. This includes a copy of the insurance certificate described below and other signed agreements, consents, waivers, releases, and acknowledgments as BRAG requires.

Exclusivity: The Market generally does not offer exclusive rights to vendors to sell products. Market customers generally benefit from having a choice. **However, if market management believes the number of vendors offering the same or similar products is excessive, identical products may be denied entry.**

BRAG reserves the right to deny any vendor application or revoke vendor privileges of any person for failure to provide all required paperwork or to comply with all applicable laws and Binford Farmers Market policies, or due to undesirable or suspect produce or other goods offered for sale, space considerations, or any other reason or cause determined by BRAG at its discretion.

Every vendor must provide a Certificate of Insurance with appropriate Additional Insured wording, as noted in this agreement on page 7. Please share the insurance requirements found on page 7 with your insurance agent. All applicants must read the criteria for Vendor Selection and BFM Rules and Regulations before completing the application.



GOODS PERMITTED FOR SALE

Approved vendors agree to offer only the highest quality produce and other goods at the Binford Farmers Market according to all applicable laws and BFM policies. Upon request of the BFM Manager, each vendor agrees to provide the name and contact information of the farm or other source of the product or other goods offered for sale. This information will be confidential and not shared with other BFM vendors. No product offered at the BFM shall be purchased at a wholesale or auction supplier except as BRAG may approve in advance. Any vendor found to be buying and re-selling goods from out of state will be asked to leave the market for the season.

Subject to applicable federal, state, and local laws, regulations, and guidelines, the following goods may be sold at the BFM: fresh fruits and vegetables, dried and fresh herbs and spices, plants, flowers, honey, eggs, popcorn, flour, and ground grains, whole grains and beans, meats, and cheeses. The sale of these food items requires adequate labeling and must consist of the following: Name of Product / Location of Preparation / Description of Contents / Net Weight / Price. Processed food items that are permitted include jellies, jams, preserves, salsa, dried vegetables, dried fruits, cider or other pressed juices, ice cream, soups, meat entrées, vinegar, herb vinegar, and baked goods. The market manager may approve other items. These processed food items must be prepared in a facility by Indiana law and sold in pre-packaged form. Food items prepared by a Home-Based Vendor must have proper labeling. All vendors selling processed foods must prominently display their Board of Health licenses at their stands.

Meat Products—As approved in advance by BRAG, all meat products must come from animals raised in Indiana. Animals may be butchered or processed off-farm. Processing must comply with Federal, State, and local laws and regulations, and the farmer/producer must supply documentation of such compliance with the vendor's application.

Milk, Dairy, Cheese, Eggs-- Except as approved by BRAG, milk must be from the Indiana farmer/producer's herd; cheese and other dairy products must be made in Indiana. Production must comply with state dairy ordinances and licensing, and the farmer must supply the documentation of such compliance with the application. A current egg vendor license issued by the State Egg Board must be exhibited, and a copy of the vendor's license should be sent to the email address above.

Plants and Produce

Plants or produce for sale cannot be purchased from a wholesale supplier. If any vendor is found to be buying plants or produce for resale, they may be asked to leave the market for the remainder of the season. No refunds will be due to the vendor. The only re-selling that may occur is acquiring and selling another farmers Indiana-grown goods. Each plant must be cultivated by an Indiana producer from seed or plug for at least six weeks. In the case of re-selling, Vendors must accurately label the farm name and city where products come from for their customers.

Multi-Level Marketing Programs and Chain Businesses – Binford Farmers Market does not permit Marketing Level Marketing (MLM) type vendors, nor do we allow chain businesses.



Value-Added Foods

Foods must be prepared from scratch by the vendor in a licensed facility or qualify as a Home-Based Vendor (HBV) item and have proper labeling. A copy of the commercial kitchen certificate or another required licensure must be available weekly for Marion County Public Health Department inspection. See full details at: <http://www.mchd.com/fdpfmai.htm>. If you have questions, contact Kelli Whiting at the Marion County Health Dept at 317-221-2222 or kwhiting@marionhealth.org. A vendor may be required to submit recipes for value-added foods to the market manager.

HEALTH AND SAFETY REQUIREMENTS

YOU MUST OBTAIN A LICENSE BEFORE SELLING FOOD ITEMS AT A FARMERS MARKET. Licensing information and regulations about farmers' markets will be found on the Marion County Health Department website: <http://www.mchd.com/fdpfmai.htm>. The Marion County Health Department regularly inspects all farmers' markets to ensure that regulations are followed. The vendor is responsible for keeping abreast of all county and state rules and ordinances as they apply to their products.

All vendors must adhere to sanitary procedures for selling produce and value-added items, including water for handwashing. Proper labeling must be used as defined by the appropriate authority.

No smoking or vaping is allowed on the Binford Farmers Market grounds and Northview campus.

The vendor is solely responsible for assuring that all goods offered are safe, edible, and compliant with applicable regulations. All items intended for human consumption must always be kept off the ground, stored, and displayed in safe and sound conditions. **The vendor is solely responsible for damages from the sale of unsafe or unsound goods.** No potentially hazardous, spoiled, or contaminated foods may be sold. If you have questions regarding a particular food included in the minimally processed food list, call the Marion County Health Department at 317-221-2222. If you have questions, contact Kelli Whiting at the Marion County Health Dept, kwhiting@marionhealth.org.

Fire Extinguishers: Food vendors using gas, electric, or other fuel sources for cooking must have on-site, readily available, and in their booth a portable fire extinguisher Class B rated for flammable liquids. Vendors will receive a strike and may be asked to cease sales and leave for the day if one is not readily available.

SAMPLING

Vendors must follow the Marion County Health Department regarding proper techniques for sampling food products and pay costs for sampling fees, if any. Full details are found at: <http://www.mchd.com/fdpfmai.htm>. If you have questions, contact Kelli Whiting at the Marion County Health Dept at 317-221-2222 kwhiting@marionhealth.org.



SIGNAGE

The vendor must display legible price markers for all goods offered for sale. The vendor must display signage noting the farm or company name and the vendor's town. If the vendor participates in the farmers market SNAP and Fresh Bucks programs, appropriate signage must be shown as indicated in the SNAP/Fresh Bucks/ WIC agreement.

REGISTRATION TO SELL

BRAG or the Market Manager can revoke reserved vending space if any regulations are not followed, paperwork has not been submitted, or full payment has yet to be received.

FULL SEASON VENDORS - \$325 per season

All Full Season Vendors are expected to attend all market days, May through September. The annual fee of \$325 must be paid in full when the application is approved and always by the first day of the market. A vendor is only considered fully approved once payment is received. Full Season Vendors may only miss up to **three dates** of the Farmers Market. Full-season vendors planning to miss any market days must notify the Market Manager **one week** before the scheduled day. Vendors will receive a strike for weeks missed; those who accumulate three (3) strikes may forfeit their rights to their booth space for the remainder of the season, and no refund is provided.

GROWING SEASON VENDORS - \$325 per growing season

Produce vendors may be considered a Growing Season Vendor and pay the Full Season **\$325** per space fee even if their product is only available for a limited number of weeks. Produce vendors must inform the market manager one week before attendance and give one week's notice of the last day at the market. Growing Season Vendors planning to miss any market days must notify the Market Manager one week before the day. Vendors will receive a strike for weeks missed; those who accumulate three (3) strikes may forfeit their rights to their booth space for the remainder of the season, and no refund is provided.

POP-IN VENDORS: - \$25 per week

Vendors intending to participate only occasionally must submit their applications online.

www.binfordfarmersmarket.org (Become a Vendor) The cost for a single day is **\$25** and is payable on the date of attendance. The full season fee does not apply under any circumstances. Participation on this basis is not guaranteed but is on a first-come, first-serve basis. Vendors must notify the Market Manager 48 hours in advance of any miss. If no advance notification is provided, the Pop-In-Vendor must pay the single-day fee of \$25.00.

Please make your check out to **Binford Redevelopment & Growth, Inc.** and send it to:

Binford Farmers Market
%Binford Redevelopment and Growth, Inc.
5868 E. 71st Street E-104
Indianapolis, IN 46220

You may also request an invoice and pay online by requesting an invoice from market@binford71.org.



EXPECTATIONS OF VENDOR ATTENDANCE:

The market operates from 8 a.m. to Noon weekly from May 4, 2024, to September 28, 2024. Setup may begin at 6:30 a.m. All vendors are expected to be prepared to sell promptly at 8 a.m. The vendor must be parked and stationed at their assigned space by 7:30 a.m. on the market day. If a vendor arrives after 7:30, taking the vehicle to the vendor space is a safety hazard, and the vehicle must be unloaded from the vendor parking area. **If a vendor is not in their space by 7:45 a.m. and has yet to inform the Market Manager that they will be late by 7:45 a.m., the vendor could forfeit their spot for that day.**

SEVERE WEATHER CONDITIONS

In severe weather conditions such as thunder, lightning, hail, high winds, and heavy rain, vendors are advised to take shelter in an enclosed vehicle or inside Northview Church until severe weather has passed. Vendors are responsible for the safety and management of their products and tents. Due to inclement weather conditions, the market is not liable for vendor products, tents, or equipment damage. Though the market intends to operate rain or shine, the market manager may close the market for the day if the weather becomes too severe. No refunds are given due to extreme weather cancellations.

EQUIPMENT AND SUPPLIES

Each vendor must supply their tent with weights (20 pounds per leg), canopies, tables, weather protection, and display equipment. If selling goods by weight, the vendor must supply a legal produce scale subject to periodic inspection by the County Department of Weights and Measures. Each vendor is solely responsible for any damages or personal injury from equipment or setup. Electricity is generally not available to vendors. Generators may be used at the discretion and advance approval of the Market Manager.

Please confine your product, signage, and vehicle (if permitted) to the designated booth space dimensions, considering the other vendors and public safety. The market manager may ask vendors to adjust to satisfy this requirement.

ABSENCES, FINES, and WITHDRAWAL

The vendor agrees that vendor attendance is essential to the market, necessary to the reasonable value received by the vendors, and critical to the revenue of the BFM. The vendor agrees conclusively that these fees for non-attendance are required and are related to the impact on BFM.

Absence Notice: In case of a family or medical emergency, the vendor must notify the market manager as soon as possible, well before the market opens on Saturday.

Unexcused Absence: In no case may a vendor not attend the Binford Farmers Market to attend another market, festival, fair, or event. Doing so is grounds for immediate dismissal from the BFM roster. No refunds will be given.

If a vendor must withdraw from the market, notice must be made directly to the Market Manager at least one week before the last date of attendance. No refunds will be given.



ASSIGNMENT AND LIMITS OF SPACE

Each space is approximately 10 ft by 10 ft. Fees on page 1 apply to one 10 ft by 10 ft space. Additional space will require additional booth fees. Vending spaces may be marked each week as needed for verification. Vendors are limited to **one vehicle** per site if the layout allows room for a vehicle. Please note that vehicles at your booth are not guaranteed.

Full-season vendors may request a specific booth location. BFM management will do everything possible to accommodate those requests and keep all Full and Growing Season vendors in their preferred booth locations for the market season. During the first few weeks of the market, the Market Manager may make booth location changes per vendor request or to accommodate appropriate product distribution. Spaces may be assigned for the entire season. **However, final location assignments will be designated by the market manager and may be changed any given week if necessary.**

EXITING THE SITE and TRASH REQUIREMENTS

The market ends at Noon. All tents and selling tables will remain up until that time. Vendors must stay until the market closes, even if all goods are sold. Vendors are strictly prohibited from exiting the market before closing time. Violation of this policy could cause the vendor agreement to terminate.

All vendors must be packed and prepared to depart from the BFM site by 1:30 p.m. All personal items and equipment must be removed at that time. Before leaving, vendors must adequately dispose of ALL litter debris and food on the ground from their selling area. The market trash containers (including the church trash containers) cannot accept vendor trash. **Please bring your trash bags and take your waste to your trash containers at your home or business. Vendors will receive a strike for each occurrence they are found emptying their trash into market containers.**

TENT CANOPY WEIGHTS

Vendors MUST provide weights to hold down their umbrellas, canopy, or tents. Vendors will attach a minimum of 20-pound weights to all corners of the tent with a bungee cord or boat straps to the tent's canopy or tie legs to a vehicle. Canopy weights are the most effective method to secure a tent or canopy in high winds. The minimum requirement is 20 pounds/leg weights for all unsecured legs; however, vendors are advised that the best protection is found with 40-pound weights. See Sample: <https://www.youtube.com/watch?v=ymTazgG46v4>.

Any vendor not using weights on all tent corners will receive a strike for the second infraction. Any vendor not using weights for the third infraction will be asked to leave the market. Any vendor violating safety and management rules may be asked not to return to the Binford Farmers Market.

MARKET MANAGER

BRAG and the Market Manager shall have sole authority and discretion as to permission to sell goods at BFM. The Binford Farmers Market Management will invite vendors to participate in the BFM. Management is authorized to direct any vendor to leave the BFM site, remove any poor quality or unacceptable goods from sale at the BFM, or instruct a vendor not to return. Please address your concerns to the market manager or a BRAG Market Committee member in person or in writing.



INDEMNIFICATION

The vendor shall defend, indemnify and hold BRAG, The Binford Farmers Market, Northview Church, and their employees and agents harmless from and against any liability, loss, expense (including reasonable attorneys' fees), or claims for injury or damages arising out of the performance of this agreement but only in proportion to and to the extent such liability, loss, expense, attorneys' fees, or claims for injury or damages are caused by or result from the negligent or intentional acts or omissions of the vendor, its officers, agents or employees.

INSURANCE

All vendors must supply the Binford Farmers Market / BRAG with a certificate of Insurance for 1 million dollars in general liability, including product liability.

Vendors must inform their insurance agent or broker of the following.

The insured's name and company name should be listed on the certificate of insurance.

The organizations, directors, officers, employees, contractors, and representatives of Binford Farmers Market, Binford Redevelopment & Growth, and Northview Church are listed as additional insureds.

This language must be noted on the certificate of Insurance.

The certificate holder should be listed as Binford Farmers Market, 5868 East 71st Street, Suite E-104, Indianapolis, IN 46220.

Each vendor will only be allowed to sell in their space once the BRAG receives appropriate verification of all required Insurance.

Mail the certificate to Binford Farmers Market, 5868 E. 71st Street E-104, Indianapolis, IN 46220, or email it to market@binford71.org.



**Summary for your reference – Please KEEP this page:
Binford Farmers Market**

You must attend every Scheduled Market. We promote the market and the vendors and get emails and calls from shoppers looking for vendors. We tell them a vendor will be at our market, and if the vendor does not show up, it discourages shoppers from returning. Shopper attendance will fluctuate at the beginning and end of the season. You need to be present at all scheduled markets available for shoppers who attend. 2024 Market dates are May 4 through September 28. Market hours are from 8 a.m. to 12 p.m.

- Vendors must be in their reserved spaces by 7:30 a.m. unless otherwise scheduled with the Market Manager.
- Vendors must have canopy weights or tents tied to a vehicle.
- Vendors cannot tear down their tents or put away their sales table until Noon, and under no circumstances should a vendor drive through the market to exit before Noon.
- All vendors must be packed and prepared to depart from the BFM site by 1:30 p.m.
- No product offered at the BFM shall be purchased from a wholesale or auction supplier except as approved in advance by BRAG.
- Please bring your trash bags and take your trash to your trash containers at your home or business.
- BRAG and the Market Manager shall have sole authority and discretion as to permission to sell goods at the BFM.
- The following should be mailed to Binford Farmers Market, 5868 E. 71st Street, Suite E-104, Indianapolis, IN 46220, or emailed to market@binford71.org
 - ✓ Vendor Contracts,
 - ✓ Certificates of Insurance,
 - ✓ Copies of Marion Co. Health Dept. licenses and all State and local permits and licenses required for the operation of their vending business,
 - ✓ Product Labels for home-based businesses.