

Cowley Farmers' Market Association  
Vendor Rules & Regulations

Mission: The Cowley Farmers' Market Association Inc. (CFMA) is dedicated to connecting communities to locally grown food and artisan products, while promoting economic opportunities and business growth.

We recognize and adhere to all governing bodies and the Kansas Department of Agriculture's Food Sold Direct to Consumers in Kansas: Regulations and Food Safety Best Practices. Annual updates are published by K-State Research and Extension in publication [MF3138 revised](#).

The following Rules and Regulations are provided for the guidance of CFMA vendors.

### **Allowed Products**

1. **Local Produce** - Homegrown, high quality, local produce is the heart of the market and is always welcome and must adhere to food safety regulations and best practices as defined annually by Kansas Department of Agriculture. (Please reference K-State Research and Extension publication [MF3138 revised](#)).
2. **Arts and Crafts** - Craft & artisan vendors who design and offer their own creations are accepted (No kits).
3. **Canned Goods** - High quality, sugar-based fruit jams and jellies (without peppers) that [following canning best practices](#) are allowed. Any other canned food items need to adhere to [food safety regulations and best practices, page 19. Labeling requirements must be met, page 4.](#) Canners are encouraged to use locally-sourced ingredients
4. **Baked Goods** - Home-baked goods that do not contain potentially hazardous fillings or toppings are welcome. Baked goods that contain cheese or peppers, or that have frosting may require additional testing to determine safety. [MF3138 revised](#), page 18 Bakers are encouraged to use locally-sourced ingredients. [Labeling requirements must be met \(page 4\).](#)
5. **Meat and Eggs** - Sales of frozen meats are allowed if compliant with KDA or USDA meat and poultry inspection, labeled properly, and maintained frozen. Clean, fresh farm eggs may be sold if maintained <45 degrees F, and meet [MF3138 revised](#) requirements (page 12). If you have more than 50 chickens, see [guidelines](#) for additional rules.
6. **Animal feed/treats** – KDA requires a Kansas commercial feed license and small pet product application. Guaranteed analysis for protein, fat and fiber and ingredient statement required on label.
7. **Alcoholic beverages** – Vendor must meet Kansas Department of Revenue alcohol licensing requirements. No open containers or consumption allowed at the market.
8. **Other items** – Other allowable items include local honey, fresh cut herbs, farm-grown plants, and fresh cut flowers. Please note, a [Kansas Live Plant Dealer License Application](#) must be completed for any entity or person that grows live plants for sale or distribution. Contact the Kansas Department of Agriculture, Plant Protection & Weed Control Program for details. [For items other than those listed, please read through MF3138 revised](#) for your specific product to ensure that it does not require any additional licensing or testing, [or consult market manager.](#)

9. **Local Organizations and Non-profit Informational Booths** - are allowed to have a booth for informational purposes or volunteer recruitment for no fee up to 3 times per year, and as space allows.
  - a. If selling items as a fundraiser, stall fees will apply. Non-profits may participate only after approval by the Market Manager or Membership Committee. Exemptions from the “producer only” rule are allowed, if pre-approved by the CFMA board.
  - b. Food, sold ready for immediate consumption by a community group for fundraising purposes is exempt from licensing with no restriction on number of times done per year.

**~~10.~~ Ready for immediate consumption foods (burritos, egg rolls, pizza, grilled hamburgers or other meats, lemonade.)**

~~a.~~10.

~~b.~~a. All food vendors must follow sanitation and hygiene requirements for exempt food establishments [MF3138 revised \(page 6\)](#)~~(KAR) 4-28-33.~~

~~c.~~b. Foods prepared on– or off-site, ready for immediate consumption – served six or fewer times per calendar year are not required to have a food establishment license.

~~d.~~c. Ready for immediate consumption foods requiring temperature control for safety sold more than six times per year require a KDA Food Establishment license.

**Not-Allowed**

1. **Resale Items Strictly Limited** - Resale of produce, foods, or crafts is strictly limited. *A strictly limited number of vendors may be allowed to sell items not produced by the vendor. The goods must enrich the market.* If the vendor is not the producer, crafter, baker, grower, or artisan, the items MUST be pre-approved by a ~~c~~Committee that was appointed by the Board Members at least 2 weeks before the start of the market season.
 

The Market Manager or Cowley Farmers Market Association’s compliance or membership committee reserves the right to inspect any vendor’s farm, baker’s kitchen, or crafters’ workshop. Inspections shall be coordinated between the vendor and the market representative.
2. **Unsafe Food items** - Any food items that do not follow the *Food Sold Direct to Consumers in Kansas: Regulations and Food Safety Best Practices*, as set forth by the Kansas Department of Agriculture.
3. If a product is present at the market that is prohibited or in violation with these guidelines or the *Food Sold Direct to Consumers in Kansas: Regulations and Food Safety Best Practices*, the Market Manager or Compliance Committee will require the vendor to remove the product(s) from eligible sales.

**Display and Sales**

1. Vendors must post in a conspicuous manner, signage indicating business name, city, and state. A Kansas Retailers’ Tax Registration Certificate and prices for sale items should be clearly displayed.
2. Booth/Tent spaces are designated by the Market Manager or their designee. Preference is given to regularly attending market members for consistent placement.
3. Vendors are to arrive at least 30 minutes before Market opens. Late arrivals may forfeit their designated stall space. Habitual lateness will be addressed by the CFMA board. No vehicles shall be allowed to drive through the market area within 30 minutes of the opening of the market.
4. No sales are permitted before Market opens. This includes vendor to vendor sales.

5. Effort should be made by vendors to stay until the end of market. Prearranged exceptions can be made but must be cleared with the Market Manager.
6. Please take time to know your production costs and set your prices at a fair market value.

### **Vendor Conduct**

1. Effort should be made by vendors to appear neat and suitably dressed. Shirt and shoes must be worn at all times. Displays should be kept neat, clean, and attractive.
2. Vendors are not to use alcohol, e-cigarettes, nicotine or tobacco products at the market. All use of commercial tobacco is prohibited at the farmers markets. This includes customers and vendors.
3. Calling out in a loud, aggressive, or abrasive manner and the use of profanity is a grievous offense and will not be tolerated.
4. Members who circulate rumors or false reports tending to undermine or destroy the operations of the farmers market shall be subject expulsion from all CFMA markets and their membership could be revoked.
5. Physical contact will result in immediate termination of membership. Customers engaging in physical contact will be removed from the market and may result in legal action.

### **Vendor Requirements and Agreement**

1. To vend at a CFMA market, the application/contract must be completed, and market fee paid by March 31st for priority consideration. All items intended for sale shall be listed on the registration form and only those items approved for sale will be allowed. If a vendor desires to add additional items during the market season, those items must be approved by the market manager prior to the market day.
2. Vendors must agree to these Rules and Regulations as set forth by the Cowley Farmers Market Association, Inc.
3. Vendors must adhere to the current *Food Safety for Kansas Farmers Market Vendors: Regulations and Best Practices*, as set forth by the Kansas Department of Agriculture.
4. All vendors are required to have general liability insurance in case of an accident resulting from your booth space or product in the minimum amount of \$300,000 with the market listed as an additionally insured.
5. Vendors should consult with their insurance provider to review proper product liability insurance.
6. Vendors must have copies of all applicable certification, licensing and proof of product conformity on file with CFMA.
7. Vendors are responsible for collecting and remitting sales tax on their products.
8. Members are required to sell their products from inside their designated stall area.
9. Registration fee for the season shall be \$35 for both markets or \$25 for one market. The booth fee at each market is: \$7 per space per week.
10. Vendors need to contact the Market Manager regarding weekly attendance to help with market promotions and space allocation.
11. At least 50% of vendors/members must sell fresh produce or seedlings. If less than 50% of vendors/CFMA members sell produce/seedlings, the Market Manager will work with the CFMA to achieve the 50% goal.

12. Vendors found to be in violation of these rules or CFMA bylaws, will receive one warning for the first offense. On the second offense, they will be asked to leave that market with follow-up conducted by compliance committee. A third infraction will lead to suspension from selling at CFMA markets.

### SNAP-EBT

1. SNAP is the Supplemental Nutritional Assistance Program and EBT is the Electronic Benefits Transfer system used to redeem benefits.
2. Beginning in 2020, CFMA vendors who have completed the annual SNAP training will be eligible to accept SNAP-EBT for eligible food products which include: food to be prepared and/or eaten at home such as breads and cereals, fruits and vegetables; meat, poultry and fish, and dairy products, seeds and plants intended to grow food (but not for growing flowers or feeding birds.)
3. SNAP benefits CANNOT be used to purchase beer, wine, liquor, tobacco or cigarettes; foods that are hot at the point of sale; vitamins or medicines, pet foods or nonfood items such as tissue, soap, cosmetics and other household goods.
4. Sales tax is not charged on items purchased with SNAP-EBT.
5. SNAP eligible items must be separated from ineligible items. (i.e. the customer wants to buy vegetables and a craft item from a single vendor; the SNAP eligible items -vegetables – can be paid with SNAP tokens and tax is not charged; the craft item can not be paid with SNAP tokens and is taxable.)
6. The exact amount of an eligible food purchase can be deducted- no cash change is given.
7. Vendors must complete an annual SNAP-EBT training or refresher training. Failure to follow the rules can result in disqualification, fines, civil and/or criminal action.
8. SNAP-EBT signage will be provided to eligible vendors and must be prominently displayed.
9. Tokens will be reimbursed by the market coordinator monthly or when the vendor has at least \$20 for reimbursement. Only SNAP tokens from the Ark City Farm and Art Market (red) or Walnut Valley Farmers Market (green) will be accepted at each location (**Tokens from other markets can not be accepted – you will not be reimbursed**). If tokens from ArkCity are turned in at WInfiled or vice versa, the vendor WILL NOT be reimbursed and tokens will not be returned to the vendor.

### Senior Farmers Market Nutrition Program

1. The goal of the Seniors Farmers' Market Nutrition Program (SFMNP) is to provide fresh, nutritious, unprepared, locally grown fruits, vegetables, herbs, and honey through farmers' markets, roadside stands and community supported agriculture programs to low-income seniors; and increase the consumption of agricultural commodities by expanding, developing, or aiding in the development and expansion of domestic farmers' markets, roadside stands, and CSA programs.
2. Low-income seniors, generally defined as individuals who are at least 60 years old and who have household incomes of not more than 185% of the Federal poverty income guidelines are the targeted recipients of SFMNP benefits. Qualified seniors can obtain certificates from the South Central Kansas Area Agency on Aging on a first come, first served basis as limited certificates are available.
3. To be authorized, Farmers must complete annual training, submit an annual Farmers Agreement, grow eligible foods in Kansas (or a county adjacent to the Kansas border in a neighboring state) and sell at eligible farmers markets. (CFMA markets qualify).

4. Farmers must display either one of the approved "Checks Accepted Here" signs at all markets/stands/farm stores they attend while participating in the SFMNP.
5. Sales tax is not charged on eligible items and no change is given.
6. Vendors must complete an annual SFMNP training or refresher training. Failure to follow the rules can result in disqualification.