



Post Office Box 832, Kittery, Maine 03904
E-Mail kitterycommunitymarket@gmail.com

Rules and Regulations

**Thank you for participating in the Kittery Community Market.
To ensure success, compliance with the following market rules and regulations is mandatory.**

Applications and Vendor Fees:

- A. All vendors, both returning and new, must submit an application and accept our terms and conditions each season.
- B. Prior to participation, vendors must provide vendor fees, insurance certificates, and any required licenses or certifications for products sold in Maine.
- C. Compliance with all local, state, and federal food regulations and relevant product-specific regulations is mandatory.

Communication and Payment:

- A. Vendor fees are non-refundable and must be paid in full **by April 15th** each year.
- B. Vendors applying after April 15th must pay all vendor fees within a week of acceptance and confirmation.
- C. **After April 15th**, all vendor fees must be submitted online, with no acceptance of checks or cash.
- D. Vendors are responsible for keeping their fees and paperwork (licenses and insurance certificates) current. Failure to comply will result in disqualification until resolved.

Vendor Participation:

- A. **Returning Vendors** not in good standing may be excluded from participation, with decisions made by the Board of Directors. "Not in Good Standing" refers to frequent lateness, no-shows, unpaid vendor fees, expired licenses, expired insurance, and uncooperative behavior with the market manager and all other participants in the Market.
- B. **Returning and New Vendors** must list all products they wish to sell on the application form. To maintain a healthy balance of products, the Kittery Community Market Board of Directors and Market Manager reserves the right to decline products from both new and returning vendors.
- C. Vendors must seek permission from the Market Manager before adding new items to their stand. Kittery Community Market reserves the right to perform a table audit to ensure compliance with the vendors' stated product list.
- D. **Photographic Consent:** By participating, vendors grant permission to use their photographs and images of their products and booths for market promotion,



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including printed materials and social media.

- E. **New Vendor Applications** are reviewed by the Kittery Community Market Board of Directors at their monthly meetings, with prompt communication from the manager regarding acceptance. If your business is approved, the manager will confirm available dates. Vendor fees are due **by April 15th** or within one week of acceptance during the season. **Only pay vendor fees once you have been officially admitted and have confirmed dates.**
- F. Kittery Community Market will be open, rain or shine. Threats of severe winds/and or lightning and concerns for public safety may be cause for canceling the Market or closing it down for the day. An email will be sent to notify Vendor Members, Musicians, and Scheduled Presenters in the event of cancellation. **Cancellations are non-refundable.**

Location and Time: The Kittery Community Market (KCM) is situated in Kittery Center Village on Post Office Square, at 10 Shapleigh Road in Kittery, Maine 03904. The Market operates every Sunday from the first Sunday in June until November 23rd, from 10:00 am to 2:00 pm.

- A. Vendors must park across the street at the Naval Lodge. Vendor vehicles must be moved to the Naval Lodge by 9:45 AM. Limited parking spots are available for vendors requiring access during market hours. Please do not request one of these spots unless you require access throughout the market. These requests will be considered on a case-by-case basis, and there is no guarantee of accommodation.
- B. Vendor space location is determined by the Market Manager; all vendors are required to comply with their assigned spot.

Ethics and Business Conduct: All vendors must practice the highest standards of business ethics and conduct. Vendors are expected to convey a positive and friendly attitude to all customers and other vendors. Verbal or physical abuse, behavior that disparages another participant, actions that unnecessarily interfere with other participants' set-up, sales, or activities, and any other action deemed uncooperative by the Market Manager are strictly prohibited. Vendors are not allowed to give instructions to guests of the market or other vendors, if issues arise, report them to the manager who will determine the correct course of action. Failure to comply with these standards may result in removal from the market; the Board of Directors will make these decisions.

Reimbursements: Vendors will be given a slip each week to fill out for reimbursements of vouchers and tokens. Vendors should know what specific vouchers and tokens they are eligible to receive.



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- A. SNAP, Maine Harvest Bucks, and New Hampshire Granite Bucks are reimbursed directly by Seacoast Eat Local to the vendor.
- B. Vouchers for Veterans are reimbursed by the organization Vouchers for Veterans
- C. Power of Produce, Bumper Crop, and Kittery Community Market special event vouchers will be reimbursed by Kittery Community Market.
- D. **Kittery Community Market is not responsible for reimbursement of vouchers and tokens that vendors are not eligible for or not listed above.**

Vendor Market Space Set-Up: Vendors will be assigned a vendor market space, approximately 10' x 10', by the Market Manager. Vendors must provide their tents, tables, signs, and chairs. Vendors must strive to maintain a clean and attractive display. **No sales are allowed until the signaled start of the Market.**

- A. Set up time is from 8:00 am to 9:50 am. All vendors must be set up and ready to serve customers by 9:50 am.
- B. Once the Market has started, vendors will not be permitted to enter and set up.
- C. All vendor tents must be secured with a minimum of 10-pound weights per pole.
- D. Smoking within twenty (20) feet of the Market and Vendor Tents is prohibited.
- E. Vendors who cook or warm products must always have a fire extinguisher on hand.

Signs, Labeling, and Products: All vendors must provide a sign that displays their farm/business name and location.

- A. All food vendors must have a sign displaying the prices of items offered for sale, and craft vendors must have a sign or individually priced items.
- B. All vendors must sell items under the business name(s) they applied as. Changes must be approved by the Market Manager ahead of time.
- C. Processed foods require labeling with the business name and a list of ingredients.
- D. All products are to be produced or grown by the vendors. The Market Manager will consider special circumstances; these products may only represent 20% of your inventory.
- E. All vendors who offer samples must have hand sanitizer, paper towels, and a cleaning product available.

Attendance: Please notify the Market Manager one week in advance via email if you cannot attend. This will enable us to fill the vendor market space. If there is an



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emergency, please call the market manager on their cell or email kitterycommunitymarket@gmail.com.

- A. If three (3) market days are missed without notification, the Market Manager will report the no-shows to the KCM Board of Directors, and a decision may be made to allocate your spot to a vendor on our waitlist.
- B. Three (3) late appearances will be reported to the KCM Board of Directors, who will decide if the vendor can continue participating in the Market.
- C. Part-time vendors who give at least 48 hours' notice can reschedule if spots are available on future market dates. There is no guarantee of availability. There are no refunds for vendor fees under any circumstances.**
- D. Market set-up after opening is not allowed. If you will be late, please inform the manager immediately. Exceptions may be considered if it doesn't disrupt the Market or pose a safety issue.
- E. Vendors breaking down or setting up during Market hours is disruptive to the customer experience and destructive to the overall reputation of the Kittery Community Market and will not be allowed. Vendors may not leave early.
- F. Vendors cannot break down early due to weather as we are a rain-or-shine event. We encourage you to plan ahead of time for such days.
- G. If you are feeling unwell, you may, if necessary, leave and make arrangements for your breakdown at 2 pm.

Non-Profit/ Community Vendors: One non-profit/ community organization may use a vendor market space for fundraising or information based on space availability each week. Use is by prearrangement and at the discretion of the Market Manager. The Non-Profit Vendor must apply. The Vendor fee will be waived. Non-Profit Vendors must not have a political purpose, agenda, or affiliation. Non-Profit vendors and community organizations must provide tents, tent weights, tables, and chairs. Non-profit vendors and community organizations must represent causes that impact Kittery, the state of Maine, and the Seacoast region.

Produce: All produce, fruit, and flowers must be grown or wild-gathered by the vendor. Vendors buying produce from other sources for resale at the market is prohibited unless preapproved by the Market Manager. All harvest, post-harvest, transportation, and display handling must comply with State of Maine guidelines for food safety. Any pesticide application must comply with label directions for application rate, target crop, and pest, and post-application harvest periods to maintain the highest quality and safety of our customers.



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Plants and Nursery Stock: All plant material must be grown by the vendor. Vendors buying finished or pre-finished products from other sources for resale at the Market is prohibited unless pre-approved by the Market Manager. All vendors selling plant material must have a Maine Nursery license at the site and on file with the Market Manager. Plant material must be of the highest quality. Products with insects or diseases are prohibited from sale and will be cause for expulsion from the Market. No genetically produced product will be allowed.

Animal Products: The vendor must raise or catch all meat, seafood, dairy products, and eggs. Vendors buying products from other sources for resale at the market is prohibited unless pre-approved by the Market Manager. All dairy products must have been processed by the vendor in a dairy-compliant facility. All meat, seafood, dairy, and eggs must be packaged, labeled, transported, and displayed in accordance with Maine Agriculture food and safety guidelines and stored with a proper thermometer to track temperature.

Processed Foods: All baked or processed goods must have been made from scratch by the vendor. No commercially frozen, canned, or premixed ingredients are allowed. All processing facilities or home kitchens must have a Maine State Kitchen License and Mobile Vendor License on-site and on file with the Market Manager. All foods that have undergone processing must include a list of ingredients on their label.

Wool, Fiber, and Wood Products: All wool and fiber raw materials must be raised and produced by the vendor or purchased from a local farm. All wool, fiber, and wood products should be labeled with the source of the product.

Crafts and Homemade Items: All crafts that are sold must be handmade by the vendor in their own home or shop. The items should be unique and original and made from natural materials whenever possible. The craftsmanship, attention to detail, and final presentation of the product should be of the highest standard. Products made from kits will not be considered. Artisan crafter vendors are allowed to sign up for a maximum of 12 markets per season.

Specialty Vendors: The Kittery Community Market Board of Directors has the discretion to allow specialty vendors that fall outside our standard rules and regulations if they have a positive environmental impact or bring something unique to the customer experience. They must be compliant with all safety and general Market rules. Only two spots will be made available each season for such circumstances.



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The Kittery Community Market Board of Directors and Market Manager may make exceptions to any of these policies but is expected to do so very rarely.

Compliance: Any vendor will forfeit their membership in the Kittery Community Market for non-compliance with market rules. No refunds will be given. Their removal can be challenged in accordance with Kittery Community Market Organization and By-Laws.

Maine has no restrictions on the types of food that may be sold at farmers' markets. However, there are requirements related to the source of the food. Food sold at farmers' markets must come from "approved" sources meaning sources licensed to provide such food, including food manufactures, processors, and retailers. Exempt from license requirements is anyone selling only whole, unprocessed, fresh fruits and vegetables. Fruit or vegetables that are processed or products made from processed fruits or vegetables must be produced by a licensed entity. Processing includes peeling, slicing, husking, etc.

Insurance and License Requirements: Vendors must meet all the State of Maine Department of Agriculture licensing requirements listed on the "Farm Stands and Farmers Markets Mobile Vendor Guidelines." (See below.) Each vendor is liable for the safety of his or her own products and must maintain adequate liability insurance. Vendors must have an application and copies of all appropriate licenses at their vendor space and on file with the Market Manager. Vendors need to carry General Liability insurance with limits no less than \$1,000,000 per occurrence and \$2,000,000 aggregate. Kittery Community Market and the property owner (10 Shapleigh Rd LLC) must be listed as additional insured.

Vendors whose insurance policy is in their name and not the name of their business must add their business name to the additional insureds.

A State Scale and Product Inspector may inspect your scale and check for safe food handling compliance and license at any time.

State of Maine License Requirements at Farm Stands and Farmers' Markets
(Source: "Farm Stands & Farmers Markets Mobile Vendor Guidelines", Maine Department of Agriculture, Food and Rural Resources, Division of Quality Assurance Regulations at www.getrealmaine.com)

1. Sales of fresh, raw, unprocessed fruits and vegetables only -
 - Exempt from licensing requirement



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2. Sales of fruits and vegetables that have been peeled, sliced, husked, canned, baked, dehydrated, refrigerated, frozen, ground, cured, smoked, shelled, or otherwise prepared and packaged for human consumption at farm stands and farmers' markets -
 - Mobile Vendor License
3. Sales of ME or USDA inspected meat and poultry products at farm stands and farmers' markets -
 - Retail Meat Sales License
 - Mobile Vendor License
4. Sales of poultry products at farm stands and farmers' markets raised, processed, and packaged with a Grower/Producer Exemption in a commercial food processing facility -
 - Commercial Food Processor License
 - Retail Meat Sales License
 - Mobile Vendor License
5. Sales of poultry products at farm stands and farmers' markets raised, processed and packaged, with 1,000 birds or less exemption, in a commercial food processing facility -
 - Commercial Food Processor License
 - Retail Meat Sales License
 - Mobile Vendor License
6. Sales of butter at farm stands and farmers' markets manufactured in a commercial food processing facility, and sold by the commercial processor -
 - Commercial Food Processor License
 - Mobile Vendor License
7. Re-sales of butter at farm stands and farmers' markets -
 - Mobile Vendor License
8. Sales of dairy products (except for butter) at farm stands and farmers' markets -
 - Mobile Vendor License
 - Milk Distributor License from the Division of Animal Health & Industry (287-7610)
9. Sales of potentially hazardous food at farm stands and farmers' markets manufactured in a commercial food processing facility, and sold by the commercial processor -



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- Commercial Food Processor License
 - Mobile Vendor License
10. Re-sales of potentially hazardous food at farm stands and farmers' markets -
- Mobile Vendor License
11. Sales of non-potentially hazardous food at farm stands and farmers' markets manufactured in a home food processing facility, and sold by the home food processor -
- Home Food License
 - Mobile Vendor License
12. Re-sales of non-potentially hazardous food at farm stands and farmers' markets -
- Mobile Vendor License
13. Sales of baked goods at farm stands and farmers' markets manufactured in a commercial bakery and sold by the commercial baker.
- Commercial/Wholesale Bakery License
 - Mobile Vendor License
14. Re-sales of baked goods at farm stands and farmers' markets -
- Mobile Vendor License
15. Sales of baked goods at farm stands and farmers' markets manufactured in a home food processing facility, and sold by the home food processor -
- Home Food License
 - Mobile Vendor License
16. Sales of cider/juice at farm stands and farmers' markets manufactured in a cider/juice processing facility, and sold by the cider/juice processor -
- Cider/Juice Beverage Plant License
 - Mobile Vendor License
17. Re-sales of cider/juice at farm stands and farmers' markets
- Mobile Vendor License
18. Sales of maple syrup at farm stands and farmers' markets manufactured in a



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maple syrup processing facility, and sold by the maple syrup producer -

- Maple Syrup Producer License
- Mobile Vendor License

19. Re-sales of maple syrup at farm stands and farmers' markets -

- Mobile Vendor License

Thank you for your participation and we wish you success!

Helpful Resources:

<http://www.maine farmers markets.org/farmers-markets/keeping-your-market-legal/permits-required-for-selling-at-farmers-market/>

<http://www.maine farmers markets.org/farmers-markets-reference-guide-from-dept-agriculture/>

<http://www.maine farmers markets.org/farmers-vendors/practices-market>



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