



2019 Vendor Manual and Regulations

Apply at <https://westacres.wufoo.com/forms/the-northern-plains-farmers-market-at-west-acres/>

About The Northern Plains Farmers Market at West Acres

Vision

The Northern Plains Farmers Market at West Acres, a West Acres Regional Showcase event, serves as a catalyst for making good things happen in our community and in our lives. The FM region has one of the strongest agriculture systems in the world. The Northern Plains Farmers Market at West Acres is a place where:

- There is nourishment and inspiration for a healthy and vibrant community.
- Residents have access to nutritious and regionally grown, seasonal food.
- Our regional food growers, gardeners, and producers prosper by finding a local marketplace for their products.

The Northern Plains Farmers Market at West Acres (NPFM) is a partnership between the Northern Plains Botanic Garden Society (NPBGS) and West Acres. They host growers and vendors who play a role in fostering a healthy and vibrant community.

Mission

NPBGS operates a vibrant market on the property of West Acres Development, LLP that contributes to the success of regional food growers, gardeners, and producers, and supports a healthy and vibrant community, all while serving as community gathering place.

West Acres Development, LLP Values

Working with our partner, Northern Plains Botanic Garden Society, we believe in building community relationships while providing beautiful, fun and functional access to nourishing, regionally raised products.

Our Partner

West Acres works closely with our partner to bring our community this event:

- Northern Plains Botanic Garden Society is a 501-C3 non-profit. Founded in 1998, The Northern Plains Botanic Garden Society's vision is to enrich and promote community through the culture and utilization of plants. Their goal is to establish and operate a regional botanic garden, Japanese garden, conservatory, and arboretum in the Fargo-Moorhead area. The NPBGS is committed to understanding, promotion, and appreciation of horticulture in the Northern Great Plains. They serve the public as a non-profit by providing gardening opportunities and educational workshops.

The Northern Plains Farmers Market at West Acres

Open: The Northern Plains Farmers Market at West Acres is open to the public Tuesday, Thursday, and Saturday from 9am – 5pm.

Location: The Northern Plains Farmers Market at West Acres is located just off of 42nd Street South, between 13th and 15th Avenue in the West parking lot of West Acres.

Season: June 25th through October, (produce availability and weather dependent).

Stalls: Vendors will provide their own canopies, tables, displays, etc.

Fees:

- Each vendor will pay a one-time fee of \$50 to West Acres Development, LLP at the time of license submission. 100% of this fee goes toward support and promotion of The Northern Plains Farmers Market at West Acres.
- The daily participation fee in the market is \$25. This fee is payable to Northern Plains Botanic Garden Society, and shall be paid to the Market Manager by June 1st, or you may make arrangements to pay monthly. The fee is payable by check or cash.

Participation	18 weeks, \$25 per day	Reduced Fee	Days Free
3 days per week	\$1,350	\$1,250	4
2 days per week	\$900	\$825	3
1 day per week	\$450	\$400	2

Marketing

West Acres is a regional hub for shopping and attracts visitors regularly from within a 100 mile area. West Acres Development, LLP will promote The Northern Plains Farmers Market at West Acres through West Acres' website and social media pages, electronic pylon signs (located on 13th avenue and I-29), paid online ads, a public relations campaign, in-mall signage (including 22"x28" signs and table tents), and outdoor banners.

Criteria for Vendor Selection and Governance

The information in the following section pertains to businesses applying to become a NPFM vendor. It also serves as a reference for approved vendors seeking reminders about the criteria by which NPFM screens and selects potential vendors, products, categories, market requirements, and the application process itself. You will also find this information in the market guide: <https://westacres.wufoo.com/forms/the-northern-plains-farmers-market-at-west-acres/>

The Northern Plains Farmers Market at West Acres is committed to creating a diverse marketplace with the highest quality, regionally-produced products available. The selection process is quite rigorous and takes into consideration many factors, including product quality, sourcing, growing practices, presentation,

safety, compliance, customer service, timing of application, and the right product mix to ensure a successful market.

West Acres Development, LLP and NPFM prohibits discrimination against its customers, employees, and applicants on the basis of race, color, national origin, age, disability, sex, gender identity, religion, reprisal, and where applicable, political beliefs, marital status, familial or parental status, sexual orientation, or all or part of an individual's income is derived from any public assistance program.

West Acres will review applications as soon as they are received. Vendors will receive notice of acceptance within two weeks of receiving the application. Once accepted, the vendor will be required to complete and submit a West Acres Market license agreement along with the \$50 license fee.

Acceptance in Order of Priority

The Northern Plains Farmers Market at West Acres is a farm, garden, and regionally-grown seasonal marketplace. We are a producer's market interested in showcasing regionally-grown, artisan-quality, sourced fruits and vegetables and their related products. We also will host other agricultural products such as beef, chicken, pork or eggs, per approval.

- All applications are considered on a first-come, first-serve basis. Vendors should apply early in the season to guarantee a spot.
- Priority vendor approval is given to those regional farmers, community gardeners, and producers who bring products to market that are 100% grown and harvested on land in eastern North Dakota, western Minnesota, or north-eastern South Dakota that they own and/or operate.
- Priority is given to those regional farmers, community gardeners, and producers who sell what they themselves grow including fruits, vegetables, herbs, flowers, plants and related products.
- To provide diversification in items available at the NPFM, consideration will be given to the farmers, community gardeners and producers from the tri-state area (North Dakota, Minnesota and South Dakota). This product must not be obtained through supermarkets or wholesalers.
- Products made from regionally grown produce will be considered and may be given priority (canned goods, skin-care and bath products, and honey products).
 - Canned goods recipes require documentation of pH testing through NDSU's extension service, with a pH of 4.6 or less.
 - Using recipes deemed safe by NDSU's extension service are highly encouraged. For more information, visit: <http://www.ag.ndsu.edu/food/food-preservation>
- Raw honey products should clearly be labeled as such.
- Consideration may be given to local non-profits and vendors who wish to participate. The application and daily fee apply.
- West Acres tenants who wish to participate will be allowed to do so on any market day.

Conduct, Compliance & Customer Service

- Vendors are required to know, understand, and abide by NPFM's, and all federal, state, and local regulations. Vendors must maintain a history of compliance.
- Positive and fair vendor conduct toward customers, fellow vendors, market staff, and volunteers is mandatory; including courteous, strong customer service and knowledgeable staff.

- Vendors must submit timely application, Certificate of Insurance, pH certification, and sales list forms, as well as other market correspondence.
- Vendors must be in compliance with payment of fees.
- Vendors are to abide by all West Acres and NPFM policies.
- Vendors must be respectful and adhere to the directions of the Market Manager and West Acres personnel.
- Any vendor who does not comply with West Acres or NPFM policies and regulations may be subject to immediate dismissal from participating in the market; and/or termination of future participation in the market. Any fees paid are non-refundable.

Product Quality and Display

- Vendors are responsible for providing everything used in set-up and operation of their market display, including but not limited to canopies, tables, and displays.
- Vendors accepted into NPFM shall have:
 - Liability insurance that is included in the application.
 - Consistently high product quality: fresh, flavorful, and ripe. Each seller is individually responsible for conformance to all local, state and federal laws and regulations. For edible items, this includes conformance to Cass County and ND regulations/standards.
 - Clean and attractive displays. Creative packaging and displays, including baskets, are encouraged.
 - Differentiation in produce and products through creative and attractive display, signage and product type, packaging, etc.
 - Clearly marked, visible and readable pricing by the shopper.
 - Identification signs. Vendors must indicate their name and where their production is located and/or product is sourced.

Food Safety and Overall Safety

- Vendors must adhere to the highest standards in safe food production and handling.
- Vendors must be aware of and comply with all ND Agriculture and Cass County health-related regulations for Farmers markets.
- Vendors should expect compliance checks/visits by the Cass County Health Department.
- Vendors must display any inspection or certifications to customers.
- Vendors must label all canned goods per Cass County and North Dakota requirements.
- Vendors must ensure that their area is safe and secure.
- Tarps, canopies, etc. must be securely tied down.

The Northern Plains Farmers Market at West Acres Products

The following are acceptable NPFM products:

- Regionally grown produce (fruits, vegetables, legumes).
- Fresh herbs, flowers and plants.
- Regionally prepared jellies and jams with NDSU pH certification, and honey (raw honey must be labeled as such).
- USDA inspected and certified (and labeled as so) organic products with proper refrigeration (meat/poultry).

- Eggs properly cooled at or below 41 degrees.
- Prepared fresh foods including fresh salsa, pesto, etc. with proper certification.

NPFM will not accept the following items:

- Crafts
- Carnival-like foods such as, cotton candy, candy apples, kettle corn, taffy, etc.
- Canned goods (recipes) that have not been pH tested through NDSU's extension service
- Nationally distributed packaged foods
- Bottled or canned beverages
- Fish, dairy, poultry, meat products (including canned) or other products unless they are USDA certified inspected and sold in compliance with local health department requirements.
- Nut butter or edible oils (including flavored and mixed).
- Businesses that operate under a franchise agreement, unless affiliated with West Acres as a merchant.
- Food items not sourced regionally.
- Non-food items that are not sourced, grown and processed by the producer (e.g., flowers, herb tinctures, beeswax candles).

Community Events in Conjunction to the Market

West Acres may host additional events in conjunction with the Market. Those events may include, but are not be limited to:

- Art —Regional musicians and visual arts events may be featured throughout the season.
- Chefs and Food Demonstrations — West Acres merchants may participate in various food, food product, and beverage events that enhance the Market.
- Nutrition Information.
- Gardening Information: Through Northern Plains Botanic Garden Society, various featured educational gardening events may be held in conjunction with the market.

Additional Market Rules, Policies and Requirement

Alcohol/Intoxicant Consumption: Consumption of alcoholic beverages and/or other intoxicants is prohibited on The Market premises except for specific events in which there is sampling or pours being served by a Market vendor. Anyone judged to be "under the influence" will be asked to leave the premises immediately.

Attendance: Producers/vendors must notify the Market Manager as soon as they know if they are unable to attend. Fees are non-refundable.

Attire: Appropriate clothing and foot coverings must be worn at all times while on The Market premises, including shirts and shoes.

Behavior: Any statement and/or action which is deemed to be offensive, abusive or otherwise.

Children: Young children must be supervised at all times.

Conduct: All producers shall sell/market their products in a manner satisfactory to the Market Manager and West Acres, and in an honest, conscientious and businesslike manner.

Displays and Display Signs: Signs, racks and other display aids must NOT exceed 8'; they must be secured in fittings; they must not obstruct traffic flow; and care must be taken when setting up and breaking down so that no one is jeopardized.

Inappropriate Language: Vendors may lose their privilege of presence in NPFM for publicly making negative comments about another seller and/or their products, or for using foul or abusive language toward anyone. Disruptive action in the market is prohibited.

Hours of Operation: Vendor displays must be open during market hours (9am – 5pm); unless the vendor has sold out of product (see “leaving early”).

Leaving Early: It is vital to the success of NPFM, and out of respect for other vendors, that all vendors remain open for business until the official end of the market. Unless you have completely sold out of product, it is suggested you remain open. (If it is unavoidable for you to leave early on a given market day, contact the Market Manager for pre-approval). If you have completely sold out of all available products, contact the Market Manager before starting to pack up/break down.

Odors: The vendor shall not operate any equipment which emits an odor deemed offensive in nature.

Promotion and Identification Signs: All producers must display a sign identifying their name or the name of their establishment and the city or town where their production occurs. Signs posted by producers are subject to approval of The Market Manager. All vendor promotion must occur within the space assigned to the producer and not in any common area. Professional-looking signage is highly encouraged. Only handbills relating specifically to the vendor business is permitted and must be limited to the vendor’s stall area.

Rain/Weather/Other Conditions: The NPFM is a “rain-or-shine” market. Only in extreme situations where health and safety of the vendors and customers may be at risk will the market be canceled due to conditions such as severe weather alerts.

Returns/Exchanges: The vendor shall, at all times, offer customers a satisfactory return and/or exchange on all purchases within 30 days with receipt and the product. In the event the vendor cannot satisfy the customer with an exchange, the vendor shall be required to fully refund to the customer the complete purchase price in the form of payment made to the Vendor. This policy shall not apply if due to customer negligence.

Smoking: Smoking is not allowed in the market area.

Trash/Waste: All sellers are required to keep their immediate area clean and safe. Vendors must provide their own trash containers for their own use, and remove all trash themselves at the end of the market day. Vendors using plastic bags for the convenience of their customers shall insure that such bags do not litter The Market.

Unapproved Items: Vendors may not sell any item not approved by the county, state or by West Acres agreement.

Failure to Comply: Failure to comply with any of these Operating Rules will result in termination of the License agreement; and the termination can be immediate.

Market Regulations may change at any time. Market participants will be given as much notice as possible of any changes.

Setup

- Specific stall locations and traffic control will be directed by the Market Manager.
- Stall must be set up prior to the opening time for the market.
- The stalls should be adequately stocked with the merchandise permitted to be sold as detailed. The stall shall be kept neat in appearance and manned during all operating hours.
- Tables are not to be filled beyond capacity. Tables and other display fixtures must be sturdy, stable and not overloaded.
- All display table frontage must be behind the setup line designated by the Market Manager.
- No boxes, flower or produce displays may extend into the common customer traffic aisle way.
- Vendors must conduct all operations in their designated area.

- All shades and shelters must be tied down and completely secured in windy conditions or be subject to immediate and uncompromised removal.
- Absolutely no rubbish of any type will be allowed on stall grounds, the consumer area directly surrounding the stall, or in any other contiguous area that could constitute a health or safety issue.
- Before the producer may leave the market, both the stall and the surrounding area must be totally free of any produce, debris, and trash.

To Apply

<https://westacres.wufoo.com/forms/the-northern-plains-farmers-market-at-west-acres/>

Questions and Information

Email: TheMarket@westacres.com

Call: 701-282-2222

Fax: 701-282-2229

Click: www.westacres.com

Northern Plains Botanic Garden Society

Vern Hunter

vernhunter907@gmail.com

www.npbotanicgarden.com

Quick Link List

Fact Sheet for Farmers Markets, Fargo and West Fargo – Fargo Cass Public Health Department

http://www.westacres.com/uploads/Fargo_Cass_Public_Health_Farmers_Markets_Fargo_West_Fargo_Fact_Sheet.pdf

North Dakota’s Farmers Market Rules:

www.ndhealth.gov/foodlodging/pdf/proof_farmers_market_ruling.pdf

North Dakota Department of Health

Call: 701.328.1291 or Toll Free: 1.800.472.2927

<http://www.ndhealth.gov/DoH/contact.htm>

NDSU Extension Service Food Preservation Resources – USDA-tested and approved for safety

www.ag.ndsu.edu/food/food-preservation

ph testing contact

Julie Garden Robinson

701-231-7187

Julie.gardenrobinson@ndsu.edu

Fargo Cass Public Health, Environmental Health Division “Eat Smart” Resources

<http://www.cityoffargo.com/CityInfo/Departments/Health/Resources/MetroinMotion/EatSmart/>

701-476-6729

Food Inspection

Doug Jensen

701-241-1387

North Dakota Farmers Market & Growers Association:

www.nd.gov/ndda/program/farmers-markets

Minnesota’s Farmers Market Association

<http://www.mfma.org>

North Dakota Farm to Market Guide:

<http://www.nd.gov/ndda/files/Marketing/FarmToMarketBrochure.pdf>