



New Jersey Council of Farmers & Communities

Dedicated to protecting farms and strengthening communities



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2024 Montgomery Friends FARMERS' MARKET REGULATIONS

Subject to NJ State and Montgomery Health Department Regulations and guidance.

PURPOSE: The Montgomery Friends of Open Space Farmers' Market has been established as a community service to support regional farmers by allowing them the opportunity to market quality products grown on their farms in a designated area. To remain competitive, farmers need to be able to develop new markets for agricultural products grown on their farms. Success in agricultural marketing helps significantly in economically preserving farmland and open space which in turn contributes to maintaining the quality of life in the region. Communities benefit from this type of marketing because it provides consumers with access to fresh, high-quality produce and attracts business activity to downtown areas.

Market Dates June 1-November 23 2024

NEW HOURS 10am to 1pm

NEW LOCATION at Montgomery Township Complex

100 Community Way, Skillman NJ 08558

(Near intersection of Route 206 and Orchard Road)

Arrive at least one-half hour before to set up. No sales will occur before 10 am, and breakdowns should be completed no later than 1:30.

REGISTRATION: Participation is open to **established, legitimate** farming operations engaged in the production of agricultural products in New Jersey.

COMMUNITY FEES:

Registration - \$140 Due February 15, 2024, with completed application

Market Fees - \$40/day \$130 /month payable 1st market day of each month, or \$725/season, due with completed application.

For extended season dates during Nov-April, \$35/market.

First timers must pay \$250 for September/October table in fees in advance, with the registration fee.

Checks should be made out to Montgomery Friends of Open Space

Market fees collected will be used for promotion/advertising and management of the market.

NJCFC GROWER MEMBERSHIP FEE:

This fee will be billed separately by the New Jersey Council of Farmers and Communities (NJCFC). **Payment of NJCFC fee in full is due by June 15th or Grower will not be permitted to participate in markets.** *In the case of hardship, please contact any member of the NJCFC Executive Committee or Board of Trustees.*

INSURANCE: A certificate of liability insurance is required with a minimum coverage of \$1,000,000 naming Montgomery Friends of Open Space as an additional insured. Certificates of insurance must be received and approved by the market manager before a grower is permitted to sell at the market.

SALES AUTHORIZATION: Authorization to sell agricultural products is available to growers who have an established farming operation under their direct management. Only one authorization per market will be issued for each farming operation. The authorization entitles the farmer, family members and employees of the farming operation to sell agricultural products grown by that farming operation. The authorization is not transferable and may be limited to a specific number per market. Each market reserves the right to select the growers that will participate. Selection will be based on size of market location, composition of products offered, and prior adherence to the market regulations. Authorization to sell at the market can be withdrawn by the sponsor if a grower violates market regulations or if the market must close due to lack of support by the community or participating growers.

SPACES: Spaces (of a specified size and location) will be assigned by the market manager. Assigned spaces will continue for the duration of the season. Spaces assigned to growers are to be used only by that grower. No leasing or lending of market stalls will be allowed. **When unable to attend, growers must notify the Market Manager in advance (24 hours, if possible).**

ORDERLY MARKET OPERATION: A Market Manager or representative shall be present on-site of market every week for the duration of the market. The Market Manager of the day is responsible for the orderly operation of the market. All questions and issues are to be directed to the Market Manager. **Disputes between growers and/or growers and market managers will not be tolerated at the market site.** The Market manager has the right to evict any grower from the market site. The Grower's sole responsibility is a formal complaint in writing forwarded to both the Market Manager and the New Jersey Council of Farmers and Communities (NJFCF). The Market Manager and the NJFCF are only responsible for acting upon written complaints.

DISPLAY: Tables displaying produce will be set up, so that no seller blocks or limits the view or access of consumers to a neighboring seller. Producers must supply their own scales, bags, tents, tables, electrical power, etc. Producers must maintain scales acceptable to the County Department of Weights and Measures. Produce may be sold by the count, weight, bunch, or in legally acceptable containers. All other containers must identify the net weight of the contents. Produce that is not of fresh or good quality will not be displayed nor sold at the market. The market manager has the right to require any produce that does not comply with the market regulations to be removed from any stand. **All prices must be posted before and during sale time. Each seller must display a sign in a prominent place giving his or her farm name and address.** Producers and their employees must wear shirts, trousers/shorts/skirts and shoes. Hawking or shouting to attract customers will not be permitted. Each producer is responsible for cleaning the area around his or her stall and providing at least one trash receptacle. Grower-generated waste should be disposed back at the farm.

Producers will comply with all federal, state, and county regulations including, but not limited to, chapter 12 of the New Jersey Sanitary Code. Producers must also comply with other terms and conditions that may be added for the public health, safety, and welfare.

PRODUCTS: Only agricultural products produced from the farm of the grower can be sold at the Farmers' Market, except as specified below:

Leased land - Growers may utilize leased land only if all aspects of production and maintenance are conducted under their direct management. **Crops produced by the leasing farmer must be separate from the crops of the landowner, and shall not be intermingled with the same crop of the landowner.** The Market Manager and/or NJFCF asks for a copy of the lease agreement and proof that the farmer performs or supervises all work associated with the production of the crop. Proof may include but is not limited to seed receipts, pay roll records, spray records, orchard equipment, etc. Leasing of orchard land is permitted only if it is done on a long-term (+3 years). NJFCF will ask for a copy of the lease agreement which must be received by May 15, 2024. Legitimacy of all lease agreements will be judged by the NJFCF to determine if products can be brought to market.

Cider and fruit juice - Sold only by the producers of those fruits. Cider can be pressed off farm. If not pressed on the farm, provide name and address of mill at the market. At least 60% of fruit in the juice will come from grower's orchard. No cider or juices can come from anywhere other than New Jersey. No concentrates are permitted.

PREPARED FOODS: The sale of baked and other processed items must be approved by the Market Manager. **Strong preference** is given to products using locally grown fruits and vegetables. Growers wishing to sell items baked or processed on their premises must submit a copy of their County Health Departments Annual Sanitary Inspection Report to the NJFCF and the Market Manager before the market season begins. A commercial kitchen license or NJ Cottage license must be **approved by the Montgomery Township Health Department and submitted** with the application.

Products sold as organic must be certified and comply with the National Organic Standards.

All agricultural products to be sold must first be registered on the **Crop Plan Form** or the **Purchased Product Request Form**.

PURCHASED ITEMS: A grower may petition the Market Manager to sell a purchased agricultural product at the farm market, not grown on his or her farm, for a specified period of time. The grower petitioning the Market Manager to sell a purchased product will submit a **Purchased Product Request Form** at least one week in advance of the starting date of sale of that product.

Based on the following criteria, the Market Manager will either: approve, partially approve, or reject the grower's petition:

1. The product is **purchased directly from another New Jersey farm** operation where it was grown.
2. It has been determined by reviewing crop plans and surveying other growers in the market that there will not be a sufficient quantity and quality of that product in the market to satisfy demand during the specified time period. Sales of purchased items will be allowed only after growers of the crop have been sold out.

3. A maximum of 4 crops (all varieties/cultivars of a crop are counted as one crop) may be purchased and will account for no more than 25% of all products offered for sale by the farmer, both in number and sales space, at the beginning of each sales day.

4. The offering for sale of purchased items will not deter from the purpose of the Farmers Market, nor negatively impact its viability. Approval may be withdrawn with one-week prior notice.

A listing of all purchased product approvals will be made available to all authorized farmers upon request. **Purchased items must be identified as such at the market by indicating the farm name and location where they were bought.**

Full partnerships of two individual farmers sharing in the production of crops can participate in the Farmers' Markets only with **written pre-approval from the Market Manager** and supported with a partnership agreement filed in the county the farm is located. A full partnership is defined as two individual farmers actually sharing in the production (planting, cultivation, pest control, and harvest) of crops. This cannot be a brokerage arrangement. It is the grower participant's responsibility to submit a legal partnership agreement to the Market Manager and the NJCFC before bringing the partnership's products to market.

INSPECTIONS: The NJCFC, or its agent, will inspect each registered farm during the marketing season to verify agricultural products being grown, acreage, and scheduled time of harvest. An approved farm inspection is required annually for each grower to be authorized to sell any product at the Farmers' Market. Advance notice will be provided before any farm inspection. Growers must schedule an inspection within one week of being contacted by the inspector. The NJCFC reserves the right to re-inspect farms to clarify or resolve questions or complaints with 48-hour advance notice. Farmer will be billed \$160 for re-inspection if a violation is found. Farmers will receive copies of their farm inspection report as well as the Manager of the market the farmer is attending. The NJCFC will make at least one market inspection per year at each of the community sites to ensure produce being sold by the participating growers is on their **Crop Plan form** and /or **Purchased Product Request form(s)**. The results of this market inspection will be forwarded to the Market Managers.

VIOLATIONS: If a Market Manager, in consultation with the NJCFC, determines a grower is in violation of the regulations, the grower will be notified by phone or in person, and a written notice will follow. If the violation continues, the following penalties may be assessed:

PENALTIES: **One violation** - a warning letter issued and/or suspension from the market(s) where the violation was found for one day.
Two violations - suspension from the market(s) for up to one month and a mandatory meeting with NJCFC Executive Committee and Market Manager.
Additional violations - suspension from the market(s) for up to the remainder of the season. Re-application to the market(s) will be at the market manager's and community sponsor's discretion.

Major violations in which suspension from a market was necessary are cumulative and stay on a grower's record for two years from the date of the violation. Minor violations in which only a warning letter was issued are cumulative only during the year they were issued.

APPEALS: Upon receiving a violation notice, you may request an appearance before the NJCFC Executive Committee and the Market Manager to contest the findings. A meeting will be called within two weeks of your request. Items in violation may be suspended from sale until the hearing. To assure speedy resolution of violations, an enforcement subcommittee may hear your case in lieu of a full committee.

Market Contact:

Montgomery Friends of Open Space Farmers Market

Lorette Pruden, Market Manager

130 Washington Street #298

Rocky Hill NJ 08853

Lorette's cell 609-915.0817

Lorette's email: FarmMarketManager@montgomeryfriends.org or lorette.pruden@gmail.com

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