



## **Vendor Rules & Guidelines**

### **Location:**

Huntsville Botanical Garden 4747 Bob Wallace Huntsville AL 35805

### **Dates & Times of the Market for 2024:**

Farmers Markets are Saturdays June 22<sup>nd</sup>, July 27<sup>th</sup>, Aug 24<sup>th</sup>, 9am – 1pm

### **Requirements:**

Only producers may sell at our Farmers Market. A producer is defined as the person that grows or makes the product and may also include the producer's family members, partners, and employees. A producer may be herein also referred to as a vendor in this and other market documentation.

Producers should be located in North Alabama or the Tennessee Valley. Vendors must be at least 16 years of age. Younger vendors will be allowed to sell at the market only when accompanied by an adult.

### **Farmers:**

Applications will be compiled and reviewed by Huntsville Botanical Garden Staff.

The selection process is used to ensure that a variety of products is available for sale at the market and that these products are of the highest quality.

Growers who use the market for the sale of produce are subject to field inspections, before and throughout the market season, to verify the source of produce offered. Farmers may sell for other farmers who have valid applications on file. These products should be clearly labeled with the growing farm's name. The sale of any product at the market (without prior approval) that is not produced by that farm is grounds for automatic dismissal.

### **Artisans:**

Persons who handcraft the products they offer for sale may sell as artisans. Originality of design, creative use of material, level of difficulty, variety of work and overall contribution to market balance will be discussed and a decision will be made whether to allow an applicant to become a vendor. Vendor understands that the Roots 'n Shoots Farmer's Market at the Huntsville Botanical Garden is a farmer's market first. The Market aims to host 70% food and farmers and 30% artisans and non-food vendors. Priority is given to farmers, growers, and food vendors.

All artwork, craftwork, and handiwork sold must be the original hand-made creation of the vendor. Vendors are not permitted to re-sell commercially produced items. Manufactured items can only be used as components of handcrafted work. Reproductions in the form of books, cards, calendars, t-shirts, prints, etc. will not be allowed except under certain circumstances and on a case-by-case review.

**Questions from vendors:**

Please contact the Visitor Programs Coordinator with your questions at [ssingletary@hsvbg.org](mailto:ssingletary@hsvbg.org).

**Applicants will be notified once their application has been received. Only applicants that are approved will be notified again. Note that incomplete applications will not be considered.**

**Permits and Fees:**

**All growers who are selling at the market must hold a grower's permit.** They are available at no charge from the local County Extension Offices ([www.aces.edu](http://www.aces.edu)). The certificate ensures that the products sold originate with the producer, their family, partners or employees. This allows the producer and the customer to be exempt from state and local taxes for goods sold. **A copy of the grower's permit must be provided to the Event Program Coordinator prior to the first farmer's market attended.** All permits must be available at each vendor's booth in case of on-site inspection.

Participants must obtain all necessary business licenses and pay all necessary privilege taxes to the City of Huntsville.

All producers selling value-added products are responsible for obtaining a valid business license from the Alabama Department of Revenue and a tax I.D. number from the Internal Revenue Service (if product has less than 50% farm derived ingredients). Participants shall collect all necessary taxes at the time of sale and remit same to the appropriate government authorities.

All licenses and permits must be available in case of on-site inspection. It is the responsibility of the producers to comply with any local, state and federal laws that pertain to their business.

**Items Permitted for Sale:**

Food items allowed for sale may include, but are not limited to, vegetables, fruits, meats, eggs, baked goods, honey, teas, coffees, ciders, flowers and plants.

**Any vendor wishing to bring additional product(s) not initially listed on their original application must submit an amended application with the new product(s) for approval before bringing said product(s) to market.**

Any producer wishing to advertise their products at the market as Organic or Naturally Grown must provide documentation of certification or a signed affidavit if exempt from certification.

Live animals and commercially produced foodstuffs may not be sold at the farmer's market. Items purchased for resale, as well as items made from kits, commercially available plans and items that are mechanically mass-produced may not be sold at the farmer's market.

Huntsville Botanical Garden will not store equipment and goods for participants and will not act in bailor/bailee capacity.

Huntsville Botanical Garden is not responsible to the participant for returned checks or merchandise.

Huntsville Botanical Garden reserves the right to publish photos of participants and their products. Although Huntsville Botanical Garden is very interested in the success of the farmer's market, they have no duty to promote or advertise the market to the general public.

**Many items are subject to Alabama Department of Public Health regulations. It is the responsibility of the producer to abide by these regulations.** For further information regarding these regulations contact the Madison County Health Department or any Alabama county health department:

Madison County Health Department  
Environmental Health  
301 Max Luther Drive  
Huntsville, AL 35811  
256-539-3711 or 256-533-8726

The Alabama Department of Agriculture and Industries *Home Processed Products & Cottage Food Law* and *Direct Market Guidelines* brochures can be found here:

<https://agi.alabama.gov/farmersmarket/wp-content/uploads/sites/9/2021/02/HomeProcessedProducts.pdf>

[https://agi.alabama.gov/farmersmarket/wp-content/uploads/sites/9/2021/01/Brochure-DirectMarketGuidelines\\_v3.pdf](https://agi.alabama.gov/farmersmarket/wp-content/uploads/sites/9/2021/01/Brochure-DirectMarketGuidelines_v3.pdf)

### **Market Fees:**

#### **2024 Farmer's Market:**

\$65 SATURDAY June 22<sup>nd</sup>, July 27<sup>th</sup>, & August 24<sup>th</sup> 9am - 1pm: \$25 for 10' x 10' per farmer's market.

#### **Season Plan:**

for one 10' x 10' space for the entire market season, paid in advance; i.e., prior to the first market date. No refunds.

**Space Assignments and Reservation Policies:**

Applications will be accepted as they are received and acceptance notifications will be made as soon as possible. Prepaid Season Plan producers will receive priority selection of reserved spaces. The Visitor Programs Coordinator will designate the spaces for participants. Assigned spaces may change depending on the farmer market's weekly needs. Every effort possible is made to keep each vendor in a regularly assigned space and to keep the spaces contiguous to maximize product visibility.

All applications will occupy only one space per Market Fee paid. Displays must be confined to the assigned space. Multiple spaces may be occupied with the payment of additional Market Fees as needed per space utilized. Participants who want to share space will be charged together for one space and all products of both participants must be contained within that one space.

Huntsville Botanical Garden has the right to deny a space at any time for any reason. Huntsville Botanical Garden has the right to cancel market days due to dangerous weather or other causes.

**Set-Up and Clean-Up:**

A member of Huntsville Botanical Garden staff will open the market space and oversee the setup of producer tents and tables. Vehicles may enter the lot one hour prior to opening on market day and vendors may begin setting up once they have an assigned space for the day. It is necessary for all producers to be set up no later than 15 minutes before the opening of the market and ready to do business when the market opens. **There will be no sales allowed before the market opens.**

Each producer is responsible for setting up his or her own 10'x10' tent, 8' tables with tablecloths, and signage in the manner specified by the Market Manager. **Proper weighting of tents at all four corners is mandatory.** Producers will be solely responsible at all times for the cleanliness within their vending area, regardless of the origin of the debris. Producers must remain in their space for the full duration of the market day even if they have sold out of produce early in the day. Each producer is required to leave the space clean. All vehicles should be loaded and cleared from the market area one (1) hour after the market closes. Nothing can be placed outside the designated space for each participant without special written permission from Huntsville Botanical Garden. Additional fees may be incurred for use of more than the allotted 10' x 10' area. Note that there is no power and generators are not allowed. Vendors can provide their own water, purchase water from the Cafe, or utilize drinking fountains at the Guest Center.

Huntsville Botanical Garden personnel have the right to demand immediate clean-up and removal of hazardous equipment and the immediate removal and discard of clearly defective produce and other products.

**No Show Vendors:**

A no-show vendor is defined as one who does not attend the market when expected, without notifying the Visitor Programs Coordinator. It is each vendor's responsibility to inform the Visitor Programs Coordinator of attendance at the market. The space rental fee paid in advance will not be refunded for a no-show vendor. Vendors who have unexpected circumstances that will cause them to arrive late should notify the Visitor Programs Coordinator as soon as possible. This is a courtesy that will allow for smooth set-up of the market.

**Tobacco-Free Environment:**

The markets at Huntsville Botanical Gardens is a tobacco-free zone.

**General Violations:**

No firearms or drugs will be allowed on market premises.

All profane, abusive, discourteous, and boisterous language and/or conduct at or in the market vicinity are strictly prohibited. There will be no "dumping" of produce at the end of the market day. Fraudulent, dishonest, or deceptive merchandising or collusion to set prices among producers may be grounds for forfeiture of the right to do business of any kind in the market for a length of time to be determined by Huntsville Botanical Garden.

No booth fees will be refunded to any producers found to be participating in these activities. If the Manager on Duty (MOD) determines that a producer has violated any provision of the market policies, that producer may be penalized.

**Complaints:**

Any complaint made against a producer must be in writing and given to the Visitor Programs Coordinator. The Visitor Programs Coordinator is responsible for reviewing and resolving complaints. Together with pertinent Garden staff, they shall determine what type of investigation, if any, shall be conducted in response. They also have the sole discretion to determine whether that complaint will be disclosed to the producer under complaint. Also, the producer under complaint may or may not be given the opportunity to respond; this will depend on the nature of the complaint.