

Prescott Farmers Market
2024 Rules and Regulations

Approved by the board of directors on March 19, 2024

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I. Mission

As a vital part of the economy, the mission of Prescott Farmers Market is to support and expand local agriculture, cultivate a healthy community and increase access to affordable local food.

II. Statement of Purpose

- o To give agricultural producers of Yavapai County and Arizona marketing opportunities that help them to sustain their local, family businesses;
- o To serve as a business incubator by giving producers an opportunity to test and refine their products and marketing skills with minimal investment;
- o To build community by bringing farmers and consumers together, allowing them to trust, know, and learn from one another;
- o To connect local food businesses to Yavapai County agricultural producers in order to support one another and the local food system;
- o To provide an educational forum for consumers to learn the uses and benefits of quality, locally grown, and prepared food products;
- o To support a clean environment through good agricultural practices, which preserves open space, water, soil, and biodiversity, and reduces fossil fuel use by minimizing the distance that food travels;
- o To contribute to the local economy by keeping food dollars in the community;
- o To enhance the quality of life in the greater Prescott area by providing a community activity that fosters social gathering and connection;
- o To ensure food security – by supporting local farms today, there will be farms in the community tomorrow and future generations will have access to nourishing, flavorful, and abundant food;
- o To advocate for policies, practices and funding that support small farmers and ranchers.

III. Board of Directors

Prescott Farmers Market (PFM) is a nonprofit 501(c)(3) governed by a board of directors. Vendors, staff and directors may nominate any individual to serve on the board. The Board of Directors is responsible for electing new directors to the board.

IV. Application Process and Fees

A. Prescott Farmers Market is a year-round market with two distinct seasons: summer and winter. The summer season begins the first Saturday in April and the winter season begins the first Saturday in November.

B. The first step in becoming a vendor at Prescott Farmers Market is submission of the Vendor Inquiry form online. The market manager evaluates whether prospective new products are a good fit for the current market landscape. If so, the market manager will send a Vendor Application to the new applicant.

C. The market manager reviews vendor applications on a rolling basis within a season. Vendors must reapply for each new season. Acceptance into the market in a previous season does not ensure that the vendor will be accepted in future seasons. The market manager, executive director and board of directors have the right to accept or reject any applicant. Applications must include:

1. The completed and signed application, by which the vendor agrees to abide by the PFM Rules and Regulations.
2. A detailed crop/product plan
3. A copy of general and product liability insurance certificate with PFM listed as additionally insured listing P.O. Box 1853 Prescott, AZ 86302 as the address
4. An application fee of \$50.00 per 10'x10' booth space per season. Application fees are nonrefundable.
5. A copy of all (county, state, federal) applicable licenses and permits necessary to sell.

C. All vendors must receive written approval from the market manager before attending and selling at the market. No vendor will receive written approval prior to receiving all application components.

D. First-time vendors selling at PFM may participate in an orientation phone call with the market manager. If needed, the orientation must occur before attending the first market.

E. All products sold must be grown or produced by the vendor or their employee. Only the products listed on the crop plan or product plan will be allowed for sale. Changes to the crop/product plan must first be submitted for approval by the market manager before selling additional products.

F. Applications will be reviewed on a rolling basis and admitted as space and product variety permits. When the market has reached capacity in either category, applicants will be added to a waitlist and contacted when space becomes available within a season.

G. Community Booth: PFM offers a "community booth" to short-term agricultural vendors who are interested in trialing the market. This may be a shared booth space. Community booth vendors are required to pay 10% of daily sales (see [Section IX\(B\)](#)) and are subject to farm site inspections. PFM will provide a tent with weights on a first-come, first-served basis. There is a \$10 application fee for use of the community booth for up to four (not necessarily consecutive) weeks per season and a crop/product plan is required.

H. Guest Artist: PFM invites local artists and crafters residing in Yavapai County to attend the market as guest artists. All application reviews and scheduling for the guest artist program begin approximately one month before the start of each market season on a first-come, first-served basis. There is a per-season application

fee of \$25. When the guest artist calendar has reached capacity, applicants will be added to a waitlist and contacted when a space becomes available. Absolutely no reselling is permitted. No selling of food, plants or products sold by regular vendors is permitted. The market is a neutral and inclusive space. Discriminatory and/or hateful speech based on race, color, gender, sexual orientation, or political and religious views is unacceptable at all times. This includes, but is not limited to, clothing, banners and merchandise.

G. Nonprofit organizations: Nonprofit organizations offering services and information of general interest to PFM's customers are admitted by invitation only. Nonprofits interested in attending the market should email the market manager with a detailed proposal. The market manager will consider compatibility with PFM's mission in determining admittance. Partisan political and religious advocacy organizations are excluded from participating. Nonprofit booths are not permitted to sell any products unless it is for fundraising purposes and the market manager approves the products in writing. Nonprofit organizations are required to submit an application including proof of liability insurance and a \$25 application fee for the season.

V. Insurance

All vendors must provide PFM with a copy of their *General* and *Product Liability* insurance certificate, naming Prescott Farmers Market, Inc., PO Box 1853, Prescott, AZ 86302 as an additional insured certificate holder, in the amounts of \$1 million/occurrence, \$2 million total. The physical location of the market must be listed on insurance documents: 900 Iron Springs Road, Prescott, AZ 86305. The community booth is an exception and is covered under PFM's liability insurance.

VI. Municipal Permitting

Prescott Farmers Market, in cooperation with each municipality, shall maintain requisite permits to operate the market as a not-for-profit event.

PFM cannot give tax advice or legal advice. Vendors with questions are encouraged to contact a qualified tax consultant. It is incumbent upon each vendor to determine whether the vendor is subject to municipalities' licensing and tax requirements.

A. Special Events Permit: All vendors selling processed foods must complete a Special Events Permit Application and return it to the Yavapai County Community Health Services office. Vendors who sample foods at the market or sell prepared or processed foods may need to pay an additional fee.

B. Food Handler's Card: Vendors also must keep a food handler's card/certificate on hand at all times while selling at the market. Health inspectors frequent the market to ensure compliance, and it is the vendor's responsibility to comply with these rules. For more information, please visit the [Yavapai County Community Health Services website](#) (see [Section XII](#)).

B. Cottage Law: Vendors selling goods prepared in home using the [Cottage Food Program](#) must follow all rules and guidelines of the program. Cottage Law Certificate must be on-hand at every market event. For more information, see [Section XII](#).

VII. Vendor Products

PFM is a producer-only market. All products sold must be grown or produced by the vendor or their employee. Only the products listed on the crop plan or product plan will be allowed for sale. PFM gives priority to producers in Yavapai County and food processors who feature ingredients from those producers.

A. Acceptable Products

PFM reserves the right to accept or reject any vendor. Acceptance into PFM is based on the following list of acceptable products.

1. Plants grow and/or harvested by the producer in Arizona, which may include:

- Vegetables and fruits
- Flowers, herbs, plants, and nursery crops
- Nuts, seeds, and grains

Gleaned products may be permitted with sufficient proof of source, as determined by the market manager on a case-by-case basis. This may include an onsite visit during the application process. In some cases, the grower of the gleaned product may need to submit additional information for verification.

2. Animal products raised by the producer in Arizona, which may include:

Animals must be raised by the vendor, slaughtered and processed at a certified facility and follow all Federal, State and County laws. Documentation must be available at all times. If animals were purchased as babies, the vendor must provide proof of purchase and documentation of the animal's date of birth. Acceptable documentation will include the name of the business (if applicable), address and phone number, name of the seller, date of birth of the animal(s) and date of sale. An animal product plan must be submitted for approval for any animal by-product being sold or used as a value-added ingredient in a product sold.

a. Cows: Must be raised by the vendor on their land for the entire life of the animal or from the time of purchase within 6 weeks of weaning age. An approximate date of birth for a calf will suffice.

b. Lamb: Must be raised by the vendor on their land for the entire life of the animal or from the time of purchase within 4 weeks of weaning age.

c. Pigs: Must be raised by the vendor on their land for the entire life of the animal or from the time of purchase within 4 weeks of weaning age.

d. Poultry: Chickens, turkeys and other fowl must be raised by the vendor on their land for the entire life of the animal or from the time of purchase within 4 weeks of birth.

e. Nest Run Eggs: Eggs labeled as "Nest Run" will be unwashed, ungraded and unclassified and will have all the Federally- and State-required labels.

f. Milk: Milk from animals must be processed in a certified facility and follow all Federal, state and local regulations.

g. Cheese: Cheese made from the milk of animals must be processed in a certified facility and follow all Federal, State and local regulations.

h. Honey: Arizona beekeepers may sell honey produced by their own bees (any amount, no annual limit) under the state's Cottage Food Laws.

i. Fleece/Fiber: Unprocessed fleece/fiber must come from animals raised in Arizona.

3. Crafts

a. Herbal, therapeutic and skin care products: a minimum of 10% of the ingredients used in each individual product must be grown, raised or legally wild-harvested in Arizona (see [Section VIII\(C\)](#) for expectations for local sourcing). Product plans, including ingredient lists, must accompany the application and ingredient sources must be listed. Water does not count as an Arizona-grown ingredient. Proof of source must also be provided and include date of purchase, business name, signature from a representative of that business (if applicable), product type, quantity, and price.

b. All other crafts: 80% of each individual craft item must be comprised of agriculturally-grown or legally wild-harvested items in Arizona. Product plans must accompany the application and sources must be listed. Proof of source must also be provided and must include date of purchase, business name, signature from a representative of that business (if applicable), product type, quantity, and price.

4. Prepared, processed and prepackaged food

a. PFM prioritizes acceptance for food vendors who help us further our mission to support local agriculture. For each product intended to be sold, you must demonstrate an effort to include ingredients grown or raised in Arizona (see [Section VIII\(C\)](#) for expectations for local sourcing). A product plan, including ingredient lists, must accompany the application and ingredient sources must be listed. Proof of source must also be provided and include date of purchase, business name, signature from a representative of that business (if applicable), product type, quantity, and price.

b. All processed food must be produced in a health department-approved kitchen (see [NoCo Community Kitchen](#)). Vendors must have a license in their individual or company name. Licenses must be included with the application and on display at the market or available for review at all times.

c. Vendors qualifying for sales of baked goods to the public under the [Cottage Food Law](#) are exempt from the above-mentioned certified kitchen requirement but must follow guidelines set by the Yavapai County Community Health Services. It is the vendor's responsibility to provide PFM with appropriate documentation upon application and display it at the market or make it available for review at all times.

d. All products sold at the market must be produced from raw ingredients by the vendor or their company. Repacking and co-packing are not permitted. Pre-packaged drinks not made by the vendor are not allowed for sale at the market.

B. Selling Another Vendor's Products

The sale of qualifying plant or animal products (listed above) from one approved vendor by another approved vendor is permitted. This allowance is in the spirit of supporting small agricultural businesses and making more Arizona-grown products available to the community. A vendor or their employees can sell another vendor's products provided all of the following criteria are met:

- The other vendor is approved to sell at the market. The owner of the product being distributed must submit an application and receive approval as a vendor.

- Products to be sold adhere to the rules set forth in Section VII.
- Income is reported separately for each vendor.
- Both vendors’ products are clearly marked as their own at the point-of-sale, and all necessary documents are available to PFM representatives at any time upon request.

C. Local Sourcing

The AZ-grown ingredient requirement is a starting point for acceptance and PFM encourages vendors to source local and seasonal ingredients with the goal of incorporating as many locally grown ingredients as possible into each product. PFM defines local sourcing as the farm-direct purchase of raw agricultural products grown/raised/harvested in Arizona. In other words, the farmer/rancher receives 100% of the sale and a third party (distributor/store) is not involved in the purchase.

PFM understands that, depending on the product, it may not be possible to find AZ sources for all ingredients. However, in order to fulfill its mission to support small local agriculture, PFM encourages prepared food vendors to utilize ingredients according to the order of preference in Table 1 below. Priority for acceptance of new and returning vendors will be given to those businesses that utilize as many Tier 1 ingredients as possible.

Table 1. Ingredient Sourcing Classifications

	Ingredient Source	Example
Tier 1	Grown, raised, and/or harvested on your own property OR purchased directly from a farmer/rancher/producer in the state of Arizona.	Onions purchased directly from Aguiar Farm.
Tier 2	Purchased from a distributor or processor who purchases directly from a farmer/rancher/producer in the state of Arizona.	Onions purchased from Stern Produce (a distributor) who purchased them from an AZ farm.
Tier 3	Purchased from a reseller who purchases from a distributor who purchases from a farmer/rancher/producer in the state of Arizona.	Onions purchased from Costco, Fry’s, etc. (resellers) that are labeled as “local” or “AZ-grown”.

The AZ origin of Tier 2 and Tier 3 ingredients must be documented in order to pass the quarterly receipt audits (see [Section VIII](#)). Businesses that use only ingredients purchased from a reseller with no source traceability component will not be accepted as vendors at PFM (e.g., items purchased from Costco, Fry’s, The Honeyman, etc. with no traceability to AZ).

D. Signage/Labeling

To maintain transparency for customers, the following specific information must be included on packaged, processed foods: batch date for canned and pickled items, product name, net weight/volume, ingredients in descending order by weight/volume, name, phone number and address of the producer. Prices of items must be visible at all times.

E. Food Contractors

Additional food vendors may be solicited by PFM to sell products that enhance the mission of the PFM, in its sole discretion.

VIII. Inspections/Audits

A. Agricultural products: Representatives of PFM shall have the right to conduct annual inspections of the production areas of the products sold by a vendor at the market. An inspection may include ownership information and any other information relevant to determining product legitimacy. An owner, operator, or person listed on the application must be present during site inspection.

1. The vendor and PFM representative shall agree upon a date and time of inspection. A PFM representative may conduct follow-up or surprise inspections without prior notice, as deemed necessary.
2. Failure to allow an inspection constitutes a violation of PFM rules. The vendor will not be allowed to sell at the market until an inspection is conducted and passed.

B. Processed/prepared food products: PFM will perform quarterly receipt audits (two of which coincide with the summer and winter season application process).

1. The Market Manager will contact each prepared food vendor to request documentation of local ingredients used in their products. Failure to provide adequate documentation by the deadline set by the Market Manager constitutes a violation of PFM rules. The vendor will not be allowed to sell at the market until all requested documentation is received. Adequate documentation (e.g., receipts) must include date of purchase, business name, signature from a representative of that business (if applicable), product type, quantity, and price.

IX. Market Day Operations and Rules

A. Space Assignments

1. On the first day of market season, the market manager will assign vendor spaces. Attempts will be made to ensure vendors maintain the same approximate space each week, but the space does not belong to any particular vendor. For aesthetic purposes throughout the season, the market manager may move vendors' spaces. Space assignments may also be changed due to late arrivals, lack of attendance, special events, and fluctuation in overall size of the market.
2. Vendors must occupy their assigned space(s) at least 30 minutes prior to the opening of the market or the market manager may assign the space to another vendor. Vendors are expected to notify the market manager of intended absences at least 24 hours in advance via direct call or text message to the PFM market phone at (928) 713-1227. Two absences or late arrivals without prior notice will result in revocation of seasonal space assignments and a written vendor violation.
3. All onsite decisions by the market manager are final and binding. Any appeals must follow the procedures outlined in [Section X](#).

B. Income Reporting

Vendors, including guest artists and community booths, will pay 10% of their daily sales to PFM at the close of each market day. Following the closing bell on the day of the market, vendors will report to the

information booth to pay 10% of their daily sales and receive cash in exchange for tokens, if applicable. A receipt will be issued immediately. PFM relies on the honor system for vendor daily sales reporting. PFM reserves the right to randomly audit vendor sales as deemed necessary. Any vendor whose audit numbers call into question historical income misreporting may be subject to removal from the market at the sole discretion of the PFM Board of Directors.

C. Market Currencies

PFM accepts multiple currencies specific to the market. A detailed list of currencies is provided to approved vendors in the Vendor Handbook. Vendors are responsible for understanding which currencies they can accept.

D. Market Safety

1. Vendors may set up during the allotted time stated in the Vendor Handbook (posted in the [Vendor Portal](#)). Breakdown must begin promptly at closing, after paying 10% to PFM.
2. Vendors will sell at their designated booth space and maintain their space in a sanitary and safe condition.
3. Vehicles that are essential to the operation of a business may park behind the booth space, provided it does not disrupt the market. Otherwise, vendors may bring in vehicles for unloading, provided the vehicle is removed from the market area at least 30 minutes prior to market opening. Vendors may not park a vehicle larger than their designated space behind their booth.
4. Vendors who arrive late must park outside of designated market boundaries and carry product to the booth space. Late arrival is considered to be 30 minutes before the market start time and will be documented. Three late arrivals will result in a written warning. Tardiness is considered to be after the market starts without any communication of lateness to the market manager. Three tardies will result in a suspension of two weeks.
5. Vendors are responsible for the safety and behavior of livestock. Livestock must be approved by the Market Manager prior to bringing it to market.
6. Vendors are responsible for weighting tents and umbrellas - between 30 and 40 pounds on each tent leg. Each weight must also be tied to the leg, or a bungee suspension tied to the top corner of each leg. Hanging weights must be suspended from the top corner of the leg and tied to the leg to eliminate any swinging. Ropes/bungees/straps are not allowed to be tied to vehicles. Vendors are liable for any damage occurring from and/or to their personal property. A vendor that does not supply their own weights may rent them from PFM (if available) or will be required to take down their tent. Weight rental fees are \$10 per weight, per market. If a vendor's tent breaks during a weather event, they may rent a tent one time for \$25.00.
7. Smoking and vaping are prohibited inside the market. Prescott Farmers Market adheres to public health and sanitation standards. Vendors are responsible for doing the same.
8. Dogs and non-livestock pets are not permitted at the market. Only ADA service animals, trained specifically to aid a person with a disability are permitted.

E. General Market Rules

1. The market is a neutral and inclusive space. Discriminatory and/or hateful speech based on race, color, gender, sexual orientation, or political and religious views is unacceptable at all times. This includes, but is not limited to, clothing, banners and merchandise.
2. Vendors and PFM staff are expected to maintain high standards of honesty and respect toward one another and customers and to conduct themselves in a courteous and helpful manner. It is the vendor's responsibility to inform all employees working at a vendor's booth and/or selling on a vendor's behalf of rules and regulations before selling at the market. Rudeness and dishonesty are grounds for suspension from the market.
2. Vendors may not begin selling before the opening bell.
3. Pre-market sales, post-market sales, and early breakdown are only allowed with verbal permission from the market manager.
4. All permits necessary to sell must be on display or available for review at all times.
5. All scales must bear a current seal from the Department of Weights and Measures.
6. Signs must be accurate and truthful. Misleading information may cause further inspection of the product.
7. Vendors who market their products as "organic" must provide proof of certification from the United States Department of Agriculture (USDA) to the market manager and have the certificate on display.
8. Music may be played when there is no musician at the market or if there is no disruption to the scheduled musician. Music must be family-friendly, free of profanity and not be disruptive to neighboring booths or to the overall market.
9. PFM does not allow the solicitation of signatures for petitions of any kind within the market area.
10. Prices of items must be visible at all times.

F. Enforcement of Market Rules

1. The market manager, executive director, and board president have discretion to make any on-site decisions regarding market violations.
2. Any vendor violating the above stated rules and regulations of PFM or the regulations of Yavapai County Community Health Services or other local, state, or federal agencies will be issued a verbal warning by the market manager, executive director, or board president, which will be documented. If the problem is not corrected within the time frame determined, a written violation will be issued. A violation that occurs after issuance of a written warning shall result in written expulsion from the market. It is possible for all of this to occur in a single market day or over the course of multiple markets or seasons. Violations are cumulative and do not disappear upon a new season. Expulsion is permanent unless the vendor is reinstated by the board of directors.
3. Violation of PFM rules discovered during an inspection may result in a written warning of expulsion depending on the severity of the violation. Vendors who are expelled from the market may

not return unless reinstated by the board of directors. Vendors who are expelled from the market due to violations found during inspections will not be refunded any application or booth fees.

4. Any person wishing to file a complaint about the market or an individual vendor must do so by emailing info@prescottfarmersmarket.org.

5. Any serious violations or illegal activity will be reported to the proper authorities.

X. Appeals

A. Vendors have the right to appeal any decision of a notice of violation or expulsion to the PFM Board of Directors. Appeals must be received in writing by the board president within two weeks of the violation/expulsion date. Appeals should contain an explanation of the situation, grounds of the appeal, and proposed solution. The Board will respond to the appeal at the next regularly scheduled meeting. An in-person or virtual meeting between the vendor and the Board may be granted to discuss the appeal at the discretion of the Board of Directors. Decisions of the board of directors are final and binding.

C. Vendors who are expelled from the market may only be readmitted by a majority vote of the board of directors.

XI. Board Meetings

PFM will inform the public of board meetings on the event calendar on the PFM website. Vendors will be informed of the meeting date and agenda via the online [Vendor Portal](#) the week prior to the scheduled meeting. Anyone wishing to attend a board meeting should contact info@prescottfarmersmarket.org to learn more about the location and board meeting protocol.

XII. Resources

- ◇ Yavapai County Community Health Services (prepared foods): <https://www.yavapai.us/chs/EH>; Environmental Health Administrative Assistant: 928-442-5510 or EH@yavapai.us.
- ◇ Department of Weights and Measures (scales): <https://agriculture.az.gov/weights-measures/scales>
- ◇ Arizona Department of Agriculture (meat and dairy): <https://agriculture.az.gov/animals>
- ◇ AZ Cottage Food Program:
<https://www.azdhs.gov/preparedness/epidemiology-disease-control/food-safety-environmental-services/cottage-food-program/index.php>
- ◇ AZ Department of Revenue (Transaction Privilege & Taxes): 602-255-3381
- ◇ Tax Department – City of Prescott: 928-777-1268
- ◇ NoCo Community Kitchen & Incubator Program: <https://prescottfarmersmarket.org/noco-community-kitchen/>.

Contact JB Del Campo, Market Manager, with any questions about the Rules & Regulations.

928-713-1227

jb@prescottfarmersmarket.org