



The Cuba Farmers and Artisans Farmers Market

Mission Statement

The purpose of the Cuba Farmers and Artisans Market is to provide town and county residents and visitors with convenient access to high quality, locally grown, farm fresh products sold directly by local farmers, producers and processors and to provide local farmers, producers and processors with a direct local outlet in Cuba. We are focused on hosted a locally grown, local artisan crafted, community-minded market for the good of the people in our town/village.

Market Governance

The Cuba Farmers and Artisans Market (herein *Market*) is governed by the Northern Appalachian Socio-Economic Collaborative (NASEC). Prior to each season, NASEC will provide a *Market Manager*.

NASEC will handle all monetary aspects of the Market that are not SNAP related. This includes all petty cash and bank accounts. NASEC will accept and review Market vendor applications (including all regulatory and compliance requirements and assess the contribution each vendor brings to the Market. NASEC determines the layout and placement of vendors at the Market. A master placement schedule will be distributed so every vendor knows where to go. It is the role of the Market Manager to enforce these decisions and adjust as necessary when vendors are unable to attend or arrive late. (See section "Market Days"). Promotions and advertising will increase awareness and community integration. This will include the NASEC website and Facebook page, and the Market's Facebook page. Special events as necessary will be arranged through NASEC.

Market Manager

The *Market Manager* is elected by NASEC to be the single point of contact that oversees operations on market days. The Market Manager will enforce the Rules and Regulations and is the first and final authority at the market. All disputes are to be brought to the Manager's attention for prompt resolution. The Market Manager is also responsible for collecting paperwork from vendors and being the single point of contact with NASEC and other agencies.

Rules & Regulations - 2016

Location of Market

The Cuba Farmers and Artisans Market is located at the parking lot on the corner of E. Main and Church Streets in Cuba. Our 2016 season begins June 24th and runs every Friday until the final market on September 30.

Hours of Operation

Vendors may begin to set up as early as 3:00 pm, selling to the public begins at 4:00 pm and vendors must stay until the event is over at 7:00 pm.

Terms of Membership

Membership in the Cuba Farmers and Artisans Market must be renewed each year subject to the following criteria.

1. Membership is available to:
 - bona fide farmers and producers of agricultural products from Western NY and adjacent PA counties
 - purveyors of local agricultural products from WNY and adjacent PA counties
 - makers of prepared foods and beverages from WNY and adjacent PA counties

2. Vendor applications are to be submitted to the NASEC and approved by NASEC
3. Applicant has provided to NASEC all required permits, licenses, and insurance policies necessary for their business
4. Applicant signs the Hold Harmless and Indemnification Agreement included in the vendor application, releasing NASEC and the Cuba Farmers and Artisans Market from any liability
5. Applicant pays the annual membership fee

Applicants will be notified if they are Approved or Denied based on approval of NASEC. Application discussion and votes will not be made public or discussed via phone, email, or in person. NASEC reserves the right to refuse a vendor's application or may terminate a vendor's membership at any time. If termination occurs, no funds granted to NASEC will be returned to the vendor.

Current year vendors have priority for the next season, provided they are in good standing. New vendors will be admitted on a space available basis with priority given to new vendors whose offerings will broaden the market scope and offerings.

Fees and Reservations

All vendors who participate in any way in the Cuba Farmers and Artisans Market are required to re-apply each year. All fees must be paid on or before your first sales day at the Market.

Annual market space fees are determined by the space requested: **\$100 per 10 feet** or **\$200 per 20 feet**, plus an additional **\$10 annual membership fee**. You can increase your space later in the season if space permits. However, if you request 20 feet, your money will not be refunded if you don't use the space.

Daily vendors permitted on a case by case basis and must meet rules and regulations as well as fill out vendor forms. Fees are **\$10.00 annual membership fee** and **\$15.00 per 10 feet of space fee per market**.

Market Days

1. Spaces will be assigned each year by NASEC and may be based on factors such as seniority, regular attendance, high sales, and time of arrival. No guarantees can be made for vendors who arrive past 3:45 pm; you may have to accept an alternative available space at the Market Manager's discretion. Vendors arriving late are subject to setting up in the location designated by the Market Manager or not at all as determined by the Market Manager
2. Vendors must inform the Market Manager if they will not be attending the Market no later than Thursday night prior to market day. This helps the Market Manager place vendors on market day. Failure to notify the Market Manager will result in a fine as outlined in *Compliance with (and Violations of) Market Standards*.
3. Vehicles or trailers supporting assigned spaces must be in place by 3:45 pm. All vehicles brought into the Market solely for the unloading of goods must be removed by 3:45 pm and all vendors must be set up by 4:00 pm. Failure to adhere to these times will result in a fine as outlined in *Compliance with (and Violations of) Market Standards*.
4. There shall be no vehicles moving through the Market during the hours of operation.
5. If you have to leave the Market early, it must be previously approved by the Market Manager. You will not be able to drive your vehicle through the Market and will have to leave early by carrying your products and equipment to your vehicle. Failure to comply will result in a fine as outlined in *Compliance with (and Violations of) Market Standards*.
6. No vehicles or trailers are to be parked in the center of the Market. Vendors can either (a) request a vending spot around the perimeter of the Market for a vehicle or a trailer, or (b) park on side streets, not on Main St.
7. Vendors are responsible for their own display, tables, umbrellas, tents, and money. Each vendor is responsible for cleanliness of their space during the Market and clean-up after. All trash must be disposed of properly by taking their trash with them and cannot be put in the public or privately maintained trash receptacles on the premises or nearby.
8. All vendors are required to weight their tents. This is for the safety of vendors and customers, as the wind can come up at any time and blow the tents, which could cause damage or someone to be hurt.

9. If there is an accident or injury, notify the Market Manager immediately. Do not hesitate to call 911 in the event of an emergency.
10. Prices must be posted for all products displayed for sale. Each Vendor must set their own prices. Price fixing is illegal. No dumping of produce below cost permitted. All prices are expected to be competitive within the market.
11. All products must be clearly labeled in compliance with Federal, State and local regulations and requirements.
12. No reselling of crafted items permitted. Crafted/artisan/value added items must be made by the member vendor or immediate family member.
13. Vendors who weigh items must use a scale certified by the New York [Division of Bureau of Weights and Measures](#) and display the certification in a clearly visible space. This does not apply to those selling by the each, by the bunch, or by the bag.
14. Vendors, their employees, and associates shall dress and act in a professional manner with customers, vendors, and staff.
15. The Market Manager has the right to require a vendor to change his or her display if it is deemed to present a safety risk or otherwise does not comply with Market rules. Vendors must keep their displays up until the end of the Market.
16. Live animals are not allowed at the Market due to increased risk of infection and disease. This is supported by Village of Cuba codes, Allegany County Health Department, and New York Department of Agriculture & Markets.
17. Vendors may name a qualified agent (family member, employee, or designated person) to handle the sales at the Market. The agent must be fully educated and knowledgeable about the products, how it is used, grown or produced, and be able to communicate this clearly to customers.
18. No selling is permitted before the official opening time of the market.

[Vendor Responsibilities](#)

NASEC has set forth the following guidelines for vendors:

19. The use of the market is restricted to those who are bona-fide growers, craftspersons, producers of homemade products or other vendors as approved by NASEC or the Market Manager. Vendors may, on a limited basis, supplement product lines with additional New York/Pennsylvania State only products provided that the product is otherwise missing from the market and the Market Manager/NASEC grants permission for the supplement. This permission is valid for one season only and must be re-applied for each season.
20. All vendors will represent themselves in a professional manner when interacting with customers and other vendors. Offensive remarks and inappropriate behavior will not be tolerated. Hawking (defined as calling attention to your stand or products in a loud or offensive manner) is prohibited. No amplified music is permitted except that which may be provided by the Market Management.
21. All vendors will maintain a clean, attractive display in their booths.
22. No smoking, open alcoholic beverages, or firearms are permitted at the market. The allowable exception to this is wine for wine tasting.
23. Vendors are independent entities and are each liable for all applicable licenses and insurance. Vendors must also provide the NASEC with a copy of your sales tax certificate to keep on file, if applicable. A business license is not necessary.
24. All vendors using the term "organic" must be certified organic legally.
25. All processed and value-added food items require standard labeling including vendor's name, ingredients listed in order of volume (most to least), and net weight or volume of goods in sealed packages in accordance with the Office of Food Inspection, Department of Agriculture and Markets,
26. It is in your best interest as a vendor, as well as in the interest of the Market and the protection of consumers, that all vendors follow food safety standards. For more information, see [New York Department of Agriculture & Markets](#).
27. The Cuba Farmers and Artisans Market is non-partisan. Please refrain from any political matters while at the Market.

28. All bakers and makers of ready to eat foods who have made the products themselves must possess the proper licensing/permits, or Home Processor Registration as required from either the NY State Dept of Agriculture and Markets and/or the County Dept of Health.
29. Applicable permits and licenses for products sold must be obtained and kept current. Copies of all permits and licenses will be maintained on file by Market Management.
30. Vendors must have signs clearly showing their Name and Location
31. No subletting of seasonal booth is permitted and rent/payments are not reimbursable in whole or in part. If you do not fill your space at a given market, or if you are late, the Market Manager has the right to assign your space to another vendor for that market.

Compliance with (and Violations of) Market Standards

In a situation where:

- Vendor fails to attend Market without informing Market Manager in advance (*Market Days*)
- Vendor arrives late in violation of Rules & Regulations (*Market Days*)
- Vendor leaves early in violation of Rules & Regulations (*Market Days*)
- Vendor begins selling before 4 pm (*Hours of Operation*)
- Vendor fails to uphold any Market Day or other vendor responsibilities

The consequences are as follows:

1. First offense: written warning
2. Second offense (for same offense): \$20 fine, vendor may only return after fine is paid
3. Third offense (for same offense): \$50 fine, vendor may only return after fine is paid
4. Fourth offense (for same offense): removal from the market for the remainder of the season and possible exclusion from subsequent years' markets.

All other compliance violations will be dealt with by NASEC via the Market Manager. After giving the vendor an opportunity to be heard, the determination will be made whether there has been a violation and what action should be taken. NASEC/The Cuba Farmers and Artisans Market has the right to limit or revoke any vendor's application without refund and membership in the Market. If market rules are not followed, the vendor can be asked to leave the Market.

Immediate removal of a vendor from the Market may occur if the Market Manager observes a violation of rules that would place the public or other vendors in danger or at risk. This situation and any action taken is subject to the discretion of the Market Manager.

Complaints:

1. All complaints must be addressed in writing to the Market Manager
2. Complaints against another vendor must be accompanied by a \$50.00 "Good Faith" check. The Market Manager will conduct an investigation and/or farm inspection against the accused vendor. If the complaint is found to be valid, the \$50 "Good Faith" check will be returned. If the complaint is found to be unfounded, the check will be forfeited and deposited in general funds and a letter of explanation will be sent to the complainant.
3. Complaints will be reviewed by the Market Manager in an attempt towards resolution. If the Manager is unable to resolve the complaint, NASEC management will review the issue. Decisions of the Market Manager and or NASEC are final.

NASEC reserves the right to amend these Rules & Regulations as may be appropriate and necessary in the interest of farmers or vendors, consumers, and the general public.