Santa Fe Farmers’ Market
Rules and Regulations
2020

(2020 amendments to the Rules have been italicized)

Mission Statement:
The Santa Fe Farmers’ Market’s purpose is to support agriculture in Northern New Mexico by connecting community and agricultural producers through commerce.

Vision Statement:
We envision a robust farmers’ market that ensures a thriving, resilient agricultural community in Northern New Mexico.

Purpose and Interpretation:
One purpose of the Santa Fe Farmers’ Market (SFFM) is to provide local farmers and ranchers with a viable direct marketing venue, and consumers with the opportunity to purchase locally produced agricultural products. To that end, the intent of these Rules and Regulations is to protect local farmers and ranchers from market displacement by larger producers of agricultural commodities in small, specialized local market venues such as our Farmers’ Market. The SFFM is a “members only” vendor market to achieve these ends. Therefore, membership preference will be given to local farmers and ranchers in the approval of applications for membership to sell at the SFFM. These rules have been adopted by the SFFM Board to ensure the smooth operation and functioning of the SFFM and are not to be interpreted so as to provide any individual member contractual rights or privileges. These rules are in accordance with the bylaws, policies and goals of the SFFM and are binding on all participating vendors. Furthermore:

- Enforcement of these rules is explicitly endorsed and authorized by the SFFM Board of Directors.
- Exceptions to this can only be granted by the SFFM Board of Directors.

I. GENERAL POLICIES
   A. Overview
      1. These rules and regulations may be revised or amended by the SFFM Board from time to time. The membership shall be notified of any rule amendment or new rule as soon as practicable after the amendment or rules is adopted by the SFFM Board. The membership will be notified of rule revisions and amendments by means of publication in the SFFM BOD Meeting Minutes & the Vendor News. Current Rules and Regulations will be posted on the SFFM website.
      2. In addition to the following Rules and Regulations, all vendors agree to abide by all City, County, State, and Federal laws and regulations. All vendors must display required licenses at their booths during all markets, including City of Santa Fe Business License, NMED Food Permit, WIC Program Certificate, and Organic Certification documents if applicable.
3. It is the responsibility of vendors who sell taxable products (e.g. crafts, nursery, processed foods, cut flowers, etc.) to obtain a CRS#.

4. The SFFM reserves the right to deny the acceptance of any membership application for any reason determined by the Board of Directors. Membership renewals are conducted every March: Annual Membership Fees cover the period April 1st – March 31st and are not prorated.

5. All necessary paperwork (required by the Santa Fe Farmers’ Market, Federal, State, and Santa Fe city laws) must be on file at the Santa Fe Farmers’ Market office before a vendor can sell at the Market.

6. All products a vendor sells must be listed on the vendor’s application. If a new product is to be introduced after the application process, it must be submitted in writing and juried for approval prior to being brought to market. Market management reserves the right to require a vendor to immediately remove any undocumented or un-juried product from a vendor booth.

7. The Jury will assign the Primary Product Category most suitable for a vendor’s products. The membership of SFFM will remain 80% agricultural producers (Produce, Soil Enhancement, Nursery, Honey, Meat, Eggs, Dairy) and 20% value-added producers (Crafts, Food Processors, Herbal, Therapeutic & Toiletry).

8. Agricultural producers may sell value-added products that are composed of no less than 50% their own product, up to 20% other SFFM members’ products, and up to 30% other ingredients. Products consisting mainly of oil, vinegar, or sugar are allowed. A minimum amount of hard goods (i.e. wire, glue, string, etc.) are allowed in the production of a craft product. These value-added products must not take up more than 20% of an agricultural producer’s booth. (e.g., If a member’s Primary Product category is Produce and they also sell salsa; then salsa must only take up 20% of their booth at the market.)

9. All properties where products are grown must be listed on the annual application. Vendors must specify which products are being produced on each property. Vendors with multiple and/or shared properties must describe any agreements in place.

B. Category moratoria

1. The SFFM Board may impose a moratorium on any category or subcategory of vendor to maintain balance and diversity in the market or for any reason deemed appropriate.

C. Local agricultural products

1. Vendors may only sell local agricultural products at SFFM. Local agricultural products are:
   a) Cultivated or gathered plant crops and plants grown in the local area.
   b) Products of domesticated animals (livestock, rabbits, poultry and fowl, bees, and fish) that are raised in the local area.
   c) Processed and crafted items derived from the above, meeting specified content rules of the SFFM.

2. The local area refers to the counties of Santa Fe, Rio Arriba, Los Alamos, Taos, Mora, San Miguel, Sandoval, Torrance, McKinley, San Juan, Guadalupe, Harding, Colfax, Union, and De Baca.
D. Special Vendor Categories

1. Invited Product Vendors

   MEMBERS

   Products from outside the 15 County Area are permitted only according to the following guidelines:
   
   a) The SFFM Board may look for and individually invite vendors to sell specific agricultural products at the market from outside the 15 county areas and within the state of New Mexico.
   
   b) This pertains only to products that are not available (or not available in sufficient quantity to satisfy demand) from vendors within the 15 County areas.
   
   c) These special invitations will pertain to unprocessed agricultural products only (butchering, dairy processing and pickled/fermented products are acceptable) and shall be for the current season.
   
   d) Participation by out of area vendors and invited products shall be re-evaluated each year. The Board may consider availability of product from vendors within the 15 County areas in their evaluation.
   
   e) Only an out of area vendor who has attended Market consistently for a minimum of five years will be eligible to apply to the Board of Directors for in area vendor status. This means the out of area vendor will have a right to vend the specific approved product even if a local vendor starts to sell that product.

2. Variances: Vendors who wish to bring to market a product that does not currently comply with market rules may apply for a variance. A variance is a conditional permission granted to a vendor for a finite period of time, with the understanding that the vendor will work with the SFFM to bring the product into full compliance during that time. The conditions of a variance will be reevaluated annually, and permission may be continued or revoked as indicated.

   NON-MEMBERS

3. Guest Vendors: A guest vendor is invited at the discretion of the SFFM Board of Directors, which is subject to BOD approval annually and which may be withdrawn at any time. A guest vendor is a non-member who offers product or service that enhances the overall market while not competing with SFFM members. Guest vendors are not official members of the SFFM, and do not have any SFFM member rights. Guest vendors must pay an annual “Guest Vendor Fee” of $150 in addition to the daily stall fee and sign a Guest Vendor Agreement regarding the above rules. Guest vendors may vend at market strictly on a space available basis.

4. Ancillary Market Vendor Exceptions: Railyard Artisan Market vendors may attend the SFFM del Sur (Southside) and Wednesday (Railyard) markets pending submission of all appropriate paperwork. These vendors are not official members of the SFFM, and do not have any SFFM member rights. RAM vendors will be invited
to ancillary markets at the discretion of SFFM Management. RAM vendor attendance at ancillary markets may be revoked at any time, for any reason, at the discretion of the SFFM Management and the SFFM Board of Directors.

II. VENDOR SPACES: RESERVED and NON-RESERVED
The SFFM operates several markets at different sites on different days. Members must contact the Market Manager prior to appearing at any market. It is the sole discretion of the SFFM Management to set a cap on the number of vendors attending a market. If more members choose to come to any given market than space allows, seniority (the number of total years of membership) will be the rule.

A. Saturday Summer Reserved Vendor Spaces
1. There shall be no cap on the number of single reserved spaces for the current season provided a minimum of 6 spaces remain open for non-reserved vendors. There are a finite number of total spaces in the Market. Therefore, at peak times, a cap may be imposed by Market Management, which will be based on member seniority. Very junior members may be directed not to attend Saturdays and to attend other Market days during such peak times.
2. There shall be up to 10 double reserved spaces available for the current season, but only for produce, dairy, eggs, meat, and nursery vendors.
3. Members who wish to receive a reserved space or make a change to their reserved space will be added to the waiting list. These requests may be officially submitted to staff during annual membership renewals.
4. Reserved spaces and SFFM membership are not transferable in the event of a sale or transfer of the operation. The Board reserves the right to make exceptions when family members are involved. Spaces that are not used revert to the Market to be re-assigned.
5. Members must file an application and pay their annual membership fee and/or reserved space fee in order to maintain membership and/or reserved space seniority, regardless of whether they plan to attend Market any given year.
6. There are no reserved spaces during Winter Market, when we move inside the building.

B. Allocation of Reserved Spaces
1. Management shall allocate reserved spaces to vendors.
2. Reserved spaces and/or changes to reserved spaces will be awarded based on 50% membership seniority and 50% market attendance (rolling average of the previous 3 years).
C. Non-Reserved Spaces
1. Non-reserved space vendors (i.e. those without reserved spaces) must abide by the same rules and regulations as all other sellers.
2. The Market Management assigns spaces for these vendors.
3. Non-reserved space vendors may be moved around to different spaces each market day they attend.
4. All non-reserved vendors must have a previously approved application and give sufficient notice (see XIII. 2 & 3) before attending Market in order to receive a space.

D. Other
1. All spaces will be primarily reserved for vendors of locally (within the 15 counties) grown fresh and minimally processed agricultural products for human consumption.
2. Chile roasters must receive prior approval as determined by the SFFM Management. Chile roasters must obey Santa Fe City Code and all Fire Marshal directives.
3. Each individual belonging to a co-op must be charged individual vendor rates.
4. A single-space vendor may rent a second space at any Market when space is available, but no vendor may occupy three spaces.
5. All vendor items (including chile roasters and cooking displays) must be contained within the vendor’s designated booth space unless management has previously approved the additional space and a fee has been paid for the use of that space. In no way shall a vendor’s set-up (including equipment, staff, or product) compromise the aisles of the market.
6. During Market hours, it is prohibited to move products from booth to booth regardless of family or farm affiliation.
7. The Jury Committee may refuse to approve more than one application for a farm or family enterprise that is taking place on the same property or is selling product under the same business name.
8. When no spaces are available, members may share a booth with other members with Market Management approval.

III. PRODUCT SOURCE AND CONTENT VERIFICATION
The content of Appendix I, “Product source and content verification,” is part of these rules and regulations.

IV. PRODUCT SELLING & RESELLING
A. Selling
1. Farmers are only allowed to sell fruits and vegetables grown by themselves.
2. Members may sell limited amounts of approved product on behalf of another member in their absence on a temporary basis with prior approval from Market Management.
3. Farmers are allowed to sell vegetable/herb/flower starts during the season if approved on their application.
4. Farmers are allowed to sell cut flowers, with appropriate nursery licensing. (see VI.4)

B. Reselling Zero Tolerance Policy
1. Reselling is defined as the purchasing of a product that a member has not grown or produced themselves, and subsequently selling it at the Farmers’ Market.
2. Reselling is not permitted at the SFFM. Since reselling so violates the integrity of the SFFM, it is punishable with a distinct penalty; a member found to be reselling can be permanently removed from the SFFM.
3. Members found to be reselling can appeal their violation before the penalty is enacted.

V. VALUE-ADDED PRODUCTS

PROCESSED FOODS

Copies of a current NMED Food Permit and Product Liability Insurance must be on file before a vendor can sell at the Market. Processors (including farmerprocessors and processors who do not grow their ingredients) must also comply with the following rules:

A. Definitions
1. “Approved product” refers to a product that has been approved by the jury.
2. “Jury” refers to the Jury Committee of the Board of Directors.
3. “Processor” refers to a person who produces and sells processed food products at the SFFM.

B. Jury Committee
1. The President of the Board of Directors shall appoint a Jury Committee for judging all value-added categories. The Jury shall consist of a minimum of three members including the SFFM Management (or his/her appointee) and at least two other people appointed by the Board President. The Jury will meet or have phone conferences as necessary to review all processed foods and craft items to be sold at the Market. Members serving on the Jury Committee, except for SFFM Management, shall serve for one-year terms and may be reappointed.

C. Jury Process for Processed Food Products
1. The Jury must approve all processed food products before they may be sold at the SFFM. Processors must demonstrate compliance with the processed food rules in order to have a product approved.
2. For each product presented to the Jury, a processor shall list all ingredients in the product and shall provide a supply plan for those ingredients. The Jury shall consider the thoroughness and viability of the supply plan before approving a product.
3. The vendor shall maintain a verifiable source log for all ingredients in an approved product. The log shall be available for review by the Market management. Failure to maintain a complete and accurate source log is presumptive evidence of non-compliance with the processed food rules.
4. All decisions made by the Jury shall be in writing. If a product is not approved, the reasons for non-approval shall be given in a written notification.
5. The Jury may reject a product if it determines that the product does not fit within the mission and goals of the SFFM.
6. A person who does not agree with a Jury decision of a product may appeal the decision to the Board of Directors.
D. Product Composition
1. Either seventy-percent (70%) of the fruits, vegetables, herbs, flour, grains, eggs, and meat in a processed food product must be grown in the local area, or seventy-percent (70%) of the total content of the product must be produced in the local area. Products must have as much local and New Mexico grown and produced ingredients in them as possible. If an ingredient in the product is grown or produced in New Mexico and is generally available in New Mexico, then that New Mexico ingredient shall be used in the product.

E. Special Rules for Processed Food Categories
1. Bulk Food Products: Bulk food products such as dried chile, ground chile, chicos, atole, dried fruits and vegetables, , dried meats, dried herbs, etc. must be grown or gathered in the local area by the processor.
   a. Minimally processed, single-ingredient products (like dried chile, beans, etc.) are exempt from NMED licensing. Any product that has multiple ingredients (spice mixtures, etc.) requires a NMED Food Permit and Product Liability Insurance.
2. Oil and Vinegar Products: Products consisting mainly of oil or vinegar may be sold at the Market. One hundred percent (100%) of herbal, vegetable and other plant material in these items must be produced in the local area. A NMED Food Permit and Product Liability Insurance must be on file with the SFFM.
3. Gluten-free food products will adhere to a 60% (local ingredients)/40% (other) ratio.
4. If a food processor desires to use “organic wheat” and it is not available in the 15-county area, then the 15-county area shall be expanded to include all of New Mexico and the Rio Grande Watershed in Colorado. Additionally, an annual sourcing update shall be submitted to the Jury Committee.

F. Food and Drink Prepared at Market
1. Food or drink products for sale that will be prepared in whole or part at the Market, including chile roasting:
   a) Must be clearly marked on your list of processed foods in your application.
   b) A NMED Food Permit and Product Liability Insurance must be on file with the SFFM.
   c) Must comply with all other rules for processed foods.
   d) Chile roasters must label bags of chile with their business name & the date that the product was roasted.
   e) Vendors who hand out samples of food products which have been altered in any way (sliced veggies, fruits, etc.) must have a NMED Food Permit on file and on display during market. Samples of whole fruits or veggies do not require a permit (whole berries, tomatoes, etc.)

CRAFTS

A. Definitions
1. “Approved product” means a product that has been approved by the Jury.
2. “Jury” means the Jury Committee appointed by the Board of Directors.
3. “Crafter” means a person who produces and sells craft products at the SFFM.

B. Jury Process for Craft Products
1. The Jury must approve all craft products for the current year before they may be sold at the SFFM.
2. For each product presented to the Jury, the vendor shall provide a list of all ingredients in the item and where they were grown, or the name of the supplier for each ingredient.
3. The vendor shall maintain a verifiable source log for all ingredients in an approved product. The log shall be available for review by the Market management. Failure to maintain a complete and accurate source log is presumptive evidence of noncompliance with the craft rules.
4. All decisions made by the Jury shall be in writing. If a product is not approved, the reasons for non-approval shall be given in a written notification.
5. The Jury may reject a product if it determines that the product does not fit within the mission and goals of the SFFM.
6. A person who does not agree with a Jury decision of a product may appeal the decision to the Board of Directors.

C. Product Composition
1. 70% of the material used in each individual craft item must be derived from agricultural products grown, legally gathered, or purchased by the vendor from the local (15 county) area. All above purchased items must be sourced from a provider who grows/raises the raw material within the 15-county area.
2. Wild crafters are encouraged to harvest their materials in a sustainable manner so as not to deplete the local flora and fauna.
3. Wool and Fiber products. The wool and fiber in textile products must come exclusively from the vendor’s or another producer’s animals in the local area. Necessary trimming materials (fastenings, assembly and tailoring materials) may be used but shall not exceed 30% of the total product.

HERBAL, THERAPEUTIC, & TOILETRY PRODUCTS
1. This category includes processed products such as soaps, tinctures, creams and lotions, scents, toiletries, essential oils, bags, home-care and herbal products.
2. 80% of herbal and other plant material in these items must be grown and produced locally in the Market’s vendor counties. Herbal and plant material includes herbs, distillates, scent or flavoring agents, active ingredients etc.
3. Local raw materials must be used for the non-herbal components of these products to the extent possible.
4. Soaps, in addition to the above:
   a) must be made using at least 25% material grown or produced locally in the 15 County areas in the base (ingredients used before the trace stage);
   b) must be handmade where fats and alkali are mixed on your premises. Melt and pour, and similar production techniques are not permitted; and
   c) eighty percent of the herbal or other material added after trace must be grown in the local area.
VI. NURSERY STOCK & CUT FLOWERS

1. Approved nursery growers are permitted to sell plants, trees, fresh and dried flowers, herbs, and decorative vegetation which have been grown or legally gathered/wild-harvested in the local area by themselves. Nursery and cut flowers require a NMDA Plant Protection License.

2. Purchased nursery stock must be repotted and grown for a minimum of 30 days before being sold at the Market. Nursery growers shall submit a crop list with the approximate numbers of each variety to be sold at the Market.

3. The producer shall maintain verifiable records of all purchased stock. The records shall be available for review by the SFFM management. Failure to maintain complete and accurate records is presumptive evidence of non-compliance with the nursery and cut flower rules.

4. The SFFM has a NMDA Plant Protection License. The license covers those members (who do not have their own license) to sell nursery stock and cut flowers only at the SFFM and who pay a $25 annual fee to the Market. Those members selling at other Markets are required to have their own NMDA Plant Protection License.

5. Vendors who sell hemp and/or hemp products must comply with all State and Federal laws & regulations.

VII. MEAT, DAIRY, HONEY and BEE PRODUCTS & EGGS

1. Farmers and ranchers are permitted to sell eggs and dairy products (milk, cream, yogurt, butter, cheeses, ice-cream, and similar products), and meat and other products of slaughter, at the SFFM that they have raised/grown themselves in the Market’s vendor counties.

2. All dairy vendors must submit their NMDA Grade A Permit and Product Liability Insurance annually. Raw milk must always be labeled as “unpasteurized,” ensuring that the consumer is aware of the risks.

3. For meat and eggs production, the following rules apply:
   a) Cattle, bison, and yak must be owned and raised by the vendor within the local area for a minimum of twelve (12) months. Ownership is defined by a clear bill of sale and, if required, the vendor’s registered brand.
   b) Fowl (chicken, duck, and turkey, etc.) for meat production must be raised in the local area by the vendor from one (1) day old. Fowl for egg production may be purchased up to one month old.
   c) Lambs and Goats must be raised in the local area by the vendor from birth.
   d) Pigs (swine) must be raised in the local area by the vendor from a maximum of 50 pounds of weight. The vendor must provide traceable bills of sale from previous owner to processing records.
   e) All meat and primary product category egg vendors must provide a written disclosure statement as to where their animals were born or raised, and if purchased in NM, a NM livestock bill is required. If purchased out of state, a comparable and verifiable bill of sale is required. This information must be acceptable to the SFFM Jury Committee. Any decision of the Jury Committee may be appealed to the SFFM Board of Directors.
   f) All meat vendors must submit registered livestock brands and marks where
applicable.
g) All livestock board inspection transport papers from the previous year must be included with vendor applications.

4. Any out of area product invited under rule I.d. must be from animals raised/grown by the invited vendor within the State of New Mexico.

5. Vendors must include with their application photocopies of all relevant permits from the city, county, state, and/or Federal agencies that are required. Bills of sale must also be included with applications.

6. Vendors must also be in compliance with the regulations of the NMED (505-827-1840), the NMDA (575-646-3007) and the USDA (505-646-1616).

7. Copies of your current product Liability Insurance, including U.S.D.A. exemptions or exclusions, and Slaughter License are also required with your application.

8. Honey and all bee products for human consumption sold at the Market must be from hives the producer maintains in the local area. Honey that is processed or has any additional ingredients is a processed food and a NMED Food Permit and Product Liability Insurance requirements also apply.

VIII. MISCELLANEOUS PRODUCTS

1. Mushrooms: Selling wild-collected mushrooms in any form is prohibited at the Market. Cultivated mushroom growers must comply with all the Rules and Regulations of the SFFM.

2. Piñon Nuts: Selling piñon nuts is prohibited at the Market.

3. Soil Enhancement/Soil Conditioners/Compost: Vendors who wish to sell these products must submit their NMDA product registration annually with their membership application. These vendors are considered agricultural producers.

4. Pet Food: Products marketed to the public as pet food must comply with all SFFM requirements for processed foods and must be registered with the NMDA.

5. Products containing CBD must comply with all State & Federal laws and regulations.

IX. WIC FARMERS MARKET NUTRITION PROGRAM

1. Only vendors who have signed the agreement to be in this program are permitted to accept the WIC coupons. Acceptance of these coupons by unauthorized vendors will be cause for suspension or termination from the SFFM and may result in prosecution under applicable federal, state, and local laws.

2. All vendors participating in the WIC program must display the green Vendor Permit Sign provided by the SFFM, which includes the Vendor Name and Permit Number.

3. Products that are not acceptable under WIC guidelines include the following: processed foods, crafts, nursery and cut flowers, herbal products, meat and dairy products, and eggs. Please refer to the WIC accepted items list in the WIC Agreement Form.

X. HOLIDAY MARKET RULES

1. Certain market days between Thanksgiving and the first two markets in January are designated as special Holiday Markets.

2. During Holiday Markets, current members may sell Craft products.

3. Holiday Craft products (such as pottery, jewelry and other non-farm derived products) must comply with Craft Product Composition rules (see VIII.C.1.) and may not exceed
50% of the content of the booth. Exceptions will be made for products composed of recycled farm items (baling wire, drip tape, etc.), and printed materials such as holiday cards, photography, calendars, and fabric items, as long as all printed images are designed by the vendor or family member.
4. Holiday Craft products must be approved by the Jury Committee prior to being sold at the market. All items sold at Holiday Markets must be made by the vendor, his/her immediate family, or his/her employees. No reselling is permitted.

XI. COMMUNITY SERVICE ORGANIZATIONS AT THE MARKET (Educational, Informational, Non-Profits, etc.)
1. Community Service Organizations must make arrangements with SFFM Management prior to attending market. Management may allocate spaces to these organizations at their discretion; however, spaces for members and other vendors will always be given priority. Community Service Organizations may be granted a single space; they may never occupy a double space at the market. Community Service Organizations may not sell any products or solicit funds at the SFFM.
2. Community Service Organizations must adhere to the same load-out procedures as the SFFM Membership; leaving early is not allowed.
3. The Santa Fe Farmers’ Market Institute is exempt from these nonprofit rules.

XII. ORGANIC SIGNS
1. Only vendors who are certified organic and who have filed their current certificate with Market Management may post “organic” signs at their booths.

XIII. CHECK IN
1. All vendors attending any Market are required to check in no later than ½ hour before start of market unless they have made arrangements with the Market Manager in advance. Unless otherwise specified, failure to be on site by ½ hour before the start of market may result in the loss or reassignment of your space and/or a fine of $10. Failure to notify the Market Manager if you are not attending the Market may result in the reassignment of your space and a fine of $25. For safety, late arrivals must be escorted into the Market by the Market Manager (in accordance with Fire Department rules). Late arrivals may be barred from entering the Market at the discretion of the Market Manager or SFFM Management. Repeated or chronic lateness will not be tolerated.
2. Calls to the Market Manager regarding changes in attendance status for all morning markets must be made before 12 pm 2 days prior to the Market day (i.e., vendors who have been consistently attending must notify Market Manager of absence, and those who have not been consistently attending must notify Market Manager of attendance).
3. Prior notification for afternoon markets is encouraged, but not required.

XIV. CHECK OUT
1. All vendors must vacate the Market area by the designated time and must leave their space clean and free of debris. Failure to clean up your space and/or leave in a timely and orderly manner may result in revocation of your space and/or fines of $10 to be paid prior to entering the Market the following market day.
2. For the safety of the public, early departure from the Farmers’ Market is prohibited (by order of the Fire Department). Exceptions may be made, at the discretion of Market Management, based on vendors’ special needs. Special needs are evaluated on an individual basis, and only vendors with prior written express authorization from Market Management will be allowed to depart early. Market Management reserves the right to place these vendors in a space that will have the least amount of impact on the market during early departure.

3. According to Fire Department policy, vendor departure after the Market has closed must be conducted in a safe and orderly manner with a clearly defined sequence. Vendors will leave the Market following a pre-arranged schedule based on their location in the Market. Market Staff will direct and coordinate this process. These rules are mandated by the Santa Fe Fire Department, are non-negotiable, and all members of the Market are obligated to comply. Failure to cooperate and comply with directions from Market Staff may result in penalties levied by the Market and/or citations from the Santa Fe Fire Marshal.

XV. PENALTIES

Fines regarding noncompliance with SFFM Rules & Regulations will be progressive per market year. 1st offense fines are listed below, 2nd offenses will be doubled, and all subsequent offenses will be tripled.

Fines regarding noncompliance with SFFM Rules and Regulations include:

1. Failure to leave space clean - $10
2. Failure to be at market ½ hour before market opening - $10
3. Failure to depart the market by the designated time - $10
4. Failure to call Market Manager to inform him/her of plans to attend the market (i.e., attending market without calling first, or being absent at the market when attendance is expected by Market Manager). - $25
5. Returned checks - $20
6. Annual Membership Fees are due on the deadline to submit renewal applications. Payment plans are available; all vendors on payment plans must pay 10% of their total annual dues at the time of their renewal and be paid in full no later than July 1st. After July 1st, vendors will not be allowed to attend any market until payment is complete.

XVI. LIABILITY

1. Application of these rules and regulations, including penalties and fines, may be imposed by the SFFM Directors, staff and/or their respective representatives, shall not create liability on the part of the forgoing named parties either by their imposition and enforcement or by the failure to impose and non-enforcement of same

XVII. MISCELLANEOUS

1. No consumption of alcoholic beverages or drugs (with the exception of prescription medications, in the user’s name, taken in accordance with doctor’s instructions and with the prescribed dosage provided that this will not render the user to be in a state of intoxication) is allowed onsite during market hours.
2. No radios or stereos may be played onsite during market hours.
3. Dogs are not permitted inside the building except for assistance dogs.
4. Bringing livestock and other animals must be approved by Market Management prior to bringing them to market. When permission is given, hand sanitation facilities and signs advising hand cleaning must be provided.
5. Any Vendor using any device with an open flame must be in compliance with current City of Santa Fe fire codes and must have a visible fire extinguisher in proper working condition and appropriate to the fuel being used. Electric space heaters are not allowed at the market.
6. It is the responsibility of vendors who sell products by weight to have their scale certified with the NMDA of Standards and Consumer Services.
7. Any member who has written a book which pertains to local Northern New Mexico agriculture or local Northern New Mexico history, and had it published, will be allowed to sell it at their booth.
8. Vendors are not permitted to use Styrofoam containers to dispense their products.
9. Children under the age of 15 must be accompanied by an adult while working at a vendor booth.
Santa Fe Farmers Market
Rules and Regulations: Appendix I
Product Source and Content Verification

I. PURPOSE
Verification by inspection of a vendor’s operation permits the Market to ensure that items for sale at Santa Fe Farmers’ Market are local agricultural products produced by the vendor. Inspections are adapted to the nature of the vendor and products but generally seek to confirm that products are grown, raised, gathered, processed, and crafted in compliance with Market rules.

II. PROCEDURE
A. All members acknowledge the right of the Market’s representatives to inspect their operations for compliance with the Market Rules and Regulations and agree to assist in the inspection. Inspectors will make every attempt to conduct visits in a personable manner.
B. Inspections will be conducted randomly on a regular basis. New members are required to have a site inspection. All members should expect to be inspected.
C. Vendors or customers who believe that a product is in violation of the SFFM Rules may submit a confidential written complaint to SFFM Management. Written complaints will be evaluated by the SFFM Management and Inspections Committee. SFFM Management will respond to all written complaints within two weeks. All decisions may be appealed to the board.
D. Inspections will be carried out at a time mutually agreeable to members and inspectors, within 7 days of the first request prior to the beginning of the Market season. Once the Market opens, inspectors will have the right to make inspections within 3 days of such request, at a time mutually agreed upon. Inspection of a vendor’s sales display may be performed at any time without notice.
E. Any member who refuses inspection or attempts to delay or evade inspection without reasonable cause, such as a family emergency, will be refused access to the Market until the inspection is satisfactorily completed.
F. It is suggested that inspection teams will generally include 1 staff member & 1 Community Board Member serving on the Inspections Committee.
G. Inspectors will bring vendors’ product lists from their applications to all site inspections. Upon completing the inspection, the inspectors will supply the Inspections Committee with a brief written report on the inspection, based on the vendor’s crop or product list. The completed report will be available to the vendor and kept with the vendor’s permanent file.
H. If the Inspection Committee conducts an inspection of a member’s operation, all fields and facilities must be shown to inspectors. If a vendor fails to facilitate inspection of their entire operation, missed products may not be allowed at the market. If a subsequent site inspection is required, a member will be responsible for a $150 fee.
I. Any member found not in compliance with the Rules and Regulations may be subject to penalty.
III. VIOLATIONS

A violation will be reported if:

A. Upon visiting your farm, the Market’s appointed inspectors cannot find an item seen displayed at the Market, or find an insufficient amount grown or produced compared to Market sales, or find a different variety grown, insufficient indications of harvest or other evidence that items sold were not produced on your farm.

B. You admit to buying an item for resale at the Market.

C. Market representatives witness you buying a product, which you have been selling or will sell at the Market.

D. You advertise, sample, deliver, or display a product to a customer at the market that you did not grow, is not regional, or that has not been approved by the SFFM Management.

E. A processed or crafted item offered for sale at the market is not in compliance with the content or Jury rules.

F. A nursery or cut flower item is offered for sale that is not in compliance with the nursery and cut flower rules.

IV. PROCESS

A. The Inspection Committee shall determine violations and report to the Board of Directors.

B. The Board of Directors will be responsible for applying the appropriate penalty, with input from representatives from the Rules and Inspection Committees.

C. The Board of Directors may immediately suspend a product for up to 10 days until the inspection and/or appeal process is complete.

D. Appeals must be filed within 5 business days to the Board of Directors, through the SFFM Administration. The appeal will be acknowledged in writing by a member of the board within 5 business days of its receipt and will be addressed at the next board meeting. The Board of Director’s decision regarding the appeal is final.

V. PENALTIES

A. First Violation: At the discretion of the Inspection Committee, a warning letter and/or suspension may be issued barring the vendor from all Santa Fe Markets for up to two weeks (fourteen days). Also, and in addition, a fine of up to $100 may be levied. Products found in violation will not be allowed back in the Market for the remainder of the season or year.

B. Second Violation: Suspension from all Markets for thirty days, and a fine of $100. Products found in violation will not be allowed back in the Market for the remainder of the season or year.

C. Third Violation: Termination from all Markets permanently.

D. All violations will be issued in writing. All violations carry over from year to year.
Appendix II
Musician and Entertainer Policy

1. The venue created and occupied by the SFFM, both indoors and outdoors, is a proprietary and privately-operated space opened to the public at the discretion of the SFFM for the primary purposes of conducting business and facilitating the livelihood of our farming membership. As such, it is subject to the By-Laws and Rules and Regulations of the SFFM, along with the Policies and Procedures of the Santa Fe Railyard Community Corporation as approved by the Santa Fe City Council.

2. Musicians and other entertainers may perform by invitation only and must be approved and booked in advance. Applications may be obtained from the Market Manager. A signed agreement must be submitted before performing at the Farmers’ Market. Musicians and other entertainers are guests at the SFFM.

3. A current busker’s license issued by the City of Santa Fe is required.

4. Acoustic music only – no amplification.

5. No canopies, no umbrellas.

6. Set-up is to be directed by Market Staff. Performance is to be during Market hours only.

7. Musicians will be assigned to specific spots. No roaming.

8. There are a limited number of assigned spaces, as designated by Staff.

9. No soliciting or sales. Tips may be accepted but not aggressively pursued.

10. Anyone who challenges the authority of any SFFM Staff member, or who behaves in a rude, violent, threatening, or intimidating manner toward any person at the Market, may be immediately expelled for the day by the Market Manager and/or the SFFM Management. The SFFM Board of Directors may permanently ban such an offender from the Market or impose a lesser penalty at its sole and unlimited discretion.

11. The SFFM reserves the right to exclude persons who do not comply with its Rules and Regulations, and/or who disrespect, or disregard instructions given by authorized SFFM staff.
Definition of Terms

Agricultural Producers
Agricultural Producers are vendors who grow, raise, or gather agricultural products, including produce, soil enhancement, nursery, herbs, dairy items, eggs, meat, and honey. They must compose no less than 80% of the SFFM Membership.

Value-Added Producers
Value-Added Producers are body product vendors, craft vendors, and vendors who make processed food products from local ingredients they have not grown, raised, or gathered themselves. They must compose no more than 20% of the SFFM Membership.

Invited Product Vendors
Invited Product Vendors are vendors from outside the 15-county area who are permitted by the Market because they enhance the variety and quality of goods available to our customers. In all other respects, the products sold by Invited Vendors must comply with the rules of SFFM. Invited Vendor status is reviewed annually, and permission may be continued or revoked as indicated. Invited Vendors may apply for in-area vendor status after five years of consistent SFFM participation.

Guest Vendors
A Guest Vendor is a non-member who offers product or service that enhances the overall Market while not competing with SFFM members. Guest Vendors are invited to participate in the Market at the discretion of SFFM Board and Management.

Local Agricultural Products
Local Agricultural Products are a) cultivated or gathered plant crops and plants grown in the local area; b) products of domesticated animals (livestock, rabbits, poultry and fowl, bees and fish) that are raised in the local area; and c) processed and crafted items derived from the above, meeting specified content rules of the SFFM.

Invited Products
Invited products are unique products from outside the 15-county area that are permitted by the Market because they enhance the variety and quality of goods available to our customers. These special invitations will pertain to unprocessed agricultural products only (butchering and dairy processing are acceptable) and shall be for the current season.

Produce
Produce items that are permissible for sale by vendors are fruits and vegetables grown by them or gathered by them from within the local area.

Processed Foods
Processed Foods are agricultural products that have been processed in some manner by the vendor. NMDA and USDA rules and regulations that apply to that product must be observed and appropriate licenses and permits must be obtained. Either seventy-percent (70%) of the fruits, vegetables, herbs, flour, grains, eggs, and meat in a processed food product must be grown
in the local area, or seventy-percent (70%) of the total content of the product must be produced in the local area.

**Nursery Stock**
Nursery Stock are plants, trees, herbs and decorative vegetation grown or gathered in the local area by the vendor. Purchased nursery stock must be repotted and grown for a minimum of 30 days before being sold at the Market.

**Cut Flowers**
Cut Flowers eligible for sale at SFFM must have been grown or gathered in the local area by the vendor.

**Crafts**
Crafts are non-food aesthetic and utilitarian products that contain at least 70% Local Agricultural Products. All Crafts products must undergo a Jury process in order to be marketed at SFFM.

**Herbal, Therapeutic & Toiletry Products**
Herbal, Therapeutic & Toiletry Products are products such as soaps, tinctures, creams and lotions, scents, toiletries, essential oils, home-care and herbal products produced by the vendor. They must contain at least 80% Local Agricultural content. All Herbal, Therapeutic & Toiletry Products must undergo a Jury process in order to be marketed at SFFM.

**Variance**
A variance is a conditional permission granted to a vendor to market a specific product that does not currently comply with Market rules. A variance is granted for a finite period of time with the understanding that the vendor will work with the Market to bring that product into full compliance during that time. The conditions of a variance will be reevaluated annually, and permission may be continued or revoked as indicated.

**CRS New Mexico Tax Number**

**Gross Receipts Tax**
"CRS" is the Taxation and Revenue Department's Combined Reporting System. Gross Receipts Tax. Gross receipts are the total amount of money or value of other consideration received from.