RURAL MOUNTAIN PRODUCERS EXCHANGE, INC.
RULES AND REGULATIONS

Revised February 2026

The revision of the rulebook was authorized by the RMPE board of directors. The rulebook was revised beginning in March 2000 to make the rules easier to find and to read. Minutes of the board meetings and copies of older rulebooks are consulted so that each version is accurate. Changes made by the board of directors after March 2000 are dated to keep track of when a rule has been changed.

The Rural Mountain Producers Exchange, Inc., was created for the purpose of developing locally owned and operated farmers' markets in the Northwest Arkansas area, affording the small non-commercial farmer, craftsperson, and plant grower a marketplace for their products.

The Fayetteville Farmers' Market was established under Section 13-13 of the Fayetteville Code of Ordinances, and revised in Ordinance No. 2846, 4248 and 6258 and is subject to regulation as found in Title XI, Chapter 114.02 of the City of Fayetteville Municipal Code of Ordinances.
The Fayetteville Farmers Market Ordinance can be located at:
https://library.municode.com/ar/fayetteville/codes/code_of_ordinances?nodeId=CD_ORD_TITXIBURE_CH114FOSA_114.02FAMA

Market Member Code of Conduct

1. Treat all market participants, including members, customers and market staff with respect and courtesy.
2. Members must follow all market rules and train your market employees of all rule and guidelines.
3. Vendors shall not smoke, vape or be inebriated on the square
4. Vendors will not be allowed to play music from speakers at the market (2/26)

A. QUALIFICATIONS FOR MEMBERSHIP

1. The applicant must be a permanent resident of Benton, Carroll, Madison or Washington counties in Arkansas. (7/08). The board voted to grandfather in as members in good standing existing members who reside outside the 4-county area (Washington, Benton, Madison, Carroll.)
2. The member must produce and sell only his or her own products. The resale of branded merchandise is prohibited. (Revised 4/25) Produce or plants must be grown on land owned or leased/rented by the member and maintained throughout the year, not just during the harvest season. (2/11) Lease/Rent agreements of land shall be in writing, dated and signed by both parties. A current copy of the lease shall be provided to market management before selling at any market every year. Crafts must be hand-made from raw materials. (See the craft section for further instructions regarding crafts) The Manager will make a visit to an applicant's farm before he or she will be allowed to come to market. Manager may make visits to a kitchen or studio before an applicant is allowed to come to market. This visit will allow the Manager to verify that an applicant's products or work is his or her own. (2/24)
3. The member must attend three (3) markets each calendar year (January to December) to remain an active member (Revised 2/19).
4. If the member does not attend three markets each calendar year, the membership will be dropped, and the former member must go through the application process again. The member may choose to become an inactive member by applying for inactive status and paying the annual membership fee. Lifetime memberships may be bestowed by the Board of Directors to a member with a history of long service to the Market. Inactive and Lifetime memberships do not have voting privileges.
5. In special cases of weather-related disaster, personal or family health crises, or work-related absences, a member may request inactive status, which will allow a member to remain a member without attending three markets during the season. Annual membership dues must be paid, and approval of inactive status will be made by the Board on a case-by-case basis. Members with inactive status will retain their longevity points for previous years of active participation. (Added 5/15/07)

6. A membership fee of $25.00 must be paid annually. Lifetime memberships are exempt from the fee. The $25.00 membership fee is waived for all vendors who have been members for 25 years or more. (2/12)
7. A membership includes children actively working the business (2/19).
8. Membership must be approved by the Board of Directors of the Rural Mountain Producers Exchange (RMPE).
9. Each year, the RMPE Board will determine whether or not new members will be accepted to sell at Square markets. New members may be accepted at established Fayetteville satellite markets or at the square, based on their products' complementary value to the market. When space permits and all requesting floaters have been placed, first year members may be invited by the manager to attend weekday or Saturday markets. (7/15).
10. Members must communicate if they are returning to market for the new year by January 31 st , either to the managers or on the online management platform. (2/26)

B. VOTING

Each active membership is entitled to one vote. Only one adult is entitled to represent the membership during a vote or when running for office.

C. CATEGORIES

RMPE reserves the right to request removal of any item not in compliance with the rules.

The Board will consider availability and diversity of products across the categories listed below as they consider new applications each year (2/24)

1. Produce. All produce must be grown by the member. No produce may be bought from another source and sold at the market. To use the term "Organic" at the market, a member must have USDA certification (7/08).
2. Plants. In general, all plants must be grown by the member; however, when plant material is bought from other sources, i.e. plugs, that material must be grown out for a minimum of six (6) weeks before resale. Vegetable plants, fruit trees, and nursery stock must be inspected if required by the Arkansas State Plant Board (ASPB) and be certified disease-free before they can be sold at the market. The member must give a copy of the inspection slip to the manager. The member's ASPB license must be displayed at the market.
3. Crafts. All crafts must be original and hand-made from raw materials by the member. Only original handcrafted finished items shall be displayed for sale at the market. The craft committee must jury all crafts before they may be offered for sale. RMPE reserves the right to ask that the member remove any items that have not been approved by the craft committee. (See crafts/artwork rules)
4. Flowers. Must be grown by the member. Vases are not allowed to be sold or given to customers. (2/24)
5. Processed foods (Revised 1/01). (See Processed foods rules.)
6. Members already approved for selling meat products for human consumption raised on their farm at the Farmers Market can apply to sell pet food products that increase usage of the whole animal. Applications for pet food sales will be considered on a case by case basis. Pet food products must be labeled clearly as not for human consumption and not packaged in treat sized portions for consumption at the market. (10/15)
7. Combination of any of the above.
8. Food Court vendors (see sections F and Y.) (Revised 2/26).
9. Winter market vendors (December through March) may bring craft and food freedom act items to sell. All items must meet craft and food freedom act rules (See craft and food rule sections). (7/21)
10. Temporary and Special Event vendors maybe brought on for the markets special events at the managers and/or board members discretion. (2/26)

D. MANAGER

The Manager is a paid employee of the RMPE and is responsible for the operation of the market. All members will comply with requests from the manager.

E. BOARD MEMBERS

1. Five to nine board members are elected by the market membership.
2. Each serves a three (3) year term.
3. Eligibility for nomination requires that he or she be a member in good standing and the member running had attended fifteen (15) markets the previous season. (2/23)
4. They are not paid to serve.
5. They, with input from the manager, establish rules and regulations for operating the market.

F. MARKET SPACES

1. Each market space on the square has a display area determined by the market map each year except when off-loading. **(See section P on Display area.)**
2. Corner spaces are allowed to use the space available and expand into the adjoining cutout to the sidewalk corner. (2/24)
3. Members who have an assigned space must be in place by 7:00 AM. (Revised 3/01)
4. If you are expected by the manager and are on your way but running late due to an emergency, and you want to be sure your assigned space is available to you, please call the manager no later than 7:00 AM the day of the market. (Revised 2/12) If a vendor regularly arrives after 7 am with no notification to the manager, they may be subject to penalty.
5. Members without a regularly assigned space (floaters) will be filled in as space is available and must check with the manager by 9 am the day prior to each market day before occupying a space. If any member is assigned a space without a parking space, they must unload their vehicle and park it away from the square. (See parking.)
6. Market spaces are determined by a point system. The points are tallied at the end of the year and members choose their space for the following year at the general membership meeting. The points are given based on these criteria from the previous year:
   Twenty-Five (25) points for each year of membership (2/15)
   One (1) point for each Saturday market attended, January through December. (1/22)
   Two (2) points for each weekday market attended.
   One (1) point per $10 gross sales. (Revised 4/05)
   One (1) point every for every $10 in product sales for Online Market (1/22)

   Food Vendors space will be determined by a point system within Food Court members. The points will be tallied at the end of the year, and members will choose a space within the food court for the following year. The points are given based on these criteria from the previous year.(2/26)
   One (1) point for each Saturday market attended, January through December.
   Two (2) points for each weekday market attended.
   One (1) point per $10 gross sales.
   One (1) point for every $10 in product sales for the Online Market.

If a member cannot attend the membership meeting at which spaces are chosen, another member in attendance may choose a space for that member if they have in hand a written statement signed by the absent member designating them to act as proxy. (Revised 1/05)

7. The number of assigned spaces for new craft-only members may be limited by Board action (2/13).
8. Whether or not new member applications will be accepted for selling at the Fayetteville Farmers Market or satellite markets will be decided by the RMPE board before applications are re-opened each year (2/12).
9. The Board may assign specific square spaces to the Board President and the Member with the most Seniority (10/18)
10. A ranked vendor who has earned an annual spot must occupy that spot when they attend. Empty spots are assigned to "floaters" vendors each market based on their point ranking at the beginning of the season. It is always the manager's prerogative to allow vendors to spread into empty adjacent spots to fill out the market, but empty spaces are not available

for vendors with a permanent space to request instead of their normal placement. Occasionally managers may adjust a permanent vendor's space for market layout when needed due to weather/construction/etc. (9/23)

G. PARKING

1. During the time the market is open, members, substitutes and helpers are not allowed to park in the spaces around the square or the adjacent side streets due to the limited amount of available parking for the businesses and our customers. This includes people who may come to help sell at the market, second vehicles, and anyone who is participating as a market member.
2. For safety reasons, vendors setting up on East, Mountain or Block Street must not allow their display to extend into the street more than 24 feet from the curb.
3. Vendors on the North side of Center Street may extend their display a maximum of 21 feet from the curb. Your vehicle, if you choose to leave it in your space, canopy, and signage must fit into the 21 feet allowed. (5/24)
4. Vendor displays on the South side of Center Street may come out from the curb a maximum of 24 feet. (5/24)
5. For safety reasons, on Saturday, Vendors must stay at market until 1 pm due to pedestrian traffic. If a vendor leaves before 1 pm the following penalty applies: 1st offense, a written warning. 2nd offense, loss of one day market attendance. (1/22)

H. ATTENDANCE

1. Market members should make every effort to be present from the opening to the closing of each market. (Revised 2/10)

2. If you have an assigned space and are expected by the manager and will be unable to attend one or more markets, please notify the manager so that the spaces may be filled by members without a permanent space. You must contact the manager by no later than 9 am the day before the market if you are expected and not attending a particular market (2/12) However, please be considerate and inform the manager as early as possible. *(Revised 3/01)* If you have an emergency that morning which affects your market attendance, please contact the manager right away. Arriving late to market without calling the manager: 1st offense, written warning, 2nd offense the vendor must off-load for the day. (2/22)

3. If you are a member who has an assigned space, and you come to market on a day that you are not expected, you must check with the Manager to be assigned to a vendor space if available. It is possible that a space will not be assigned until after 7:00 am. If you have an assigned space but are not expected, your space will likely have been reassigned to another member, and that reassignment will hold whether the other member is already on site when you arrive or not. In other words, you probably will NOT be able to park in your regularly assigned space.
   You will be given grace for one time of not coming to market on a day that you are expected. On the second time and subsequent times that you do not come to a market on a day that you are expected, you will be penalized five points in the Market's point system. *(Revised 4/04)*

4. A member must be in attendance at the Market to sell its products except in these instances.
   a. A member may designate a substitute vendor to sell at any market deemed appropriate. Vendor will be required to list substitute vendors with RMPE management, and must thoroughly train their substitutes in market rules and regulations, clean up and customer relations (1/13)
   b. In addition, a farm representative may substitute for a member on any day, due to an emergency, at the manager's discretion.

5. If you are a member who does not have an assigned space (a floater) and you desire to attend any market, you must contact the manager by 9 am the day before the market. Floater spaces shall be assigned based on the point system ranking and availability of space. (2/12)

I. PRODUCT GUARANTEE

Vegetables and fruits should be clean, fresh and of top quality. If a customer complains, cheerfully refund his or her money or make good on the product. This applies to all products sold on the market.

J. PRICING

1. Members are responsible for determining prices for their products. Prices often fluctuate during the season.
2. All prices must be clearly posted at all times.

K. COMMISSION

1. A 7.5% commission is collected on all Square Market gross sales. Round the commission up to the nearest penny. *(Revised 4/21.)* Commission will be withdrawn from vendor bank accounts via ACH transaction. Vendors must report sales no later than 2:00pm the day following market. (2/21)
2. At the FFM satellite markets, commission rates will be determined by the board. (2/24)
3. December Holiday Markets Commission rate shall be 7.5% (10/20)
4. Online market commission rate shall be 10% (10/20)
5. Winter market commission rate shall be 10% (12/22)
6. (2/11) Commission shall be paid on all products sold or delivered at any RMPE market. Commission shall be paid on all sales arranged by management (2/13)

L. CONTAINERS AND SACKS

Generally, members sell market products by quantity, i.e. by the box, bundle, bunch, dozen, bushel, pot size, etc.

Limited amounts of selected types of supplies will be available for members to purchase at cost for use at the Fayetteville Farmers Market. This includes supplies used for display purposes and those used to package customer purchases.

Biodegradable plastic bags will be available for members to purchase.
(Whole Section revised 7/15)

M. EGGS

Eggs may be sold at the market. Members must follow the Arkansas Livestock and Poultry Commission, Poultry Division regulations regarding the sale of farm fresh eggs. For details contact the Arkansas Livestock and Poultry Commission at 501-907-2400 or http://www.arlpc.org/index.asp.

1. Rules for Sale of Eggs.

Vendors must follow **all** state regulations for selling eggs at all Fayetteville markets. Two very important requirements are: a) that eggs at market MUST be in a mechanical refrigerated unit-not a cooler, and b) that eggs should be in <u>unused cartons</u> with YOUR name and address on it. NOTE: If cartons are re-used, YOUR name and address must be on all cartons, and <u>all other addresses and markings on the carton must be blacked out.</u>

Here is the list of state requirements that all vendors selling eggs at the Fayetteville Farmers Market <u>must</u> meet:

a) The egg producer shall be permitted to sell ungraded eggs at farmers' markets provided the producer owns less than two hundred (200) hens

b) Eggs are washed and clean
c) Eggs are prepackaged and identified as ungraded with the name and address of the producer
d) Used cartons are not used unless all brand markings and other identification is obliterated
e) Eggs are refrigerated and maintained at a temperature of forty-five degrees Fahrenheit (45°F) or below. **Refrigeration is defined as "an operable refrigeration unit which will maintain 45°F or below. Containers for storage of eggs refrigerated by means of ice, dry ice, or other non-powered refrigerated containers are not acceptable.**
f) You are NOT ALLOWED to use descriptions such as 'fresh', 'farm', 'country', etc., or to represent the same to be 'fresh'

O. CLEANLINESS

1. Quality and cleanliness will be maintained at all times. Each market member is responsible for cleaning the immediate area around his/her booth.
2. The Market complies with City, State, Federal, Arkansas Plant Board and Public Health regulations.
3. Water can be poured down the drains located in the corners. Do not pour water ice or other liquids in the flowerbeds or in the street.
4. Do not discard vegetable, plant or fruit matter in the dumpster or trash cans around the Square to prevent attracting bees and insects. Take this material back to the farm. Do not put plant materials or other trash into the street drains.
5. You may use the market dumpster (not the round trash cans at the corners) for trash that is NOT vegetable, plant or fruit material.

P. DISPLAYS (Revised 2/07)

Members may choose to off-load their products and use the space normally occupied by their vehicles for display and sales. Vendors may use the width of their allotted sidewalk frontage, and length of display can be as long as the allowed vehicle space. For off-loaded displays, vendors should arrive early enough to pull into the assigned space, unload products and awnings, park vehicles off the Square and adjoining street*s,* then set up awnings and product display (avoiding the traffic congestion which could occur if vendors attempt to double-park while off-loading).

Canopy Size: If canopies are used, canopies with straight legs may be used as long as they stay within the boundaries of their own space. If sun-blocking shades or cloths are used on the sides of canopies, keep them high enough to avoid blocking the view of neighboring displays.
NOTE: the angled legs of some canopies may be too large for some display spaces on the square and will not be allowed if they interfere with neighboring spaces. (2/24)

When vendor vehicles are present, umbrellas and canopies must be appropriately weighted and tied to the vendors' vehicle above head height. Front legs of canopies must be weighted at all times.

All off-loading vendors who wish to erect canopies or umbrellas are required to have them safely anchored from the time they are put up to the time they are taken down. When off-loading, canopies (EZ-UP, etc.) must be anchored at each leg with 40 lb per leg. Umbrellas with no vehicle nearby must be securely attached to a flat, heavy stand, and anchored with 150 lbs of weight on the stand or attached securely to immovable objects.

Any vendor who fails to properly anchor his or her canopy will not be allowed to sell at the farmers market on that market day, unless that vendor chooses to take down and stow their canopy and sell without it. The Market Manager may decide that all canopies, umbrellas or other display items need to be removed or disassembled on windy days. Should an accident occur from an improperly anchored canopy or umbrella, the vendor will be held responsible for any R.M.P.E. insurance deductible resulting from the accident. *(Revised 2/07)*

Q. SAFETY

1. No vehicle engines shall be allowed to idle during market hours (2/11)
2. No gasoline-powered generators are allowed at market (10/15). Except for food court members, vendors who require power to sell their products are encouraged to be self-reliant (batteries, etc.). Placement near outlets will be done when possible, but availability of power is variable in some locations and at some times in the season.
3. Glass containers must be secured and never placed on the sidewalk. (2/24)
4. All vegetable and plant refuse will be cleaned immediately from the sidewalks to prevent slips and falls. The Manager has a broom and dustpan for this purpose.
5. Washington County Health Department will not allow the passing out of cut samples. (Infraction of this rule may result in the loss of that day's sales points.)(8/09)
6. Washington County Health Department will not allow the selling of shelled fresh peas, sweet corn without husks, or globe onions (red, yellow, white) without an outer dry skin.
7. Due to risk of produce contamination, no bubble, confetti or glitter machines are allowed during market at member spots or at nonprofit and campaign tabling spots. (6/23) (2/24)

R. CHILDREN

Children of Market members should stay close to the parent's booth and be supervised by the member at all times.

S. PETS

1. No pets, animals, or fowl of any description may be sold, displayed, or given away in the Market area. (2/11 Except for the Fayetteville Animal Shelter.)
2. Vendors may not bring their animals to the Market.
3. Customers must comply with Fayetteville's leash law.

T. CRAFTS/ARTWORK

RULES AND REGULATIONS FOR CRAFTS AND ARTWORK
RURAL MOUNTAIN PRODUCERS EXCHANGE (RMPE) *(Revised January 1, 2001)*

Members who wish to sell crafts or artwork at the market must fill out the crafts/artwork area on their annual Market application.

All crafts must be juried by the craft committee before they are offered for sale at the marketplace. Any new items must also be approved by the craft committee before being offered for sale. Only original handcrafted, finished items shall be displayed and offered for sale at the marketplace.

All crafts offered for sale at the market must be handmade from raw materials. Any craft or artwork sold must be the work of a market member. All crafts and artwork must be the original work of no more than two (2) individuals.
Items made with natural products may include up to 10% non-producer product**.**
Component materials must be sufficiently modified from their original state to demonstrate fine craftsmanship. *(Revised 3/01)*
When applying for membership to the farmers market, preference will be shown to craft vendors who source raw materials locally. (4/25)

The craft committee reserves the right to remove or reject any item.
All work will be juried on originality, craftsmanship and imaginative use of materials.
RMPE reserves the right to ask that the market member remove any items that have not been approved by the craft committee. Refusal to do so may result in disciplinary action**.**
Appeals: Submit a letter stating your position to the RMPE Board of Directors. The letter will be considered in a timely manner. All decisions by the Board are final.

Items not allowed to be sold at the RMPE Fayetteville Farmers' Market

No plastic
No Styrofoam
No plaster, greenware, unfinished porcelain
No plastic or silk flowers
No plastic goo-goo eyes
No T-shirts
No products made from kits
No pre-fabricated items
No figurative molds
No machine tooled leather items
No pre-purchased items
No purchased items that you have decorated
No cloth cut-outs
No carpet art
No pre-printed cheaters cloth
No 3-D Printed Items

Items that will be considered on a case-by-case basis with the approval of the RMPE Fayetteville Farmers' Market Craft Committee are:

High quality hand-made jewelry (with no pre-formed parts)
Hand-made slippers or other footwear
Hand-made apparel including: hats, scarves, gloves, mittens, purses, and belts
Items made using basic geometric molds
Items made using fake fur
Items made using dyed feathers
Magnets (may be considered if the bulk of the craft is other than the magnet)
Knitted and crocheted items
Other fiber arts
Photographs or items made from photographs
Mechanically reproduced material from original work by the member (Revised 3/01)

Soap and Personal Care Products (Added 1/9/03.)

1. Soap must be produced with an actual hot or cold soap making process (a saponification process). That is, it cannot be a "melt and pour" process.
2. If the soap contains herbs, preference will be given to applicants who grow their own herbs or who purchase herbs from other market members.
3. Glycerin soaps are not acceptable.
4. Any personal care products other than soap must be approved on a case-by-case basis.
5. Members selling soap or other personal care products applied to the skin or face must show proof of a $1 million product liability policy.

Care Products for Craft Items (5/24)

The Board of Directors has approved the sale of products for the care/maintenance of crafted items by craft vendors (cutting board oil, leather conditioner, etc.) with certain restrictions:
The vendor must make the product (No Resale)
Any product that could make food contact must be food grade
No petroleum based ingredients

U: INFRACTIONS OF THE RULES (approved May 15, 2003)

(2/11): All vendors shall allow and cooperate with all inspections of all premises, production and storage facilities by management personnel which may include board members. Vendors may or may not receive prior notice of said visits.
(2/19): Vendors are subject to random sales audits at market to check for accurate sales reporting, without prior notice of said audits.

The failure of any member or member's representative to comply with the above rules constitutes an infraction. Disciplinary penalties will be imposed upon the membership unit as a whole for infractions committed by any individual representing that membership, according to the following procedure.

The Market Manager is responsible for ensuring that Market rules are being followed. In most instances, infractions can be rectified by a word of advice or suggestion from the Manager. If this does not result in a correction, the Manager shall give verbal or written warning that the member is not in compliance with a specified rule or rules, and may be liable to incur a penalty. This warning shall be noted in the member's file and kept on file for two years. (2/24)

If the infraction continues, or is judged to be very serious, the Manager shall bring it to the attention of the Board President or the chairperson of a disciplinary committee appointed by the President. This committee, or in its absence the Executive Committee, or the Board as a whole, are empowered to deliberate the matter. It may take no action, may excuse the infraction because of surrounding circumstances, or may conclude that a more stringent penalty may be warranted. In the latter case, the Board Secretary is to make written notification to the member, to be delivered within seven days of the decision by hand or via certified mail. This notice will describe the infraction as perceived by the Manager and previous attempts to rectify it, specify the rule(s) being violated, describe the possible penalties under consideration, and offer a hearing before the Board or its committee, to be held at a specified time and place on a date at least seven days and no more than twenty days following the delivery of the notice. If the member chooses to waive his/her right to this hearing (in writing), or does not show up for it without reasonable excuse, the penalty shall be imposed in accordance with the recommendation of the Board or its committee.

In deciding on a possible penalty appropriate to the alleged infraction, the Board or its committee is to consider the seriousness of willfulness of the violation, its effect upon customers or on RMPE itself, and any relevant history of other infractions by the member. A penalty may consist of: Written Warning (a copy to be maintained in the member's file for two years). (2/24)

1) Forfeiture of some of or all of the member's points up to the date of the infraction.
2) Loss of reserved space (i.e., vendor becomes a "floater").
3) Suspension from one Market, all Markets for one week up to one month, or all Markets for the remainder of the season.
4) Expulsion from RMPE membership (member would be allowed to reapply after two full seasons.) Only the following infractions may result in expulsion from RMPE:
    (a) Selling any product not grown or produced by the member, or continuing to sell products prohibited by current guidelines after being twice instructed by the Manager not to do so;
    (b) Willfully misrepresenting the amount of commission owed and/or paid by the member;
    (c) Engaging in severe verbal or physical abuse, harassment, or intimidation of any person at Market; and
    (d) Selling products or engaging in activities in willful violation of state or Federal laws.

5) The following penalties for selling products not produced or made by the vendor: 1st time offense one week Suspension from the market. 2nd time offense one month suspension from the market, 3rd time offense; dismissed from the market (5/21)

At the hearing, the member will be allowed to speak on his own behalf, and may request others to speak regarding what they know of the circumstances. The Manager is to be present. The Board President or committee chairperson shall appoint a Board member to take official notes of the hearing, which are to be reviewed and approved before a decision is taken. If the infraction

involves accusations of selling products not grown or produced by the member, he/she may request a farm/studio visit, to be conducted within seven days by two Board members accompanied by the Manager, in order to re-document the conditions under dispute.

Once a hearing is held, the Board or its committee must meet immediately afterward, in the absence of the member and the Manager, to deliberate the matter. A committee must refer its recommendation to the full Board for decision within five days of the hearing. The Board must decide within two days by two-thirds majority to either impose the penalty as per the committee's recommendation, reduce the severity of the penalty, or dismiss the matter. The Board Secretary is to verbally inform the member of this decision within two days, and to compose formal written notification to the member, to be delivered within seven days of the decision by hand or via certified mail. A copy thereof, along with a copy of the official notes of the hearing, is to be placed permanently in the member's file. A penalty is to be considered in effect immediately upon the Board's decision to impose it.

The penalized member may appeal the Board's decision (within ten days of being notified thereof) to the membership as a whole, by means of presenting to the Board a petition, signed by at least twenty other current RMPE members, stating that an appeal has been requested and is to be place on the agenda of a special Membership Meeting, to be convened within twenty days of such presentation. If the decision being appealed is an expulsion, the member will be reinstated in his/her membership but be suspended from market until this meeting; if a suspension, it is to be rescinded until after this meeting, although contested products shall not be displayed at Market in the interim. At this meeting, the membership of RMPE will be made aware of the circumstances of the infraction through a brief statement by a representative of the Board and a brief statement by the member. If, at that time, the membership decides, by simple majority of the members present and voting (assuming that the 20% quorum requirement is met), that the Board's sanction was inappropriate or excessive, then the members present may substitute their judgment for that of the Board.

V. TABLING CRITERIA FOR COMMUNITY NON-PROFIT ORGANIZATIONS (Approved 2004)

Organization must be a well established non-profit organization and must submit a written request or nonprofit application to the market manager before showing up to table.

Organization must be one that is complementary to the Market. Each group may be a guest vendor once a year unless invited by the manager to display more than once (7/15).

Group may request a Tues., Thurs. or Sat. Market day as space is available and is not in conflict with a market event. Manager will approve and schedule as space permits.

Organization may offer approved products in return for donations for their fund raising activities (no bake sales or duplication of items sold by market members). Market manager must approve all products in advance.

Manager will assign space available for the organization.

No fee or commission will be charged- however the organization will be required to provide adequate advertising which must be approved by the manager. (The advertising must state that the organization is a non-profit group and must adequately promote Farmers Market.)

W. PLANNED EVENT CRITERIA BY A NON-MARKET MEMBER GROUP/BUSINESS:

Event must be approved by the RMPE Board and be complementary to the market.

Group/business will organize and run event. Plan approved by manager.
Only 3 such events will be allowed per year. Each group/business may only do one event per year.

No commercial sales by group/business is allowed.

Group/business may choose Tuesday, Thursday, or Saturday market day as is available and not in conflict with a market event. Manager will approve and schedule, space permitting.

Manager will assign space/area available for event.

No fee will be charged, however group/business will be required to provide adequate advertising, which must be approved by the manager. (Must adequately promote the Farmers' Market.)

X. TABLING CRITERIA FOR STUDENT ORGANIZATIONS (Added April 2007, updated 10/15)

K-12 and university student garden and agricultural organizations may raise donated funds as tabling space permits. Approval of products and dates is required in advance by the Manager.

Student organizations must abide by all RMPE rules and regulations. The organization must have appropriate signage at the Market to identify itself as a student organization.

The market manager will assign spaces.

Y. REQUIREMENTS FOR FOOD COURT VENDORS

1. Food Court vendors (in contrast to farm vendors) are allowed to sell foods and beverages made from products they have not grown, though purchases from local or market producers are encouraged. (Revised 2/25, 2/26)
2. Vendors must set up before 7am on Saturday in spaces assigned by the market manager. All setup must be removed and the area cleaned before 2 pm. No vehicles on plaza.
3. Vendors must carry premises and product liability insurance specifically endorsed to cover their Farmers Market operations with policy limits not less than one million dollars, and provide proof to RMPE. 9/08: Food Court vendors and processed food vendors must list RMPE as additional insured on their required $1 million product liability insurance
4. Vendors must comply with all State and County health regulations and licensing.
5. Vendors must provide trash cans and remove them each day.
6. Umbrellas, shade tops/tents may be used only if anchored or weighted in such a manner to prevent blowing in a strong wind.
7. Vendors will be members of the RMPE and will accumulate points toward space selection within the Food Court.(2/26)
8. Vendors will pay 7.5% of sales before tax to RMPE as commission on Saturdays, payable before the close of each Market business day. Commissions for other days and locations are established elsewhere in these rules.
9. Vendors will be subject to regular evaluation for quality, cleanliness and display. Failure to maintain high standards will result in revocation of food vending privileges.
10. Vendors are restricted to sales of food and beverage items previously approved only. If there are significant changes in types of products offered, vendors will be asked to submit samples to the Food Court Committee, and approved additions will be listed with the manager. (Revised 2/26)
11. Food Court Vendors are invited to be members on a year-to-year basis, based on board and/or manager recommendations.
12. When applying for membership to the farmers market preference will be shown to food vendors who source locally. (4/25)
13. Priority for re-invitation will be given to food vendors who source locally from the farmers market or the local food system. (4/25)
14. Alcohol and Non-Alcohol beverages can be sold by local producers, provided they comply with all State and County Health Department regulations, and Alcohol Beverage Control licensing and regulations. (2/26)

Z. Rules for Sale of Meat Products and Home/Farm Produced Processed Foods

1. **Sale of Frozen Meat Products:**

i. All non-ruminant meat species (including but not limited to fish, rabbits and poultry) shall be owned and raised by the vendor for at least 75% of the final live weight or for a minimum of 2 years. All other meat species (including but not limited to cattle, sheep, hogs and goats) shall be owned and raised by the member for 45% of the final live weight or for a minimum of 2 years.

ii. Vendors of frozen meats at the market must have the meat processed at USDA approved and inspected processing facilities. Labels on frozen meat products must meet any and all current federal labeling rules and regulations.

iii. The vendor of frozen meats products is required by RMPE to carry general premise and product liability insurance of at least $1,000,000.00 ($1 million) per occurrence. Upon approval by RMPE, the vendor will request that their insurance provider list RMPE as a Certificate of Insurance Holder, and send this certificate to RMPE.

iv. The Washington County Health Department requires the vendor to "keep frozen meat below 38 degrees while vending."

v. See section C5 for information on pet food made from meat animals.

2. **Information on Adding and Selling Home/Farm Produced Processed Foods (Non-TCS Processed Foods) at Fayetteville Farmers' Market:**

Before you bring these items to sell, be sure you are familiar with the RMPE and state and local health rules for selling home produced foods. If you are adding processed foods to your products for sale, please add the products to manage my market. If you need a paper form please request this form or contact a manager so that this product can be added to your list of items.

Below is just a summary of key information for processed foods. Review the Food Freedom Act in its entirety and/or contact the Health Department before making these items to sell.

1. The Food Freedom Act expands on the items previously allowed under the Cottage Food Act by allowing the sale of Homemade Non-TCS (Time/Temperature Control for Safety) Food directly to an informed end consumer. **Homemade Non-TCS Food is food or drink products that do not require refrigeration to prevent the growth of disease-causing microorganisms and are processed at the private residence of the producer.** These products are exempt from ADH permitting and inspection requirements.

2. The main named ingredient(s) for the processed foods MUST be produced from raw materials grown or raised on your land, or land leased by you (with a written copy of the lease on file). Examples of ingredients that don't have to be grown: sugar, salt, pectin, vinegar (unless vinegar is the main product)

3. Each item must be clearly labeled according to Food Freedom Requirements

Arkansas Food Freedom Act Labeling Requirements

- The date that the Homemade Non-TCS Food was manufactured, produced, or processed.
- The name, address, and telephone number of the producer. Producers who do not wish to disclose this information for safety reasons may request an identification number provided by the Arkansas Department of Agriculture to be used instead of this information. To obtain a farm ID number, please fill out the form located at https://www.cognitoforms.com/ArkansasAgriculture1/applicationforfoodfreedomactbusinessidnumber2
- The common or usual name of the food.
- The ingredients of the food in descending order of predominance.
- The statement: "**This product was produced in a private residence that is exempt from state licensing and inspection. This product may contain allergens.**"

4. NOTE: By state law, you CANNOT make jams and jellies with Splenda or similar sugar substitutes in a home kitchen for sale. Before you make jams or jellies WITHOUT SUGAR, check with a manager who may refer you to experts for a ruling on whether your proposed products are safely made without sugar. This can also apply to other foods, for specifics refer to the Arkansas Homemade Food Production Guidelines (Food Freedom Act). This can be found on Manage My Market under documents.

5. **Before you bring home processed products to sell, you must notify the managers about what you plan to sell.** Update your products in Manage My Market, or let us know at market, by phone or by email **before** you make or sell these products. Your list of specific processed foods for sale MUST be kept updated.

6. Since Processed Non-TCS foods are covered by the Food Freedom Act, the RMPE Board has decided at present that vendors selling home produced processed foods do not need to have product liability insurance.