



Thibodaux

MAIN STREET MARKET

MARKET RULES & REGULATIONS
MARKET APPLICATION FORM
REVISED APRIL 2008

Farmer's Market location:

*Jean Lafitte National Historical Park
314 St. Mary Street
Thibodaux, LA 70301
985-448-1375*

Thibodaux MAIN STREET MARKET



New Product Application Form

Welcome to the Thibodaux Main Street Market! We appreciate your interest in becoming a vendor and partner in this community event. One of the objectives of the Thibodaux Main Street Market is to promote sound economic development in downtown Thibodaux and to help new entrepreneurs gain entry into the local market. In order to make the process as fair and simple as possible, we have provided the following guidelines for new vendor/product review. Please carefully read the information in this packet, fill out the application enclosed, and return it to the following address in a timely manner.

Thibodaux Main Street, Inc.
c/o Thibodaux Main Street Market Coordinator
306 East 5th Street
Thibodaux, LA 70301
(985) 448-1474

We're here to help and work with you. If you have any questions or concerns, please let us know.

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The 5 Market Rules:

1. You must grow it, or otherwise produce it, to sell it.
2. Continuity and reliability are critical. All vendors are expected to participate in the market on a regular basis throughout their season.
3. No surprises. The Market Coordinator's approval is required if you are going to have a change in product or otherwise deviate from your normal operations.
4. Volume; provide enough to sell for your allotted time.
5. You must stay for your allotted time. (7:00a.m. – 11:00p.m.)

Rules and Regulations:

- I. **Eligibility Requirements** – All persons who produce food and agricultural products that they intend to sell at the Thibodaux Main Street Market are eligible.
- II. **General Rules**
 - A. **Definition of Vendor and Farm/Production Facility** – All products sold must be grown or otherwise produced by the vendor. "Vendor" shall be defined as the producer of goods sold and shall include the spouse, siblings, children, parents and employees of the applicant who assist in cultivation and /or production at the same property listed in the application under the "name of farm/production facility." Produce grown or produced at a location not listed in the application is not eligible to be sold. The participation of true grower cooperatives is encouraged but proof of cooperative membership and organization (by-laws,

articles of incorporation, etc.) is mandatory. In this case, the addresses of each farm participating in the cooperative and the name of each farmer should be included on the application. The resale of items purchased by the vendor shall not be permitted. One of the objectives of the Thibodaux Main Street Market is to help new entrepreneurs gain entry into the local market. Therefore, the Thibodaux Main Street Committee may elect not to invite those who already maintain retail operations in the region.

- B. Permitted Items for Sale** – Items allowed for sale shall include fruits, vegetables, berries, nuts, plants, bedding plants, herbs, flowers, baked goods, eggs, honey, jams, jellies, native wines, and other products. Fresh or frozen fish and seafood are permitted, provided the product is captive-raised or wild-harvested by the vendor. Fresh or frozen meat, poultry, and other animal products, including dairy and eggs, are also permitted for sale, provided the products are produced by the vendor. All seafood, fish, meat, poultry, and dairy products must be raised, harvested, prepared for resale, packaged and displayed in accordance with proper local, state, and federal regulations. “Farm crafts” may be allowed at the discretion of the Market Coordinator and are defined as those crafts, which have been traditionally produced on the farm using farm products. These crafts include, but are not limited to, beeswax candles, soaps, hand-dyed yarns (from local cotton and wool), and woven goods from local materials. In order for the market to ensure an appropriate product mix, vendors are permitted to sell only the items that the Thibodaux Main Street Steering Committee approves them to sell. Vendors who want to introduce new products must contact the Market Coordinator before doing so.
- C. Application and Verification of Extension Agent** – All persons intending to sell in the Thibodaux Main Street Market must, prior to participation in the Market file an application with the Main Street Market Coordinator, which verifies that they are the actual grower or producer of the specific items, which they intend to sell in the market. All vendors shall allow the Thibodaux Main Street Steering Committee to inspect their production facilities at any time, with or without notice, so as to maintain the integrity of a growers’ market.
- D. Health Regulations** – All vendors participating in the Thibodaux Main Street Market must comply with the sanitary rules and regulations of the Parish and State Health Departments. All food must be elevated off the ground by at least 6 inches, fresh (not last week’s produce on sale today), and grown in accordance with all local, state and federal regulations. Moreover, value-added products, such as baked-goods, jams, jellies, and other products must be produced in accordance with state health regulations, which in some cases may require state-approved commercial kitchens.
- E. Annual Membership Fee and Rental Fees** - All approved applicants who sell goods in the Thibodaux Main Street Market are required to pay an **annual membership fee** of \$20.00. The membership period runs from January 1st through December 31st of each year and will not be pro-rated. Vendors are required to pay their membership fee prior to the first day that they participate in the Market as a vendor. Membership allows vendors to receive a space in the Market, promotional materials, and participate in all Thibodaux Main Street Market events.

Vendors are required to pay a **weekly rental fee** of \$10.00 or \$100.00 a quarter to pay rent and to insure a space at the Market. All fees shall be paid to the Market Coordinator, Joyce Benoit three days in advance of the opening of the Market and/or before each Saturday.

Guest Vendors and/or Presenters may be invited to the market to participate as guests for special events or some other limited purpose. Guest Vendor participation must be approved by the Thibodaux Main Street Steering Committee prior to participation. ***Guest Vendors are exempt from the membership requirements.***

- F. Hold Harmless Clause and Insurance** – All authorized vendors participating in the Thibodaux Main Street Market shall be individually and severally responsible to the City of Thibodaux, Louisiana for any loss, personal injury, deaths, and/or any other damage that may occur as a result of the vendors' negligence or that of its servants, agents, and employees, and all vendors hereby agree to indemnify and save the City of Thibodaux harmless from any loss, costs, damages, and other expenses, including attorney's fees, suffered or incurred by the City of Thibodaux by reason of the vendor's negligence or that of its servants, agents and employees; provided that the vendors shall not be responsible nor required to indemnify the City of Thibodaux for negligence, its servants, agents and employees. Because no insurance is provided to participants in the Thibodaux Main Street Market, each vendor must carry his/her own product liability insurance and must be prepared to present it in the market. Furthermore, you must have vehicle liability insurance to cover any incidents related to damage caused to persons or property by your vehicle. At the request of the City of Thibodaux, **proof of both product and vehicle liability insurance should accompany your application to sell at the Market.**
- G. Farmer's Market Location** – The Thibodaux Main Street Market will operate at Jean Lafitte National Historical Park located at 314 St. Mary Street in Thibodaux. The designation and allocation of vending spaces shall be the responsibility of the Market Coordinator or at such sites as may be designated at the discretion of the Thibodaux Main Street Steering Committee.
- H. Space Assignment** – The Market Coordinator shall assign spaces on or before market day. Vendors can display produce on tables facing the public or on a back table or on the back of a vehicle, but not on the ground (with the exception of live plants). Well-secured canopies and umbrellas are allowed and preferred. Canopies and umbrellas, as well as vehicles, tables and merchandise, are not to extend into the space of another vendor unless such has been agreed to by both parties and the Market Coordinator. A space is generally defined as a space measuring 11.5' x 24'. Any expansion beyond one space into any part of another will require that rent be paid for the whole of that additional space. The Market Coordinator has the right to require vendors to change their display if it is deemed to present a safety risk.
- I. Time for Set-up and Clean up** – The set up of the market may begin at 6:00 a.m. on Saturdays, and no earlier. Producers are required to be in their assigned space no later than 7:00 a.m. **Selling in the Market shall begin at 7:00 a.m. and cease at 11:00am.**

Clean up - All vendors shall clean up their areas at the end of each market. All vendors shall load up their vehicles and shall be clear of the parking lot by 11:30 p.m. Vendors shall be responsible for the cleanliness of their selling areas. All vendors agree to bring a broom and trash can and keep the market area free of any debris generated by the market activity. Vendors shall not use public trash receptacles for disposal of produce boxes and unsold produce.

- J. **Pricing, Weights, and Measures** – Each vendor will operate as an individual entity and, as such, each vendor is responsible for setting his/her own prices. Weights and measures are expected to be in accordance with all applicable local, state and federal rules and regulations. All scales shall be approved by the Louisiana Department of Agriculture and Forestry and have current inspection stickers.
 - K. **Signage** – All vendors must display their farm or business name at their booth for the duration of the Market. If a vendor sells out of product, the farm or business name sign must remain at the booth, along with a sign indicating that the vendor is out of product. All signage is subject to approval of the Market Coordinator.
 - L. **Labeling** – All vendors are expected to clearly label all products, as necessary, in accordance with all applicable local, state, and federal rules and regulations.
 - M. **Method of Production and Product Quality Claims** – Though vendors selling at the market are acting as individual business entities, claims made by individual vendors may be perceived by customers to be backed by the market as a whole. For this reason, claims of specific production practices, and claims that products have specific nutritive or other health benefits, must be supported by analyses, or studies, or methods of analysis, which are recognized by state or federal government agencies for purposes of certification. For example, under existing state and federal law only certified organic growers may claim to use organic growing methods. As there is no state or federal certification program for those making “pesticide-free” and related claims, vendors may not make such claims until such a program is established by an official state or federal agency.
 - N. **Sales Taxes and Permits** – Each vendor is responsible for collecting his/her own sales taxes, where it is applicable. Farmers are exempt from sales taxes. Value-added producers (for example, bakers) are required to pay sales taxes and submit to Sarah Percle, Lafourche Parish School Board, Sales & Use Tax Department, 702 East 7th Street, Thibodaux, LA 70301, (985) 446-4023. Seafood vendors are required to have (and display) a current commercial fishermen license.
 - O. **Miscellaneous** – No firearms. No alcoholic beverages (except those for legal sale). No drugs. No pets, with the exception of Seeing Eye dogs.
- III. Non-Profit Organizations** – Non-profit organizations with missions related to farming, gardening, conservation, education, youth and/or nutrition are invited to participate in the Market. Organizations which offer items or services for sale (other than memberships) shall pay the same rate as the farmers and other vendors on a per space

basis. Organizations, which have no intent to sell at the market, are asked to make a donation for a space.

IV. Violations

- A. Complaints** – Any complaint against any vendor regarding the origination of produce or goods, or any other matter, must be directed to the attention of the Market Coordinator in writing. Complaint resolution of matters of this nature is the responsibility of the Thibodaux Main Street Steering Committee. The Committee shall determine, in their sole discretion, what type of investigation, if any, shall be conducted in response to written complaints; whether or not the written complaints shall be provided to the vendor against whom the complaint is direct; what type of response (written and oral) a vendor against whom a complaint is made shall be entitled to make; and, the time frame in which such a response shall be made.
- B. Vendor/Customer Conflicts** – Any conflict, or potential conflict, which may arise between a vendor and a customer must be brought to the attention of the Market Coordinator for resolution, and should further action need to be taken, to the Thibodaux Main Street Steering Committee.
- C. Sole Discretion** – When the Thibodaux Main Street Steering Committee has determined that a vendor has violated any provision of these guidelines, a vendor may receive a warning, temporary suspension, or expulsion from the Thibodaux Main Street Market.
- D. Cancellation of Application** – The Thibodaux Main Street Steering Committee reserves the right to cancel the approval of any vendor's application at any time if and when the Committee finds said vendor in violation of any of the aforementioned guidelines and eligibility requirements.

V. Cancellation Policy – Vendors must notify Market Coordinator at least 3 days before market (Wednesday) for a missed Saturday.

VI. Modifications – The Thibodaux Main Street Steering Committee reserves the right to revise the Thibodaux Main Street Market Rules and Regulations at any time as they deem appropriate.

Thibodaux MAIN STREET MARKET



Vendor Application Form

Farmer/Vendor Information:

First Name: _____ Last Name: _____

Farm/Business Name: _____

Address: _____ City: _____

Parish: _____ State: _____

Phone: _____ Fax: _____ E-mail: _____

Address of farm, kitchen or other facility (if different from above):

Number of acres in production: _____ Do you plan to participate in the market year round? ____

Are you currently a vendor or have you sold at this market before? Yes ____ No ____

Do you currently have product liability insurance? Yes ____ No ____

Do you intend to sell raw products (fruits, vegetables)? Yes ____ No ____

Do you intend to sell value-added products in a state-approved commercial kitchen? Yes ____ No ____

Product Information:

What do you intend to sell at the market? (Please be specific: types of vegetables, types of baked goods, etc.)

Applicant Statement:

I AGREE to abide by the Rules and Regulations of the Thibodaux Main Street Market, TO OBTAIN LIABILITY INSURANCE and any and all PERMITS and LICENSES (where applicable); TO ASSIST in the inspection of my garden or farm by agents of the Thibodaux Main Street Committee and the La. Cooperative Extension Service; TO SELL only agricultural products in my garden/farm; production facility or harvested on my boat. I FURTHER AGREE to indemnify and save the City of Thibodaux harmless from any loss, costs, damages, and other expenses, including attorney's fees, suffered or incurred by reason of the vendor's negligence, its servants, agents and employees. I FURTHER AGREE NOT to hold the City of Thibodaux or its representatives and employees responsible for any damages arising out of the sales of my farm products or from my presence on the market site, I agree to pay my fees in a timely manner

Signed: _____ Date: _____

Membership Fee: Please enclose a \$20 check or money order made payable to Thibodaux Main Street, Inc. **Please mail this application, all applicable fees and documents to: Thibodaux Main Street, Inc., c/o Thibodaux Main Street Market Coordinator, 306 East 5th Street, Thibodaux, LA 70301**

Enclosed:

- Annual Membership fee (\$20.00) ____
- Weekly Rental fee
 ____ \$10.00 (weekly)
 ____ \$100.00 (quarterly)
- Product Liability Insurance ____
- Proof of Vehicle Liability Insurance ____

Farmer's Market location:

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