

Middleville Market | May 21-October 15 Downtown in the Community Pavilion, Middleville, Mich.

2021 MARKET POLICIES

LOGISTICS AND VENDOR RESPONSIBILITIES

The Middleville Market is in the Village of Middleville at the Middleville Community Pavilion (91 East Main Street, Middleville, Mich). In 2021, the Market will be open on Fridays from 3-7 p.m. Vendors are required to set-up ½ hour (30 minutes) prior to market hours. **Each vendor must submit a complete and signed application with booth fee (see page 9) which will be reviewed and either approved or rejected by the Market Master and/or DDA Director.** If denied for any reason, booth fee will be refunded in full. Seasonal vendors seeking a reserved site must submit applications with copies of respective licenses by April 23, 2021. Daily vendors should apply by the Wednesday preceding the Friday Market in which they wish to participate. Vendors are expected to remain open during the entire length of the Market day unless all their products have been sold.

Who Can Participate and What Can Be Sold: Vendor space is open to any Michigan grower, specialty food processor, or non-food agricultural product producer, and artisans of fine art or fine crafts. Artisan work is subject to jury review by the Market Advisory Committee (see Artisan Information and Application for more details). Approval must be given prior to the day of sale at the Market. An effort will also be made to assure variety in the products being sold. **All products sold must be Michigan grown, produced, processed, and/or crafted.** Vendors are required to display the pricing of all products. During special events, local businesses, non-profit, and non-political organizations may also arrange to use a space for educational demonstrations and/or displays. Vendors may not sell any products or substances prohibited by federal, state, or local law, ordinance, or other regulation, or products containing any such prohibited substances.

Vendor Space Assignments: A vendor space is defined as a 12-foot by 12-foot space. Assigned spaces are available to those vendors that complete an application and return it before April 23, 2021, as outlined on the Vendor Application. Spaces will be assigned upon approval of vendor application by the Market Master. Returning seasonal vendors receive primary site assignments subject to application deadline. **Spaces will be relinquished for the day if the assigned vendor is not present 30 minutes prior to Market start time (i.e.: Friday at 2:30 p.m.).** Use of more than one space is not permitted unless pre-approved by the Market Master.

All vendors are required to park remotely so the spaces in close proximity to the market may be utilized by patrons. Parking must comply with county and Village guidelines. Vendors must remove trash and litter from any source before their departure, subject to grievance write-up. Vendors may apply to operate out of a vehicle or trailer in a designated parking space, set aside for Market vendors only, with prior approval from the Market Master.

Tables and Canopies: Vendors must provide their own tables, chairs and canopies for use at the Market.

PERMITTED PRODUCTS

Products that Vendors may sell include farm, processed farm, fish, nursery, baked goods, processed non-food agriculture, and artisan works, all as defined by the Middleville Market Policies. All licenses, seals, permits, sales tax information, and other requirement for the sale of any items shall be the responsibility of the vendor. Licensed vendors selling baked goods and nursery stock must include and maintain a current copy of license on file with the application. The Market Master reserves the right to have items removed from the space if different from the original approved application.

Fish Products - must be caught in Michigan waters. Subject to additional license and storage controls. Contact DDA Director for details.

Farm Products - must be grown or raised by the vendor upon land that s/he controls through ownership, lease, rental, or other legal agreement. These products include, but are not limited to, fresh fruits and vegetables, nuts, honey, eggs, herbs, meat, and dairy products.

Processed Farm Products and Baked Goods - The Cottage Food Law, enacted in 2010, allows individuals to manufacture and store non-potentially hazardous foods (that do not require time and/or temperature control for safety) in an unlicensed home kitchen. No on-site cooking or food preparation is allowed unless:

- Pre-approved by the Village of Middleville and the County and
- Licensed by the health department.

All processed goods **must** be individually labeled listing ingredients (see label example on Page 5). Please follow safe food handling guidelines. There will be no running water available at the Market site.

NOTE: SUBMIT LABEL SAMPLE FOR APPROVAL AT TIME OF APPLICATION.

Nursery Products - Grown or raised by the vendor upon land that s/he controls through ownership, lease, rental or other legal agreement. Nursery products are fresh cut or potted flowers, bedding plants, seeds, perennials, annuals, trees, or shrubs that are propagated from seed, cuttings, bulbs, plugs or plant divisions.

Foraged Products - Vendor identifiable wild berries gathered from public and/or private land by the vendor. **NO WILD MUSHROOMS ACCEPTED AT ALL.**

Processed Non-Food Agricultural Products - these are considered to be an Artisan Craft and are allowed if they are processed by the Vendor and made from all-natural ingredients (such as beeswax candles, handmade soaps, etc.). Artisan crafts are subject to jury review (see Artisan Information and Application for more details). Approval must be given prior to the day of sale at the Market. Vendors must have an ingredient list prepared and available upon request. Individual labeling is preferred.

Artisan Crafts - All artwork and crafts sold must be of high-quality workmanship and be designed and executed by the vendor. Commercial duplication, printing and/or items assembled from kits may not be sold. Manufactured items may be incorporated into their craft work, such as jewelry, findings, furniture hardware, and basic notions, provided the majority of the product is handmade and reflects the skills of the craftsperson. Any items not previously approved and sold at the Market must get jury approval prior to being sold at future markets (see Artisan Information and Application for more details).

Additional Requirements - All Market vendors must comply with applicable local, state, and federal laws and regulations including those that pertain to food production, processing, handling, and distribution.

Vendors will provide copies of all required licenses, permits, and certificates to the Market Manager via the application process to sell at the market and will display licenses and permits as required at the Market:

- Display of license is required front and center for applicable products
- Sales tax is the responsibility of market vendors respective of their products and business plan. This is not an assumed responsibility of the Middleville Market, My Middleville DDA, or the Village of Middleville.

Electronic Funds Acceptance - Vendors accepting Project Fresh or Bridge Cards agree to comply with all state and federal program guidelines.

Complimentary Vendor Space: Select specialty community services will be allowed to host a booth at the Market with pre-approval and a completed registration form turned in to the Market Master in advance of the market day. Contact the Market Master with questions about eligibility.

Review of Market Policies - These Policies are to be reviewed at least annually by My Middleville DDA and are subject to change as needed to ensure the growth, quality, and success of the Market. They may be reviewed and/or revised more frequently as needed.

HOLD HARMLESS CLAUSE

In consideration for being accepted as a Vendor at the Middleville Market, to the extent allowed by law, Vendor hereby agrees to defend the Village of Middleville, County of Barry, Middleville Market "Market Master", and My Middleville DDA, including their respective officers, representatives, committee members, employees, and other agents and representatives (referred to collectively as the "Market Parties") against any claim of liability, including but not limited to claims based on the Market Parties' own negligence, even if such claim is false or fraudulent, and to defend the Market Parties against any claim or liability that may arise as a result of any accident or occurrence in, at, or on the Middleville Market or the grounds on which the Market is held (the "Premises"). Vendor further agrees to indemnify, defend, and hold harmless the Market Parties against any and all liability, losses, or damages or any expenses whatsoever, including attorney's fees, to the Market Parties as a result of any claims, demands, damages, costs, or judgments against one or more of the Market Parties that may arise in connection with Vendor's activity, whether on the Premises or as a result of any sale of any product or other activity of the Vendor at the Middleville Market, occasioned by an act or omission of the Vendor or anyone claiming by, through, or under the Vendor, even if such claim(s) are false or fraudulent.

INSURANCE NOTE

Vendors are strongly encouraged to carry their own liability insurance against injury and product liability. Insurance provided by any governmental entity is not a protection for the individual vendor. You are responsible for protecting your own assets and resources. The Middleville Market does not provide insurance (personal liability, product liability, etc.).

VENDOR CODE OF CONDUCT

- Be courteous and respectful to everyone.
- All Vendors are to use safe food handling practices.
- Keep stall space clean, neat, and orderly during market hours.
- No obscene language or behavior (swearing, signs, or conduct).
- No smoking or vaping are allowed in the pavilion at any time.
- Remove all items from the Market within one hour after Market closes.
- Applicable Vendors must comply with the Michigan Cottage Food Laws and accepted products.
- Proper labeling is Vendor responsibility. Label submissions as applicable are required with application for market review as a service only to vendor.
- Zero tolerance for hawking (defined as: *to peddle or offer for sale by calling aloud in public*), dumping, badgering, and/or degrading other vendors. Any of these behaviors may result in accelerated grievance proceedings up to and including immediate expulsion from the Market.
- All Vendors are required to have, follow and display a copy of all federal, state, and local licenses necessary for products to be sold.
- While the Market is a family-friendly atmosphere, vendors who bring their children must supervise their children at all times.

GRIEVANCE PROCEDURE*

Any vendor with a complaint regarding any Market matter including pricing habits, display, or conduct of another vendor, must be presented in writing to the Market Master and DDA Director. A decision on the complaint will be issued in writing within 15 days of receipt.

- 1st violation: verbal warning
- 2nd violation: written warning
- 3rd violation: expulsion from Market. Failure to comply with expulsion/removal may result in legal action and pursuit of related costs.

*This process may be accelerated as provided in these Policies.

ATTENDANCE PROCEDURE

Vendors must notify the Market Master of cancellations at least 2 hours prior to the start of the Market. A vendor will be considered a "no-show" unless the Market Master is notified. Call, text, email, or Facebook messages are suitable methods of communication. Exceptions will be made for emergency situations and at the discretion of the Market Master. Repeated violations may result in loss of seasonal vendor space and expulsion from the Market:

- 1st violation: verbal warning
- 2nd violation: written warning and loss of seasonal vendor space, when applicable
- 3rd violation: expulsion from the Market for the remainder of the 2021 season

Label Example: (provided as a guideline)

MADE IN A HOME KITCHEN NOT INSPECTED BY THE MICHIGAN DEPARTMENT OF
AGRICULTURE

Chocolate Chip Cookie
Artie Pinkster
123 Foodstuff Lane
Casserole City, MI 82682

Ingredients: Enriched flour (Wheat flour, niacin, reduced iron, thiamine, mononitrate, riboflavin and folic acid), butter (milk, salt), chocolate chips (sugar, chocolate liquor, cocoa butter, butterfat (milk), Soy lecithin as an emulsifier), walnuts, sugar, eggs, salt, artificial vanilla extract, baking soda

Contains: wheat, eggs, milk, soy, walnuts
Net Wt. 3 oz

What Food Products Meet the Requirements for Cottage Foods?

Select non-potentially hazardous foods (time and/or temperature controls not required to assure food safety - meaning foods can safely be kept at room temperature and do not require refrigeration) meet the requirements for cottage foods and can be prepared in a home kitchen and sold directly to consumers without a license. Many of these items are identified by MDARD. Examples include:

- Breads
- Similar baked goods
- Vinegar and flavored vinegars
- Cakes, including celebration cakes (birthday, anniversary, wedding)
- Sweet breads and muffins that contain fruits or vegetables (e.g., pumpkin or zucchini bread)
- Cooked fruit pies, including pie crusts made with butter, lard or shortening
- Fruit jams and jellies (as defined in 21 CFR part 150) in glass jars that can be stored at room temperature (except vegetable jams/jellies)
- Cookies
- Dry herbs and dry herb mixtures
- Dry baking mixes
- Dry dip mixes
- Dry soup mixes
- Dehydrated vegetables or fruits
- Popcorn
- Cotton Candy
- Non-potentially hazardous dry bulk mixes sold wholesale can be repackaged into a Cottage Food product. Similar items already packaged and labeled for retail sale cannot be repackaged and/or relabeled
- Chocolate covered pretzels, marshmallows, graham crackers, Rice Krispies treats, strawberries, pineapple or bananas
- Coated or uncoated nuts
- Dried pasta made with eggs
- Roasted coffee beans or ground roasted coffee
- Vanilla extract (Note: these products require licensing by the Michigan Liquor Control Commission)
- Baked goods that contain alcohol, like rum cake or bourbon balls (Note: these products require licensing by the Michigan Liquor Control Commission)

What Food Products Are NOT ALLOWED to Be Produced in My Home?

Potentially hazardous foods that require time and/or temperature control for safety are NOT ALLOWED to be produced in a home kitchen and must be produced in a licensed kitchen. Examples include:

- Meat and meat products like fresh and dried meats (jerky)
- Fish and fish products like smoked fish
- Raw seed sprouts
- Vegetable jams/jellies (e.g., hot pepper jelly)
- Canned fruits or vegetables like salsa or canned peaches
- Canned fruit or vegetable butters like pumpkin or apple butter
- Canned pickled products like corn relish, pickles or sauerkraut
- Pies or cakes that require refrigeration to assure safety like banana cream, pumpkin, lemon meringue or custard pies; cheesecake; and cakes with glaze or frosting that requires refrigeration (e.g., cream cheese frosting)
- Milk and dairy products like cheese or yogurt
- Cut melons

- Caramel apples
- Hummus
- Garlic in oil mixtures
- All beverages, including fruit/vegetable juices, kombucha tea, and apple cider
- Ice and ice products
- Cut tomatoes or chopped/shredded leafy greens
- Confections that contain alcohol, like truffles or liqueur-filled chocolates
- Focaccia-style breads with fresh vegetables and/or cheeses
- Food products made from fresh cut tomatoes, cut melons or cut leafy greens
- Food products made with cooked vegetable products that are not canned
- Sauces and condiments, including barbeque sauce, hot sauce, ketchup, or mustard
- Salad dressings
- Pet food or treats

Contact information:

Middleville Market

Market Master: Katherine Schmidt

125 E. Main Street

Middleville, MI 49333

Phone: 269-241-1170

Email: schmidtk@villageofmiddleville.org

Please complete both forms.

Vendor Information for Marketing and Compliance Information

(Information provided may be printed and/or published)

Farm/Business Name: _____

Name: _____ **Phone #:** _____

Email: _____

Questions:

- 1.) What do you produce?
- 2.) What other farmers markets do you attend?
- 3.) What brought you to the Middleville Market?
- 4.) Are you a Cottage Food Producer? YES NO
 - 4a.) Are you current on food safety rules and standards? YES NO
 - 4b.) Are you current on labeling requirements? YES NO
 - 4c.) Are you current on acceptable foods and storage requirements? YES NO

If you answer "No" to any of items related to question 4, please review the Michigan Cottage Food Laws: https://www.michigan.gov/mdard/0,4610,7-125-50772_45851-240577--,00.html

NOTE: What types of Cottage Foods are NOT ALLOWED to be produced in my home?

Potentially hazardous foods that require time and/or temperature control for safety. Examples include:

- Meat and meat products, like fresh or dried meats (jerky), fish and fish products, like smoked fish
- Raw seed sprouts
- Canned fruits or vegetables, like salsa or canned peaches including canned fruit or vegetable butters like pumpkin or apple butter
- Canned pickled products like corn relish, pickles or sauerkraut
- Pies that require refrigeration to assure safety, like banana cream, pumpkin, lemon meringue or custard pies

Vendor hereby acknowledges that he/she has read and verified his/her responsibilities regarding Michigan Cottage Food laws, and the Middleville Market Policies.

Signature: _____ Date: _____

Print Name: _____

**Middleville Market
Downtown in the Middleville Community Pavilion**

2021 VENDOR APPLICATION

NAME: _____ **BUSINESS/FARM NAME:** _____

ADDRESS: _____ **CITY:** _____

STATE: _____ **ZIP:** _____ **PHONE:** (____) _____

Cottage Food Products: YES NO **License Required:** YES NO **Current License attached:** YES NO

EMAIL: _____ **WEBSITE:** _____

Please check products that you plan to sell at the Market:

- | | | |
|--------------------------------------------|-----------------------------------------|--------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Baked Goods | <input type="checkbox"/> Hanging Basket | <input type="checkbox"/> Artisan Crafts
<i>(additional information & application required - see reverse side)</i> |
| <input type="checkbox"/> Bedding Plants | <input type="checkbox"/> Herbs | |
| <input type="checkbox"/> Dried Flowers | <input type="checkbox"/> Honey | |
| <input type="checkbox"/> Eggs | <input type="checkbox"/> Maple Syrup | |
| <input type="checkbox"/> Fresh Cut Flowers | <input type="checkbox"/> Meats | |
| <input type="checkbox"/> Fruit | <input type="checkbox"/> Perennials | <input type="checkbox"/> Other |
| <input type="checkbox"/> Greens | <input type="checkbox"/> Vegetables | |

Market Fees & Annual Membership

**\$10 per day for a 12x12 ft Space or
\$100 per Season for a 12x12 ft Space**

Options/Survey for Vendors

Interested in accepting Project Fresh Coupons reimbursable through the State of Michigan. Separate application form required (no fee)

I have read and agree to comply with the Middleville Market Policies in their entirety. I hereby grant permission to be photographed, voluntarily and without compensation, understanding that the same is intended for publication by print media, newspaper, television, or video. If the undersigned is an agent or representative of Vendor, he or she attests to possessing the authority to sign this Agreement on behalf of Vendor.

Print name: _____

Signature: _____ **Date:** _____

Please attach a copy of all required licenses and any special consideration requests to this application. Make

For more information, email questions to: schmidtk@villageofmiddleville.org. Contact My Middleville Downtown Development Authority at 269-241-1170.

FOR OFFICE USE ONLY: Season Vendor Fee Information.
Amount Received: _____ Ck#/Cash: _____ Date: _____ Initial: _____
Assigned Space (if applicable): _____
See next page for Day Fee Receipt Information.

**Middleville Market
Downtown at the Middleville Community Pavilion, Middleville, Mich.**

ARTISAN INFORMATION AND APPLICATION

Artisans: please include with your 2021 Vendor Application *three photos of your work and a photo of your display (if you have one)* for jury approval.

The application and photos will be reviewed and approved by a jury designated by the Middleville Market Advisory Committee. Applicants will be notified as soon as possible, usually within two weeks of receiving the application, and confirmation will be sent upon acceptance. Artists whose work has been accepted must be present for the entire Middleville Market and must adhere to all applicable Market guidelines. Spaces are 12'X12' and are on a first come, first served basis. The Market Master or their designee will assign the artisan display space before the start of each market.

All work must be handcrafted or created by Michigan residents only. No imported, wholesale, brokered or commercial items may be sold. Artists may display and sell only the types of work represented in photos submitted with this application. Photos may be used for promotional purposes.

PLEASE ENCLOSE OR EMAIL:

- ❑ 3 photos of work
- ❑ 1 photo of space set-up (if applicable)

A REMINDER: If it is determined that the work displayed has not been handcrafted by you, we reserve the right to ask you to leave without a refund of your space fee. There are no refunds. Rain checks may be given the day of the Market if there is inclement weather.



Thank you for being a vendor at the Middleville Market! It is with your help and support that the market continues to thrive and grow.

To thank our current vendors for the support & recruitment of new market participants, and to encourage vendor participation & market growth, we have a vendor referral program for our current vendors. Current market vendors may submit one form per referred vendor who actively participates as a vendor during at least one full market day at the Middleville Market.

Vendor referral reimbursement requests must be made in the same market season as the vendor referral. To receive reimbursement, please fill out the form below and return it to the Market Master. Payment will be made after review and approval from the Market Master. Vendors are eligible for 100% of the daily market fee to be reimbursed per vendor referral. Referred vendors must participate in at least one full market day for vendors to qualify for a referral reimbursement.

REFERRING VENDOR

Name _____

Address _____

Phone number _____

Signature _____

NEW MARKET VENDOR

Name _____

Address _____

Phone number _____

Signature _____

REFERRAL REIMBURSEMENT VERIFICATION

Referral reimbursement amount _____ Check number _____

Market official signature _____

Date _____

The Middleville Market is proudly brought to you by

