

# RULES FOR STALLHOLDERS



A community project by the Rotary Club of Concord

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## **PURPOSE**

This document explains the purpose of the Concord Farmers Market (CFM), and sets-out the Market guidelines, code of conduct, and rules for stallholders. The Rules for Stallholders are designed to ensure the smooth running of the Market, and that stallholders meet legislative and health requirements.

The purpose of the CFM is to provide a marketplace for consumers to access locally grown or harvested products from producers or their agents, under safe and controlled conditions compliant with the City of Canada Bay Council. The CFM supports locally and regionally grown primary producers and their agents.

These Rules for Stallholders apply to all CFM stallholders current and future. The rules are reviewed regularly by the Market Management Committee and posted on the CFM website at [www.concordfarmersmarket.com.au](http://www.concordfarmersmarket.com.au).

To operate at the Market all stallholders must acknowledge and agree to abide by these Rules.

## **MARKET GUIDELINES**

The CFM is operated by the Rotary Club of Concord, through its Market Management Committee. The objective of the Market is to enhance sustainability of local growers and producers, in accordance with the principles of:

- authenticity and freshness of products,
- a philosophy of 'producer-direct-to-customer',
- fair and competitive pricing,
- optimum community feedback and involvement to ensure that stallholders provide produce that meets public expectations, and
- a cooperative partnership between the Market organisers, stallholders and patrons.

No art or craft stalls or Paddy's Market type clothing or imported products are permitted. The CFM will give priority to:

- stallholders who are farmers, growers, producers, bakers, cooks or gardeners who produce what they sell,
- producers operating within reasonable driving distance of the Market,
- seasonal producers who only come to the Market when they have produce to sell, and
- stallholders who sell as an agent for primary producers.

The CFM is a community service and not-for-profit project of the Rotary Club of Concord. The Market is operated in accordance with the conditions agreed by the City of Canada Bay Council. All Rotary members and their assistants at the Market are unpaid volunteers. All proceeds from stall fees are:

- reinvested to improve the quality of the Market through better management, produce, competition, marketing promotions, advertising,

- signage, equipment and public relations, and
- used to support Rotary Concord's community projects as determined by the Board.

All public donations received at the Market are allocated to deserving not-for-profit community organisations. The amount raised and the name of the beneficiary organisation is advised on the CFM website at [www.concordfarmersmarket.com.au](http://www.concordfarmersmarket.com.au).

## MARKET LOCATION AND OPERATING DAYS/TIMES

The CFM is held on the **1<sup>st</sup> and 3<sup>rd</sup> Sunday of each month** except January. Dates of trading are listed on the CFM website at [www.concordfarmersmarket.com.au](http://www.concordfarmersmarket.com.au). The Market is located at Cintra Park (Car park) in Concord, which is accessible from Crane Street and adjacent to Concord High School (refer map below). Market trading is between **9.00am and 1.00 pm**.

The CFM operates in all weather on designated Market days - rain, hail or shine (unless cancelled on the day by the Market Manager for safety reasons)!



## MARKET CODE OF CONDUCT

The CFM fosters a culture of support and cooperation between all Market stakeholders – Market management, stallholders and the public. All stakeholders at the Market should deal with each other in a courteous and professional manner.

The conduct expected of stallholders, their agents, and employees will be

assessed against Rotary's '4-Way Test'. These are:

- Is it the truth?
- Is it fair to all concerned?
- Will it build goodwill and better friendships?
- Will it be beneficial to all concerned?

Any abusive or threatening behavior will not be tolerated at any time or in any circumstances. Antagonistic, abusive, threatening, racist, sexist or discriminatory behaviour will not be tolerated. Nor will dishonest practices by stallholders be tolerated.

## **COMPLAINTS AND DISPUTE RESOLUTION**

The Code of Conduct and these Rules for Stallholders set the basic standard applied by the Market Management Committee when dealing with confrontations and/or disputes between management, stallholders or customers. Failure by stallholders to observe the Code of Conduct or these Rules may result in expulsion from the Market.

To maintain quality standards, all complaints are to be reported to the Market Manager. If the complaint cannot be resolved by the Market Manager and the relevant parties on site, then the following action will be taken:

- If any stallholder believes that the selling practices or behaviour of another stallholder(s) are detrimental to the Market, the complaint is to be submitted in writing to the Market Manager for prompt consideration by the Market Management Committee.
- If the issues of practice cannot be resolved satisfactorily by the Committee and the relevant parties, then two or more stallholders may request the Committee to convene a special meeting of stallholders to consider the complaint.
- Failure by a stallholder(s) to correct detrimental practices may be cause for the termination of the stall, if so determined by the Market Management Committee.

## **STALLHOLDER RULES & RESPONSIBILITIES**

### **Stallholder and produce eligibility**

All stallholders will be the farmer, grower, producer, or their agents.

Produce from a location not listed and approved on the stallholder's application is not eligible to be sold. The resale of unapproved items purchased by the stallholder shall not be permitted.

At the discretion of the Market Management Committee, exceptions to the above may be made if the stallholder is offering produce that is not currently available locally, with the understanding that if at a future date the produce becomes available locally then the local producer may be given preference to the original

stallholder.

### **General rules applicable to all stallholders**

The Market is for fresh farm, food and related products. No art or craft stalls or Paddy's Market type clothing or imported products are permitted. These rules are designed to maintain the authenticity and reputation of the Market.

**In all circumstances there must be an unbroken connection between the producer and the customer. In no circumstances can produce purchased from wholesalers, retailers or middle persons be resold at the Market except as an approved agent for a primary producer. This rule is critical to maintain the authenticity of the Market.**

All stallholders will be advised of a nominated contact person in the Market Management Committee with whom to liaise and to direct any questions of definition and/or problems. This will normally be the Market Manager or Deputy Market Manager.

All products must meet the appropriate NSW (and other relevant) Health, Fair Trading or regulatory requirements, including the rules relating to pricing, nutrition advice, labeling, and declaration of the weight of products offered for sale.

Stalls must display signs with the trading name of the stallholder. The cost of produce must also be displayed for all product lines.

Produce descriptions must be accurate, honest and not misleading. For example, produce must not be described in any way that could be construed by a customer as organic unless it is certified organic. If the produce has not been certified as organic then saying "organically grown" is not acceptable, however, signage such as "no chemicals used" or "pesticide free" are acceptable if true. If only part of the produce sold is organically grown, this must also be specified. If a product is claimed to meet a specific food standard (such as 'Extra Virgin Olive Oil') it must have been tested as such, and evidence of this must be provided by the stallholder on request. Stallholders need to have clear evidence that substantiates all such product claims. These requirements are stipulated in Federal and NSW fair trading and labeling laws.

Other than by special exception of the Market Management Committee, no imported produce may be sold in the Market (e.g. no imported Chinese garlic or ginseng, Vietnamese prawns, etc.).

Producers can only offer their own products. An agent can only offer products from a producer as specifically approved by the Market Management Committee. Any breach of this rule constitutes grounds for expulsion.

Production techniques for all products offered in the Market must comply with applicable regulations relating to food processing, packaging and labeling. Receipts should be kept as proof of origin for inspection by the Market

Management Committee (and NSW Fair Trading, NSW Health, etc.) if requested.

### **Stallholder applications and registration**

All stallholders have to complete the application process before being allowed to trade. This requires approval by the Market Management Committee and payment of appropriate fees.

Stallholder applicants must first submit the Stallholder Application/Registration Form which is accessible on the CFM website ([www.concordfarmersmarket.com.au](http://www.concordfarmersmarket.com.au)). This application provides an overview of the business, what will be offered for sale at the Market, and the origin of products and production activities. No fee should be sent with this application, which will be considered promptly by the Market Management Committee. Successful applicants will be invoiced and after payment will be allocated a stall space by the Market Manager.

All new applications for stalls are considered on the variety and balance of products offered at the Market, and after considering the impact on existing stallholders. The Market Management Committee promotes quality and competition at fair prices.

Producers and their agents should meet a principle of proximity in terms of being within a reasonable driving distance of the Market.

All new stallholders will be subject to a probationary period of three months.

Stalls are not transferable. Any substantive change in ownership of a stallholder's business requires the completion of a new Stallholder Registration/Application Form and the approval of the Market Management Committee.

### **Special rules relating to producers**

Producers are stallholders who produce ALL their products and which are sold by the principal producer or a farm-production-based employee directly involved with the process of growing, rearing, catching, or making the product (not a relative or friend not directly employed in the business). There must be a continuing direct relationship between the consumer and the producer.

All producers must maintain clear written information about their production schedules, methods, ingredients, chemical use, etc., and submit the relevant product information forms available from the Market website.

Stallholders are NOT permitted to introduce new items not included in their approved application (such as a vegetable grower introducing fruit) unless and until the new product has been authorised by the Market Manager.

### **Special rules relating to agents**

Agents of primary producers are permitted at the Market, particularly when the



distance would prevent the producer from being present.

Stallholder applications from agents are considered by the Market Management Committee on a case-by-case basis.

Agents must have clear written information about their commercial arrangements. The production activity must meet the same standards as primary producers, including maintaining records of methods, ingredients, chemical use, etc.

### **Specific rules relating to primary products offered in the market**

All primary products (fruit & vegetables, plants, meats, poultry, mushrooms, berries, nuts, etc.), must be grown, reared, caught by the producer or on the producer's land.

### **Specific rules for secondary products offered in the market**

Anyone processing produce or adding value is a secondary producer.

All secondary products (e.g. cheeses, breads, table olives, wines, sauces), must be processed, brewed, pickled, baked, smoked by the stall holder on the stallholders own property.

Food products such as sausages, breads, cakes, etc, while preferably using the stallholders own ingredients, must be wholly processed from products within the producer's own premises.

### **Quality assurance**

All stallholders are expected to maintain the Market's standards of freshness and high quality. Stallholders are responsible for the decoration and the maintenance of their site in a clean and tidy condition and in accordance with merchandising standards of the market.

The Market Management Committee includes a Quality Assurance Officer. The Committee reserves the right to refuse the sale of goods not considered of an acceptable standard under the ANZFA food safety regulations.

The Committee reserves the right to inspect during normal business hours any producer's or agent's property whose products are sold at the Market in order to verify information provided or to pursue complaints that it considers requires investigation. All stallholders should facilitate such visits by an appointed representative from the Market Management Committee.

The Committee reserves the right to seek a reasonable fee for any special inspection it deems appropriate. The fee will be advised in advance. If the stallholder does not agree to the visit or accept the fee, then the stallholder may be requested to retire from the market.

### **Assignment and forfeiture of stall spaces**



Assignment of stall spaces is determined and confirmed by the Market Manager. All stall spaces are marked and numbered, and stallholders must stay within their allocated space.

Stall allocation is in line with the best interests of the CFM and takes into consideration requests from all stallholders and customer feedback. The aim is to allocate regular stallholders the same space. This enables easier set-up and familiarity for customers. Stallholders wanting to change their location should negotiate this with the Market Manager.

Stallholders who fail to attend on two consecutive market days may be required to forfeit their allocated space, unless separate arrangements have been made with the Market Manager.

The Market Manager reserves the right at any time to alter the size, shape and position of floor plans as may be necessary for the best interests, risk management and legal requirements of the Market.

### **Stallholder fees and payments**

Stallholder fees are stated on the Stallholder Registration Form, downloadable from the website at [www.concordfarmersmarket.com.au](http://www.concordfarmersmarket.com.au). These fees are reviewed regularly by the Market Management Committee.

Currently, stallholders are required to pay their fees by no later than 11.00am on each market day. Fees will be collected by the Market Finance Officer, and receipts will be provided to stallholders. The Market Management Committee intends to progressively introduce electronic payment of fees to reduce the risk of theft at the Market site.

Stall Fees are not refundable. Credit and/or refunds will not be issued for inclement weather on Market days.

### **Sharing and payment of shared stall spaces**

Sharing of a stall space must first be negotiated between the two parties and then approved by the Market Management Committee prior to trading. If stallholders regularly share a stall and only one party will be present on any given Market day then the attending stallholder will be required to pay the full stall fee for that Market.

### **Stallholder attendance and cancellations**

All stallholders are required to confirm their attendance with the Market Manager no later than **5.00pm on the Wednesday immediately prior to Market day**. Attendance of stallholders for that Market day will be posted on the CFM website ahead of each Market day in order to keep the public informed and attract consumers.

Stallholder site bookings can be cancelled without penalty up to 5.00pm on the

Wednesday immediately prior to Market day. Unless there are special reasons, a later cancellation or non-appearance at the Market will incur payment for the site.

## **GENERAL OPERATIONAL RULES**

### **Access**

Stallholder access will be provided to the Market site on Market days. Stallholders are required to have their site assembled by 8.30am with vehicles removed from the pedestrian areas. This enables erection by Rotary of some covered pedestrian walkways and finalisation of traffic control barriers in time for commencement of the Market at 9.00am. Stallholders are to have all exhibits displayed and ready for sale from 9.00am to 1.00pm. Stalls must be open to view and properly staffed by a competent representative during operating hours. No person under the age of 15 years old is to be in charge of a stall.

All passageways must be kept clear so that customer flow is not inhibited.

Disabled access is to be available at all stalls.

### **Parking**

Stallholders and their staff are to park their vehicles away from their stalls to provide customers with priority parking access. The Market Manager or Deputy Market Manager may authorise exceptions when necessary to enable a stallholder to trade effectively (eg. a refrigeration vehicle, or vehicles from which sales occur). Vehicles are not to block access ways or impede pedestrian traffic.

### **No Smoking**

Stallholders and their staff are NOT permitted to smoke in the stalls. Nobody is to smoke and handle food.

### **Smells and fumes**

Stallholders should not cause smoke, smells or leave engines running near the stalls.

### **Clean-up**

All stallholders must clean-up their site and remove all rubbish before departure. Bins are provided for a reasonable amount of rubbish, but excessive quantities (such as fruit/food boxes, unsold goods, etc) are to be removed by the stallholder.

### **Dogs and other animals**

Stallholders are not permitted to have dogs (or other animals) in their stalls. Some customers may attend the Market with their dogs, which must be restrained and on a leash at all times. Stallholders should immediately report any

concerns regarding the behaviour of customers' dogs or other animals to the Market Manager.

### **Stallholder promotion**

With the consent of stallholders, the Market Management Committee reserves the right to take photos for the purpose of advertising and promoting the markets. Photos may contain images of a stallholder's produce.

### **Compliance with legislation**

All Stallholders must comply fully with legislation and regulations for the preparation, display and sale of food and goods. Stallholders must be able to operate in inclement weather using appropriate vehicles, gazebos and/or trestle tables that meet regulatory requirements. Trestle tables must be covered with white or approved fabric that reaches the ground on all sides. Produce for sale must be displayed in a visually attractive way.

The City of Canada Bay Council requires that all stallholders obtain a temporary food license. This can be downloaded at:

[http://www.canadabay.nsw.gov.au/dwroot/datawrks/views/publish/3/68/-1/docs/sort by/asc/precis/links?applyfilter=1](http://www.canadabay.nsw.gov.au/dwroot/datawrks/views/publish/3/68/-1/docs/sort%20by/asc/precis/links?applyfilter=1)

Other relevant websites for stallholders to be aware of are: NSW Food Regulation: <http://www.foodauthority.nsw.gov.au/industry/food-standards-requirements/legislation/foodregulation/>; and FSANZ Food Standards Code: <http://www.foodstandards.gov.au/foodstandards/>.

### **Insurance**

All Stallholders MUST be covered by a valid \$10m Public Liability Insurance policy, and anyone selling produce (particularly meat, fish or other manufactured produce in any form) MUST also carry current \$10m Product Liability insurance. There are no exemptions.

### **Signage and labeling**

All stalls must have stallholder identity signs, showing who they are, the origin of all their products (producers and agents), and comply with NSW Health and Fair Trading laws. Food sellers need to be registered with NSW Health.

All stallholders must have signs clearly visible to the customer that display their name and address and the name and address of any other producer represented.

All stallholders who make claims regarding their produce must display the appropriate certification on their stall to verify their claims (e.g. 'all organic' certification must be displayed and made visible to the consumer).

All stallholders must comply with appropriate labeling regulations and acquire any necessary licenses or permits for producing and/or selling their products.

Copies of these licenses must be given to the Market Manager prior to selling at the Market.

### **Weights and measures**

Stallholders must weigh all goods on site on certified scales as required under the Weights and Measures Act.

### **Food safety**

Stallholders must comply with the food safety regulations that apply to their products under the Food Safety Act and by the NSW Health Department.

### **Market safety**

Before participating in their first market, stallholders must read and be familiar with the Market Safety Procedures. A printable copy of these procedures can be downloaded from the Concord Farmers Market website ([www.concordfarmersmarket.com.au](http://www.concordfarmersmarket.com.au)).

### **Packaging**

Appropriate packaging should be provided by stallholders and, wherever possible, be biodegradable.

### **Use of CFM Logo**

The CFM logo is trademarked. If stallholders wish to use the CFM logo they need to seek permission from the Market Manager.

### **Disclaimer of liability**

Stallholders are required to indemnify the organiser from any damage, expenses or liability arising from any injury or damages to any person, including the general public, the stallholder or others, occurring either in the space occupied by the participant or elsewhere arising out of its occupancy or anything connected with occupancy.

The organiser will not be liable for any loss or damage to the property of the participants due to fire, robbery, accidents or any cause whatsoever that may arise from use and occupancy of the site.

The organiser assumes no liability for any damages or losses resulting from or relating to the failure of the participant to comply with the provisions of this agreement.

The organiser will not be responsible if a current insurance "Certificate of Currency" is not forwarded promptly to the Market Management Committee.

### **Important notes**

Failure to observe the Market Rules for Stallholders constitutes grounds for expulsion.

The Rotary Club of Concord Market Management Committee reserves absolute discretion to accept or reject applications or to ask stallholders to leave in the event that, in the opinion of the Market Management Committee, there has been a breach of the Code of Conduct, Market Rules or reasonable directions. In the event of a stallholder failing to abide by the Rules, the Committee may take such action as it deems appropriate to recover any loss or damages as a consequence of the actions of a stallholder.