



THE STATEHOUSE MARKET REQUIREMENTS

In order to promote healthier eating habits and support Indiana farmers and businesses, the Statehouse Market is chance to give state employees and customers a location that provides fresh, high quality produce and food products. This outlet is also an opportunity to promote locally grown products and produce.

I. DEFINITIONS

1. **Farmers Market:** The Statehouse Farmers Market is located on the Indiana Government Center campus, along Robert D. Orr Plaza and Senate Ave. The boundaries are defined by the Market Manager depending upon the number of vendors present.
 - a. The Market hours are 10:30 a.m. to 1:30 p.m. each Thursday. Each market is *weather dependent*. Cancellations may also be made to accommodate State ceremonies and celebrations.
2. **Farm or Domestic Products:** Included are products that are grown or produced on farms or in homes or gardens. These products are further defined as follows:
 - a. Produce – Vegetables, fruit, grains, eggs, plants, plant cuttings, flowers, seeds, nuts, herbs, meat and dairy products.
 - b. Prepared Foods – Foods that are processed in some way by the vendor and are approved by the Indiana State Department of Health. These items include, but are not limited to cured meats, honey, preserves, pickles, juices, home canned products and cheeses.
 - c. Artisan items – Handcrafted products that are made in the home. The product may be made from manufactured materials provided that most of the product's value results from the crafting of the vendor or the vendor's family.
3. **Vendors:** Persons who have paid their stall rent, agreed to comply with the Farmers Market guidelines, and agreed to sell only "Farm or Domestic Products," defined above.
 - a. **Producer Vendors** – Vendors who sell products which are grown or produced by themselves or members of their households at their own farms, homes or gardens.

4. Food trucks: A mobile venue that sells a variety of food. Some may sell frozen or prepackaged food while others operate like restaurants-on-wheels.

II. MARKET MANAGER

1. The Market Manager is an individual designated by Deputy Commissioner of Facilities from the Indiana Department of Administration (IDOA); and the Communications Director of the Indiana State Personnel Department (SPD). He/she is to facilitate the Market and enforce the guidelines. Examples of the Market Manager's authority are as follows:
 - a. Revoke a vendor's or food truck's application
 - b. Assign selling areas to vendors and food trucks
 - c. Ensure vendors and food trucks pay rent to IDOA
 - d. Direct vendors and food trucks to comply with health and sanitation rules
 - e. Receive vendor and food truck operators' requirements and applications
2. The Market Manager's job on the Market site is to coordinate the functions of the Market and to implement market guidelines. This includes oversight of the Market set-up, daily assignments, collection of fees in collaboration with the Indiana Department of Administration, assuring vendor compliance with cleanup and answering questions.
3. The Market Manager is the conduit of information from the vendors and customers.
4. The Market Manager has complete authority to interpret and implement policy on the market site. If you have any questions or concerns please submit your concerns to the Market Manager.

III. RESPONSIBILITIES OF VENDORS

1. Comply with these requirements, as well as codes and statutes that govern the growing, preparation and sale of products defined by the state of Indiana.
2. All vendors with assigned stalls must be at their stall by 10:10 a.m. Set-up must be complete by 10:30 a.m. Violations of this policy may result in loss of assigned stall on the day of the violation.
3. Vendors must register with the Indiana State Department of Health, if applicable. There is no additional fee to register. A Retail Registration Form can be found under Forms Section at: www.in.gov/isdh/21063.htm
4. Vendors selling products for which sales tax must be collected, they must provide a Registered Retail Merchant Certificate; this can be obtained from the Indiana Department of Revenue.
5. Vendor must submit a certificate or certificates of insurance evidencing adequate insurance to operate such vehicles as are needed to vend at the Market and adequate general liability insurance.

- 6.** 70 percent of space allocated must be a produce item as defined in Section I - Definitions 2:a.
- 7.** Vendors are required to remain until closing at 1:30 p.m. even if they have sold all their goods.
- 8.** Temporary tables are the responsibility of the individual vendors, but for display purposes only.
- 9.** No oil of any kind can get on the ground, sidewalk and areas in the market location. This is a safety and environmental issue.
- 10.** Maintain a clean vending area, dispose of all refuse and trash and take care not to deface or damage state property. Any violators will be responsible for costs incurred for additional cleaning performed by the Indiana Department of Administration.
- 11.** Vendors are solely responsible for the safety of the products being sold, and shall hold harmless and indemnify the state of Indiana.
- 12.** All vendors are responsible for collecting and reporting Indiana State Sales Tax if selling a taxable food item, as defined by the Indiana Department of Revenue.
- 13.** Market Manager will make stall assignments. Your space is assigned to you and is not transferable. Space fee prepayment is available. Vendors forfeit the fee if not at the market without prior notification to Market Manager.
- 14.** Displays must be placed within stall area and must not exceed designated space. Vendors must provide signage and fire department approved protection from rain/sun
- 15.** Pricing of goods sold at the Market is solely the responsibility of the individual vendor.
- 16.** All vendors must adhere to sanitary procedures as outlined by the Indiana State Department of Health. Any vendor found selling contaminated foodstuffs or produce, or selling in the Market without proper health precautions, shall be suspended from selling operations until satisfactory clearance has been obtained from the Indiana State Department of Health and the Market Manager.
- 17.** All vendors must be fully dressed. Shoes and shirts are required.
- 18.** There will be no smoking by vendors in any stall spaces. You are responsible for any cigarette butts around your stall space. Please dispose of them properly.

IV. VENDOR PRODUCTS

- 1.** If a vendor does not sell product as define in Section I – Definitions 2: a, they may not participate in the Market at the discretion of the Market Manager.
- 2.** The market will only allow non-food products of an artisanal nature if said product is derived from a majority produce item (bee wax candles, herbal soaps, etc.). This is at the discretion of the Market Manager. These products must take up no more than 30 percent of booth.
- 3.** The Market strives to provide a market place where fresh and wholesome products are sold. No products sold can be used or second hand.
- 4.** Vendors who wish to sell cheese, canned goods (fruits, vegetables, juices, etc.), or baked goods shall first obtain the approval of the Indiana State Department of Health and have evidence of that product approval in their possession, whenever they are selling these products.
- 5.** Produce, meat, honey, eggs, plants, flowers and other farm products must be grown or produced in the state of Indiana, unless pre-approved by the Market Manager.
- 6.** Vendor agrees that Vendor and all of Vendor’s employees, agents and contractors will abide by and fully comply with all applicable federal, state and local laws, regulations and ordinances, and to have obtained all necessary licenses, permits, insurance, and inspections prior to selling any products at the market.
- 7.** All minimally processed food items must be prepared in a licensed facility, as defined by Indiana law, sold in pre-packaged form, and contain proper labeling, consisting of the name of product, the location of preparation, the contents, the net weight and the price.
- 8.** Home based vendor foods are allowed to be sold at the market provided that they meet the criteria for a non-hazardous food and are labeled in accordance with Indiana State law.
- 9.** Liquor and alcohol are not allowed to be sold at the market.
- 10.** Eggs may be sold at the market only with a current egg vendor license issued by the State Egg Board.
- 11.** Any Vendor selling honey is required to inform all its customers of the danger of feeding honey to infants and children less than two (2) years of age.
- 12.** The only varieties of wild collected mushrooms that may be sold at the market are chanterelles, morels, oyster, and sulfur shelf (chicken mushrooms).
- 13.** No potentially hazardous or poisonous plants, berries, roots, mushrooms or other goods may be sold at the market. All food products must be considered edible before they can

be sold at the market, and must meet all state, county, and local health requirements, rules and regulations.

14. Vendors advertising as “Organic”, or “Unsprayed”, “Natural”, etc. are not required to be certified by any recognized certification agency. However, state law restricts the use of the phrase “Certified Organic”. Only those who have been certified by the Indiana Department of Agriculture may use the term. All vendors are required to advertise truthfully and to respond to customer’s questions in a like manner.

V. ADDITIONAL RESPONSIBILITIES OF FOOD TRUCKS

1. All food trucks with assigned stalls must be at their stall by 10:10 a.m. Set-up must be complete by 10:30 a.m.
2. Trucks will be required to remain onsite until market closing at 1:30 p.m., even if they have sold all their goods.
3. Food Trucks must comply with these regulations, application rules and other regulations, codes, and statutes that govern the growing, preparation, and sale of products defined by the state of Indiana.
4. Food Trucks must register with the Indiana State Department of Health. There is no additional fee to register. A Retail Registration Form can be found under Forms Section at: www.in.gov/isdh/21063.htm
5. Food Trucks must provide a copy of the current certificate of insurance to the Market Manager at least one week prior to the Market.
 - a. Trucks must have a minimum of \$1,000,000 liability insurance.
6. Pricing of goods sold at the Market is solely the responsibility of the individual food truck and must be prominently displayed.
7. Food trucks operators must pay the rent timely and in advance to the Market Manager.
8. All trucks must be at their stall by 10:10 a.m. Trucks must notify the Market Manager at least 48 hours in if you plan to not attend a previously scheduled market.
9. Maintain a clean vending area, dispose of all refuse and trash at the direction of the Market Manager, and take care not to deface or damage State property.
10. Food truck operators must supply his/her change, labels, bags, water, trash cans, and/or signage; all must be contained within the truck’s assigned space.

VI. ALLOCATION OF VENDOR SPACES

Vendor spaces shall be allocated based upon four determining factors:

- a. Type of produce sold.
 - b. Position on the waiting list.
 - c. Priority of the vendor category.
 - d. Maximum numbers of vendors allowed by vendor category.
1. Product Type: Priority will be given to those vendors who sell items defined as “produce” or “prepared food” in Section I.
 2. The Waiting List: Any prospective vendor must submit a Farmers Market application, a copy of the registration with the Indiana State Department of Health, a copy of the certificate of insurance to the Market Manager. The position on the waiting list is determined by the date that the Market Manager receives these documents.
 3. Priority of Vendor Category: Priority will be given to those vendors who are a part of the *Indiana Grown* program, through the Indiana Department of Agriculture (ISDA). The *Indiana Grown* program is a cooperative effort among producers, processors, wholesalers, retailers and the ISDA to brand and promote Indiana produce and production. The goal is for consumers to easily identify, find and buy Indiana grown products. More information on this program can be found at www.in.gov/isda.
 4. Certain vendor categories will be subject to maximum allowances in their number or percent. When the names of these vendors come to the top of the waiting list, they will be allocated a space at the Market only if the allowance for that vendor type has not already been reached.

VII. ALLOCATION OF FOOD TRUCK SPACES

1. A rotation will be set in place to allow for a variety of food items each week.
2. Location and selection of participating food truck is within the discretion of the Market Manager.

VIII. STALL FEE AND PAYMENT

1. A fee schedule for all Farmers Market stalls will be established by the Market Manager prior to each market season. Failure to comply with fee payment on Market day will result in exclusion from the market.
2. Vendors and Food trucks must pay the rent timely and in advance.
3. The rental fees for vending spaces are listed on the application.
4. Payment must be paid by cash or check in advance of the market. Cash must be exact.

IX. GRIEVANCE POLICY

- 1.** The Market Manager has the right to impose disciplinary action at the Market site.
- 2.** In the event of customer dissatisfaction, the dispute must be resolved to the satisfaction of the customer and Market Manager in a timely manner. Failure to do so will result in the removal from market participation.
- 3.** The Market Manager has the authority to grant exceptions to the market policies on an individual basis for reasons of dire need. Should any vendor, at any time, occupy the premises in a manner contrary to this agreement, upon request of Market Manager, the vendor shall immediately cease such offending conduct.
- 4.** Failure to immediately comply as requested shall be cause for the expulsion from the market. Upon revocation Vendor shall promptly vacate premises.
- 5.** Failure to vacate, the Market shall have removed all property of vendor from the premises at vendor's expense. The market is relieved and discharged from any all loss or damage caused by such removal.

X. MARKET CONDUCT

- 1.** At Market closing, each seller is responsible for leaving his/her stall space completely clean and carrying offsite all trash generated. Failure to comply may result in loss of invitation to return.
- 2.** Consumption of alcoholic beverages, yelling, swearing, name-calling, slanderous remarks and other rude behavior will not be tolerated. Any behavior or language considered deleterious to the normal operation of the Market will be grounds for expulsion from the Market with reinstatement to be based upon review by the Market Manager.
- 3.** Customers who have a legitimate complaint about the product that they purchase should be given a full monetary refund or replacement of equal value. It is the Market's policy to satisfy the customer and to promote goodwill by being generous. Complaints or disagreements will be mediated by the Market Manager. In general, the benefit of the doubt will be given to the consumer.
- 4.** Sellers are expected to treat each other's staff, customers, officials, and the Market Manager with respect.
- 5.** Sellers are responsible for the actions of their representatives, employees or agents.
- 6.** Any complaints about other sellers should be made to the Market Manager and never to customers.

- 7.** No radios, boom boxes, or sound devices may be played during Market hours without permission of the Market Manager. No hawking, shouting or barking to promote products is allowed.
- 8.** Conduct considered by the Market Manager to be detrimental to the welfare of the Market may result in removal from the Market.
- 9.** No firearms.
- 10.** No alcoholic beverages.
- 11.** No drugs.
- 12.** No pets, with the exception of service animals.