



**USDA FARMERS MARKET
2016 Rules and Procedures and
Operating Guidelines**

**United States Department of Agriculture
Washington, D.C.**

USDA Farmers Market • Agricultural Marketing Service • Transportation & Marketing Division
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**THE USDA FARMERS MARKET
2016 Rules and Procedures and Operating Guidelines**

TABLE OF CONTENTS

PURPOSE

OUR MISSION	3
THE SPONSORING AGENCY: AGRICULTURAL MARKETING SERVICE	3

ELIGIBILITY: FOR FARMERS, GROWERS & PRODUCERS

PARTICIPANT ELIGIBILITY	4
VISITS AND INSPECTIONS	5
PERMITS AND LICENSES	5

APPLICATION PROCESS AND FEES

APPLICATION PROCESS	6
APPLICATION FEE	7

RULES & PROCEDURES

RESELLING	7
SALES DATA	7
FOOD SAFETY	8
MARKET COMMITMENT	9
CONDUCT ON FEDERAL PROPERTY	9
DISPUTES	10
MEDIA POLICY	10
NON-COMPLIANCE	10
REASONS TO DISALLOW PARTICIPATION	11
SCALES	11

OPERATIONS

HOURS OF OPERATION	11
BUILDING ACCESS	12
CLEAN-UP	12
ELECTRICAL OUTLETS	12
INCLEMENT WEATHER	12
MARKET EQUIPMENT/SUPPLIES	13
SIGNAGE	13
STALLS AND PARKING	13
SECURITY	14

PARTICIPANT AGREEMENT

AGREEMENT FOR SIGNATURE	15
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THE USDA FARMERS MARKET 2016 Rules and Procedures and Operating Guidelines

PURPOSE

OUR MISSION

The USDA Farmers Market located outside the United States Department of Agriculture (USDA) Headquarters in Washington, DC is the Department's own "living laboratory" for farmers market operations across the country. The mission of the market is to promote local food and build community where we work and live. The USDA Farmers Market supports the local economy, increases marketing opportunities for farmers and small businesses, provides access to an assortment of local and regional sourced products, and increases access to healthy, affordable fresh food in Ward 2.

The market is held May through October just off the National Mall on the corner of Independence Avenue and 12th Street, SW and is well attended by USDA employees, other federal workers, tourists, and local residents. During the 2016 season evening hours are being added June through September. Adjacent to the USDA Farmers Market is a certified organic vegetable garden – known as the Headquarters People's Garden. Patrons that visit both the market and garden learn about the variety of fruits and vegetables in season within the Chesapeake Bay region. The USDA Farmers Market offers free programs to educate eaters of all ages about their food, where it comes from, and how to grow, select, and prepare it for everyday meals. The market serves as a place for community members to gather, share a meal, and learn something new from a farmer, grower, producer, and/or exhibitor.

THE SPONSORING AGENCY: AGRICULTURAL MARKETING SERVICE

USDA's Agricultural Marketing Service (AMS) has operated this outdoor market for 21 years. AMS works to improve marketing opportunities for producers across the country through the combination of research, technical assistance, and grants. Each year, AMS helps hundreds of agricultural food businesses, including farmers markets, food hubs, wholesale markets, retailers, State agencies, community planning organizations, and other agri-food focused groups, enhance their local food marketing efforts. AMS connects consumers to producers at over 8,380 farmers markets across the United States through the National Farmers Market Directory available online at www.usdalocalfooddirectories.com.

THE USDA FARMERS MARKET

2016 Rules and Procedures and Operating Guidelines

ELIGIBILITY: FOR FARMERS, GROWERS & PRODUCERS

PARTICIPANT ELIGIBILITY

Participation in the market is for farmers and growers who sell what they grow, raise or produce on their farm, and for local producers who make products featuring agricultural foods from the Chesapeake Bay region (including the states of Delaware, Maryland, New York, Pennsylvania, Virginia and West Virginia), and preferably within a 200-mile radius of Washington, D.C.

A farmer and grower must own or lease the land the product is produced on; and must participate in the production, sales and marketing of the farm products. The re-sale of agricultural products by farmers and growers is not permitted. Selling goods from a neighboring farm is not permitted. Agricultural products such as flowers, plants, bedding plants, trees, fruits and vegetables, grain products, honey, eggs, and milk must be from a farmer's or grower's own fields, greenhouses, hives, fowl, and/or herd.

If you are not a farmer or grower, you may sell at the USDA Farmers Market as a Producer in one of the following categories:

- **Baker:** makes freshly baked goods from scratch, using seasonal ingredients from the region as much as possible. Baked goods must be handled in accordance with the rules and regulations described by the state and local health department in which your farm or production facility is located. Bakers will be required to submit current kitchen inspection reports, licenses and permits.
- **Cheese/Butter/Yogurt/Frozen Dairy Product Maker:** makes cheese and other value-added products from milk that is purchased from regional dairy farms. Flavoring agents must be sourced locally. Exotic, out-of-region flavorings may be used minimally.
- **Fisherman/Waterman:** raises or catches fresh fish and shellfish, and uses local processing facilities for seafood products to be sold at market.
- **Food Concessions:** ready-to-eat food and beverages prepared partially or entirely at market. Such foods must be made from locally sourced ingredients. Exotic, out of region ingredients will be admitted on a case-by-case basis.
- **Meat Processor:** primarily operates a food processing facility that processes meat raised by regional farmers or ranchers. Sales of fresh meat or poultry products are prohibited. Only frozen meat and frozen poultry products that have been processed in a USDA Food Safety Inspection Service (FSIS) licensed and inspected facility and bear the USDA seal of inspection are permitted. Cured and smoked meat products are permitted as long as processed in a USDA FSIS inspected facility and bear the USDA seal of inspection.
- **Pasta Maker:** makes pasta and sauces from scratch, using seasonal ingredients from the region.
- **Soap Maker:** handcrafts soaps and/or other health-care products using seasonal ingredients from the region.
- **Specialty:** Other regional agricultural product(s), which are not currently available at market and the agricultural product(s) is/are an important specialty crop in the Chesapeake Bay region.
- **Value Added Food Producers:** makes jellies and jams, preserves, syrups, salsas, flavored oils, vinegars, pickles, fermented products, and dried products using produce grown by a farmer

THE USDA FARMERS MARKET 2016 Rules and Procedures and Operating Guidelines

participating in the USDA Farmers Market or uses produce from a regional farmer. Exotic, out-of-region, products (such as olive oil) and ingredients will be admitted on a case-by-case basis.

VISITS AND INSPECTIONS

All potential and participating farms and business are subject to visits and inspections. USDA Farmers Market personnel (hereafter “Market Management”) reserve the right to inspect the farm or establishment to confirm crops and products being sold at the USDA Farmers Market are in compliance with market guidelines. Market participants must submit a map and directions to their farm or production location along with the application. Any farmer or producer who is found to have violated the market guidelines will receive a warning, temporary suspension, or be permanently removed from the USDA Farmers Market. (see “Non-compliance” section for more details)

PERMITS AND LICENSES

All farmers, growers and producers selling at the USDA farmers market must abide by all applicable federal, state, and local health regulations. Market participants will be responsible for obtaining and paying for any permits and licenses required by the District of Columbia. Market participants must comply with the regulations within their respective state including regulations pertaining to the harvesting, food preparation and safety, and labeling of products within their respective states for products that are brought to and sold at the USDA Farmers Market. When submitting the application all farmers and businesses must include a copy of all applicable reports, permits and licenses required by the health department of the state or county from which the products originated. All permits and licenses must be kept current for the entire market season.

Contact Information:

The District of Columbia Department of Consumer And Regulatory Affairs
(202) 442- 4400

Maryland Department of Health and Mental Hygiene Rules and Licenses
(301) 767- 8400

New York State Department of Agriculture & Markets
(800) 554-4501

Pennsylvania Department of Agriculture
(717) 787- 4315

Virginia Department of Agriculture and Consumer Services
(804) 786-3520

THE USDA FARMERS MARKET

2016 Rules and Procedures and Operating Guidelines

West Virginia Department of Health & Human Resources
(304) 558-2981

APPLICATION PROCESS AND FEES

APPLICATION PROCESS

All farmers, growers and producers – new and returning – **must** complete the application. If accepted into the market, all participants must sign and submit Page 15 of this document entitled “Participant Agreement” to indicate that you have read the terms and conditions set-forth in this document – the USDA Farmers Market 2016 Rules & Procedures and Operating Guidelines – and agree to abide by them.

Farmers, growers and producers that participated in the previous market season will have the opportunity to retain their space provided market guidelines are met and the required information has been submitted on time. **To be considered for the 2016 market season all new and returning market participants must submit their completed application and required documentation by March 16, 2016.** In the event that space becomes available during the market season, those on the waitlist that are the best fit, and meet all market criteria, will be contacted.

There are two ways to apply to the USDA Farmers Market: online at ManageMyMarket.com or via a paper application. Call (202) 690-1300 to request a copy. We strongly prefer that all farmers, growers and producers apply online and that only those who do not have Internet access use paper applications.

Applications will NOT be reviewed unless complete. An application is not considered complete without the inclusion of all applicable permits for all products. If you require assistance with your application at any time please contact us at (202) 690-1300.

A fully complete application includes the following:

- Completed application signed and dated;
- Complete list of all products including regionally sourced ingredients that will be sold during the market season and the months of availability for each product. New products not listed and submitted with the application **must** have prior approval from Market Management before bringing/selling the product(s) at the farmers market;
- Proof of ownership or copy of signed lease agreement(s) for farmer/grower;
- Map and/or directions to farm, grow site or production facility;
- Liability Insurance information;
- Copies of organic certification documents (if applicable);
- Copies of all food safety forms, inspection reports and licenses/permits applicable to the sale of your product(s). Participants are responsible for knowing which requirements apply to their product(s); and

THE USDA FARMERS MARKET 2016 Rules and Procedures and Operating Guidelines

- ❑ Copy of signed Participant Agreement (Page 15 of this document) form if accepted into the USDA Farmers Market. The signed form is used to certify that the farmer, grower or producer has read, understands and will abide by the USDA Farmers Market 2016 Rules & Procedures & Operating Guidelines.

APPLICATION FEE

USDA does not charge a fee to farmers, growers and producers who participate in the USDA Farmers Market. Participants are required to commit to supporting the USDA gleaning/food recovery initiative in lieu of paying market fees. This commitment requires market participants to donate fresh useable produce and other food products at the end of each market to [DC Central Kitchen](#). For participants unable to donate their own product, we request that you purchase food items from other market participants to donate or give a monetary donation to DC Central Kitchen. **100% participation from USDA Farmers Market farmers, growers and producers is expected. Failure to participate may result in suspension or termination from the market.**

RULES AND PROCEDURES

RESELLING

Agricultural products sold such as flowers, plants, bedding plants, trees, fruits and vegetables, grain products, honey, eggs, and milk must come from a farmer's or grower's OWN fields, greenhouses, hives, fowl, and/or herd. Re-sale of another farmer's flowers, plants, bedding plants, trees, fruits and vegetables, grain products, honey, eggs, and milk is prohibited.

Producers participating in the USDA Farmers Market under one of the categories listed on Page 4 are permitted to purchase ingredients from regional farms and/or use locally sourced ingredients to make their value added products. Market Management will approve products to be sold on a case-by-case basis.

SALES DATA

Market participants will be required to submit weekly sales data for USDA internal use only. Individual sales data will be kept confidential. Market participants are required to provide a total sales figure from the previous market to Market Management. Market Management will visit your space to collect sales data on Fridays before 11 a.m. at the day market and before 6 p.m. at the night market.

THE USDA FARMERS MARKET

2016 Rules and Procedures and Operating Guidelines

FOOD SAFETY

Proper handling of food at the USDA Farmers Market is a critical part of ensuring the safety of consumers. Consuming contaminated foods or beverages causes foodborne illness. All food items must be properly protected against contamination at all times. Therefore:

- **Eggs:** Shell eggs packed for the consumers are to be stored under refrigeration at a temperature of 45 degrees F° or below at all times while selling at the market. Shell eggs must be intact and free of cracks. Eggs must be from the farmer's own fowl. Egg cartons must be properly labeled in accordance to the state regulations where the eggs are produced. No resale of another farmer's eggs is allowed.
- **Meat and Poultry Products:** Meat and poultry products sold at the market must be kept frozen at a temperature of 0 degrees F° or below. Calibrated thermometers are to be kept in freezers/storage containers for meat and poultry products at all times when selling and will be checked for appropriate temperature by Market Management.
- Participants may not display prepared/ready-to-eat foods for sale without being properly wrapped, covered or protected by an appropriately designed sneeze guard. All food items must be kept covered and kept at a proper temperature prior to selling.
- Participants must store all food items at least 6 inches off the floor/ground.
- Participants cannot handle exposed, ready-to-eat foods directly with their bare hands. Utensils such as deli paper, tongs, or disposable gloves may be used to prevent bare hand contact with exposed, ready-to-eat foods. Disposable gloves that handle money should not come in direct contact with ready-to eat-foods. Gloves must be discarded when they become damaged or soiled or when employees are switching tasks.
- Food samples must be presented in a safe and sanitary manner and in accordance with the local health department of the state or county in which the products originated. Participants must provide cups, utensils or toothpicks for customers to use if providing samples of their products. Participants also must provide trash receptacles for the disposal of any sampling materials.
- Ice used for consumption must be kept in clean containers and dispensed by appropriate scoops/utensils.
- Adequate equipment must be used to maintain foods that require time and temperature control for safety (potentially hazardous foods) at the appropriate temperature to prevent risk of illness.
- Foods that require cold holding refrigeration must be kept at 41 degrees F° or below. Foods that require hot holding heat must be kept at 135 degrees F° or above.

THE USDA FARMERS MARKET 2016 Rules and Procedures and Operating Guidelines

- Market participants will have access to on-site hand washing stations and restrooms.
- All vehicles and other equipment used for transporting and displaying products must be kept clean at all times.

MARKET COMMITMENT

Market participants must commit to the entire market season unless other agreements have been made with Market Management. A minimum attendance of 80 percent of market days is required. Product availability may limit participants beginning and ending dates; therefore, a schedule will be developed prior to the start of the market season documenting the farmer, grower or producers commitment to the market. Participants that repeatedly arrive late or miss market days can be permanently removed at the discretion of Market Management.

Farmer, growers and producers not able to attend a market day should telephone or email the following staff at least 48 hours in advance so your space can be filled temporarily:

- Annie Ceccarini (202) 577-7462 (cell) annie.ceccarini@dm.usda.gov
- Lee Cliburn (202) 720-7667 (desk) lee.cliburn@ams.usda.gov

If unavailable to reach Ms. Ceccarini or Ms. Cliburn, please call the Transportation & Marketing Service Division at (202) 690-1300. Not fulfilling your market commitment may result in suspension or termination. (See “Non-compliance” section for more details)

CONDUCT ON FEDERAL PROPERTY

While on USDA property, farmers, growers, producers, and their staff shall comply with the General Services Administration Federal Property Management Regulations at 41 CFR 102-74, Conduct on Federal Property, as supplemented by Agriculture Property Management Regulations Part 102-74. In addition, a farmer, grower, producer or their staff members must—

- (a) Not misrepresent his or her identity to the public;
- (b) Not conduct any activities in a misleading or fraudulent manner;
- (c) Not discriminate on the basis of race, creed, religion, age, color, disability, sex, or national origin in conducting activities;
- (d) Not distribute any item, nor post or otherwise affix any item, for which prior written approval under 102-74.415 has not been obtained;
- (e) Not leave leaflets or other materials unattended on the property;
- (f) Not engage in activities that would interfere with the preferences afforded blind licensees under the Randolph-Sheppard Act (20 U.S.C. 107); and

THE USDA FARMERS MARKET 2016 Rules and Procedures and Operating Guidelines

(g) Display identification badges while on Federal property, if engaging in the solicitation of funds as authorized by 102-74.475. Each badge must indicate the permittee's name, address, telephone number, and organization.

Market participants are required to conduct themselves in a manner that contributes to a positive shopping experience for market customers and should avoid unsuitable language, such as crude jokes, and engaging in inappropriate behavior. Market participants should not leave their booths unattended during market hours. Market Management expects market participants to be honest and to conduct themselves in a courteous and friendly manner with other market participants, USDA staff and market customers. (see "Non-compliance" section for more details)

WARNING—WEAPONS PROHIBITED

Federal law prohibits the possession of firearms or other dangerous weapons in Federal facilities and Federal court facilities by all persons not specifically authorized by Title 18, United States Code, Section 930. Violators will be subject to fine and/or imprisonment for periods up to five (5) years.

DISPUTES

It is the intent of the USDA Farmers Market to offer customers fresh, quality farm products. All complaints and/or concerns, whether from participants or customers, should be reported to Market Management and submitted in writing. Market Management will address all issues appropriately.

MEDIA POLICY

The market is public property and is often visited by tourists taking pictures, media personnel and reporters. Farmers, growers and producers have the option to not be photographed and it is at their discretion to answer questions or participate in interviews. If a market participant communicates with the public/media, he or she is required to inform Market Management immediately so that appropriate personnel can be informed and prepared to take any necessary follow-up action.

NON-COMPLIANCE

Market Management reserves the right to dismiss any Farmer, Grower or Producer and/or remove any product being sold that does not adhere to the rules and procedures as outlined in this document. Consequences for violating the USDA Farmers Market Rules and Procedures and Operating Guidelines will result in the following:

First offense: Verbal warning	Second offense: Written warning
Third offense: Suspended for one market day	Fourth offense: Termination from market

THE USDA FARMERS MARKET

2016 Rules and Procedures and Operating Guidelines

REASONS TO DISALLOW PARTICIPATION

Efforts will be made to accommodate all who apply, however, a farmer, grower or producer may not be allowed to participate in the market due to insufficient space; duplication of product(s); not submitting the required licenses/permits on time; late arrival and/or absence without proper notice; and refusal to adhere to the USDA Farmers Market guidelines.

SCALES

The Department of Consumer and Regulatory Affairs (DCRA) is responsible for inspecting scales at the USDA Farmers Market. DCRA's Office of Weights & Measures inspects these devices twice a year to make sure they are properly calibrated and accurate. USDA Farmers Market participants must register their device(s) every year with DCRA. Scales must be clearly visible and readable to customers at all times. Any problems identified by DCRA must be corrected within the timeframe provided by the District of Columbia or result in a fine. If you have any questions regarding your scales, please contact the Department of Consumer and Regulatory Affairs Weights and Measures at 1110 U Street, SE Washington, D.C. 20020 or call (202) 698-2138.

OPERATIONS

HOURS OF OPERATION

The USDA Farmers Market is held every Friday, from 9:00 a.m. to 2:00 p.m. from May to October and every Friday, from 4:00 p.m. to 7:00 p.m. from June to September. It will be open on Friday, July 1 for Fourth of July weekend. The market is located at the USDA Headquarters Building in the parking lot, located on the corner of 12th Street and Independence Avenue, SW, Washington, D.C. 20250.

For the safety of our customers, market participants must arrive at the market no later than 8:30 a.m. for the daytime market and 3:30 p.m. for the nighttime market. All market participants must be ready to start selling when the market opens at 9:00 a.m. and 4:00 p.m. The daytime market will open at 9:00 a.m. and close at 2:00 p.m. each market. Due to space limitations, latecomers may be relocated or denied admission at the sole discretion of Market Management. **No sales are allowed before the market opens at 9 a.m. Market participants will be allowed 15 minutes after the market closes to complete sales transactions initiated before the 2:00 p.m. closing.** All vehicles must vacate the market site no later than 3:30 p.m. for the day market and 8:30 p.m. for the nighttime market.

THE USDA FARMERS MARKET

2016 Rules and Procedures and Operating Guidelines

BUILDING ACCESS

Farmers, growers, producers and your staff will have limited building access. A list of participant names will be provided to USDA's Protective Operations Division, which will allow access to the restrooms and the cafeteria during the outdoor market season. Participants will be provided with USDA Farmers Market badges to show security officers when entering and exiting the Jamie L. Whitten building. **Anyone who deviates from the designated locations may be escorted out of the building by Security and will lose future building access privileges.**

CLEAN-UP

Market participants are responsible for maintaining their space in a clean and sanitary manner with attention to public safety and respect for the use of this public space by others following the end of the market day. Market participants are responsible for cleaning all trash and waste including sweeping up any debris within and around their allotted space. On-site trash receptacles are provided for customer and participant use.

ELECTRICAL OUTLETS

There is limited access to electricity at the USDA Farmers Market. All farmers, growers and producers must inform Market Management of their electrical needs and receive **prior approval** before using any existing electrical outlets at the market. Generators are not permitted for use at the farmers market without Market Management approval. If extension cords are used, they must be designed for outdoor use, be three-prong, safely secured at all times, and out of the way of foot traffic. Outdoor extension cords offer protection from moisture, direct sunlight and abrasion. Devices with two-prong plugs (like appliances) can be used safely with a three-prong extension cord. Devices with three-prong plugs should only be used with three-prong extension cords. The third prong in the extension cord provides a path to the ground wire and greatly reduces the risk of electrical shocks and fires. Market participants are responsible for supplying extension cords for their stall use that have been tested and certified for safety and quality by UL (Underwriters Laboratory). Check with Market Management to ensure that you are using an approved outdoor cord. If an inappropriate cord is being used then it will be removed from your stall and your market sales may be impacted.

INCLEMENT WEATHER

The USDA Farmers Market is outdoors and opens rain or shine. It is at the farmer, grower or producers discretion to participate on market days in severe or inclement weather. Be sure to notify market personnel of your decision 48 hours ahead of time. In cases of weather reports predicting inclement weather, such as high winds, severe thunderstorms, tornado warnings, etc., Market Management reserves

THE USDA FARMERS MARKET 2016 Rules and Procedures and Operating Guidelines

the right to cancel the market. If Market Management cancels the market, participants will be notified of the closure in a timely manner by email or phone.

MARKET EQUIPMENT/SUPPLIES

Market Management will supply market participants with market canopies and will provide assistance with the setup and breakdown of the canopies each market day. Those who arrive late will be responsible for the setup of their canopy. Each farm/business will be responsible for bringing tables, tablecloths, chairs, certified scales, signs and marketing materials, food sampling supplies, and change. Vendors who are accepted to participate in both the day and night markets may choose to leave their equipment and supplies on site in the parking lot at their own risk.

SIGNAGE

Market participants must clearly display signs that show the name of their farm/business and location, product types, prices, and enrollment in any Federal nutrition assistance programs. Prices must be legible and visible for customers to see. **All farmers, growers and producers are required to post prices at all times.** Prices of items for sale must utilize one or more of the following techniques:

- Individual price stickers on each item;
- Individual price signs for each type of item; or
- A list of prices on a large sign or board

All producers are required to display a sign each week that lists the farms they are sourcing ingredients from.

STALLS AND PARKING

Every effort is made to minimize changes to the market layout, but space adjustments will be made at the discretion of Market Management, if deemed necessary. Assigned stall space sizes are either 10x10 or 10x20 feet. Parking will be provided for one vehicle outside of the market. **Parking in the USDA Farmers Market is limited to Farmers, Growers and/or Producers that REQUIRE their vehicle to operate and will be determined in discussion with Market Management. Preference will be given to Farmers.** If the market participant receives an assigned parking space within the USDA Farmers Market, the vehicle must fit within the assigned 16w x 17d foot parking space. All other vehicles must be removed from the market premises by 8:45 a.m. for the day market or 3:45 p.m. for the nighttime market. Provided parking passes must be clearly displayed each market day on the dashboard of the farmer or producer's vehicle, while parked in a USDA parking lot.

THE USDA FARMERS MARKET

2016 Rules and Procedures and Operating Guidelines

SECURITY

Every effort will be made by USDA to make the market a safe environment for farmers, growers, producers and customers. However, it will be the responsibility of the market participants to take every precaution to safeguard all valuables and cash during market hours. Suspicious activity should be reported immediately to Market Management and/or onsite Security officers. In cases of emergency at the USDA Farmers Market call (202) 720-0000.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.

**THE USDA FARMERS MARKET
2016 Rules and Procedures and Operating Guidelines**

PARTICIPANT AGREEMENT

This page must be signed and returned only if you have been selected as a farmer, grower or producer to participate in the 2016 USDA Farmers Market and/or USDA Farmers Market at Night.

All participating farmers, growers and producers must adhere to the Rule and Procedures and Operating Guidelines as outlined in this document. The Rules and Procedures and Operating Guidelines are used to ensure the integrity of all products sold at the USDA Farmers Market.

By signing below, I certify that I have **read, understand and agree to adhere** to all applicable rules and guidelines as outlined and referenced in this document. I further understand that should I fail to comply with these specified rules and guidelines, my participation in the USDA Farmers Market may be terminated.

USDA Farmers Market Participant
Signature

Date

Print full name

Business name

Business address

Daytime telephone

E-mail address
