

# **2025 MUSKOGEE FARMERS MARKET GUIDELINES**

## **I. OUR MISSION**

To provide a place where Oklahoma Farmers, Ranchers, and Gardeners can sell fresh produce and other agricultural products to customers; to provide a place where fresh produce and other agricultural products can be purchased in quantities suited to the needs of customers; to educate the community about the availability, selection and preparation of locally grown, fresh produce and other agricultural products; and to encourage increased production of quality products for local consumption.

## **II. WHO MAY SELL**

- A) Oklahoma growers of fruits, vegetables, livestock, plants and other agricultural products. All produce, plants, meats and agricultural products must be locally grown or raised. Growers must raise at least 80% of the items they bring to Market on any one day. Growers are allowed to purchase up to 20% of their products from another grower/producer. Products bought for resale must be labeled with the farm name and town of the grower from whom they were purchased. The Board of Directors reserves the right to inspect a Member's farm/ranch/garden to verify production, acreage and/or other matters.
- B) Food preparers and processors offering ready-to-eat and packaged food items that their business had prepared. Exceptions for other eligible products made in Oklahoma may be allowed on a case by case basis, to best balance the offering of products available at Market.
- C) Crafters and artisans offering food, garden, agricultural or nature-based products they have made themselves.

## **III. WHAT MAY BE SOLD AND LICENSE REQUIREMENTS**

- A) Fresh produce and other agricultural products. Produce should be mature but not overripe; void of decay; have good external/internal appearance; and be clean and free of contamination.
- B) Other products currently allowed, with respective authorization:
  - 1. Honey
    - a Oklahoma beekeepers with annual production less than 500 gallons are not required to have additional licensing or inspection, as long as all honey is produced and sold by them or their family. Labeling requirements do apply to all honey vendors. See details at <https://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=470548>
    - b Beekeepers are encouraged to register with the OK Dept. of Agriculture, Food, and Forestry, (405)522-5949, <https://www.kellysolutions.com/OK/beekeepers/>
  - 2. Pecans, Peanuts, other nuts and grains
    - a If cracked or ground prior to sale, this processing should take place in a licensed and/or inspected facility. Contact the Health Inspector at the Muskogee Health Department at (918)683-0321.
    - b Whole grains may be customer ground and nuts may be customer cracked after sale.
  - 3. Eggs
    - a Vendors must have an Egg Packer's License from the OK Dept. of Agriculture, Food, and Forestry: (405)522-5949, <https://ag.ok.gov/wp-content/uploads/2023/04/FS-5106-Small-Packers-2023.pdf>
    - b State food safety rules apply to all egg vendors: <https://ag.ok.gov/wp-content/uploads/2020/11/Food-Safety-Rules-Title-35.-Chapter-37.-Sub-chapter-1-Eggs.pdf>.

4. Meats
  - a Vendors must have a licensed mobile unit for transporting and storage of meats while at Market. Contact the Health Inspector at the Muskogee Health Department at (918)683-0321.
  - b Meat inspection rules can be found at <https://ag.ok.gov/wp-content/uploads/2020/11/FOOD-SAFETY-RULE-TITLE-35-CHAP-37-SUB-3-MEAT-INSPECTION.pdf>
5. Dairy
  - a Raw, unpasteurized dairy products are not allowed to be sold.
  - b For information about selling dairy products, contact Dairy Services at the OK Dept. of Agriculture, Food, and Forestry: (405)522-6130.
6. Bedding plants, vegetable plants, and flowers.
  - a An OK Dept. of Agriculture, Food, and Forestry Nursery Grower License is required to sell plants: (405)522-5971, <https://www.kellysolutions.com/OK/NurseryGrower/newapplication/applynow.asp>
7. Canned fruits and vegetables, baked goods or any prepared foods:
  - a All vendors wishing to sell these items must refer to the Food Freedom Act to be sure they are in compliance: <https://ag.ok.gov/divisions/food-safety/>
  - b The Food Freedom Act of 2021 allows some foods prepared in a home kitchen to be sold at farmers markets. Homemade products sold under this regulation must adhere to labelling guidelines described in the law. <https://extension.okstate.edu/fact-sheets/homemade-food-freedom-act-fapc-242.html>
  - c These products may be limited to 10% of spaces on any given market day, depending on the availability of spaces and similar products at the market, as well as nutritional value of these products.
7. Crafts / Nonfoods
  - a Limited to garden, food, agricultural or nature-based/related craft items, handmade by the seller.
  - b Craft-only vendors are limited to 10% of spaces available on any given market day, subject to the manager's discretion.
  - c Crafts that are applied to the skin are regulated by the FDA and must have proper labeling (see <https://www.fda.gov/cosmetics/resources/industry-cosmetics/small-businesses-homemade-cosmetics-fact-sheet> for more information).
- C) Vendors are encouraged to donate unsold food products to local shelters or food pantries, such as Gospel Rescue Mission, Catholic Charities, or the Muskogee Community Food Pantry.

#### **IV. HOW PRODUCTS MAY BE SOLD**

- A) Produce may be sold by weight, volume or count. If selling by weight, scales must be commercial quality designed for retail sale. For more information, contact OK Dept. of Agriculture, Food, and Forestry, Weights and Measures Program, (405)522-4584.
- B) Growers should post prices on products being sold. Items purchased for resale from another grower should be labelled by displaying the grower's name and town.
- C) Vendors should provide sacks, bags or containers for their customers. The market manager has resource information if requested. The best local source is Sadler Paper, (918)683-5666.
- D) Each vendor must post a sign with their business or farm name at their booth.
- E) In order to reduce customer confusion and promote our commitment to "Oklahoma Grown", produce boxes and baskets printed with any state or country other than Oklahoma will not be allowed in the market area or parking lot.

- F) Muskogee Farmers Market participates in the following food assistance programs: SNAP/EBT, Double Up Oklahoma, Senior Farmers Market Nutrition Program, OKFresh, and Veggie Bucks. Vendors with eligible products may accept the relevant tokens or vouchers as payment for their products. Farmers market administration will provide necessary training to participate in these programs, as well as a means of accounting for token and reimbursing vendors for tokens accepted.

## **V. EXCHANGES AND REFUNDS**

Exchange of products and/or refunds is up to the vendor. Vendors are strongly encouraged to offer 100% satisfaction to their customers.

## **VI. SANITATION AND HEALTH / SAFETY REQUIREMENTS**

Each vendor is responsible for ensuring the food safety integrity of their products and keeping their area clean and neat. Boxes, flats, umbrellas and other possible obstacles must be safely located out of customer paths. Signs, display items and shade structures must be safely secured.

The Muskogee Farmers Market is tobacco free. No one is allowed to smoke, vape, or use tobacco products in the market area, including vendors and visitors, at any time immediately before, during, or after market hours. A vendor's signature on the vendor application confirms that the vendor agrees and will comply with all market guidelines, including this tobacco-free policy.

## **VII. SPACES AND FEES**

- A) Membership dues for the association are \$50 per year per vendor. Dues are collected at the preseason kickoff meeting or on the member's first sales day. Each member must pay a space fee of \$15 for Wednesday and \$20 for Saturday for a single space (\$30 for double) under the pavilions (one vehicle width, two vehicle lengths). Members using a single pavilion space with sales of less than \$150 on a Wednesday or \$200 on a Saturday may pay 10% of their sales as their stall fee. The maximum space fee for a non-pavilion space (approximately 10' by 10') will be \$15 on Saturdays. All money collected is used for operating and promoting the market.
1. Each vendor must sell from an assigned space. Space assignments are made at the preseason kickoff meeting. Order of space selection is determined by seniority (previous year's attendance plus years of membership), and then by category (produce, meat, dairy, egg, and plant vendors have priority). To select a space, new members or someone on their behalf must be present and be up to date on all dues and fees.
  2. Vendors unable to regularly attend on Saturdays may be allowed to alternate with another vendor. Both vendors will need to communicate their plans with the market manager and whoever is scheduled must notify the manager if they won't be at market that day.
  3. Space fees must be paid at the end of each sales day by completing the vendor accounting sheet. Vendors are responsible for picking up and dropping off their accounting sheet with an accurate count of tokens received and space fee paid, with space fee paid in cash or check. The accounting sheet serves as receipt of payment for space fees.
  4. Six double and seventeen single spaces are available under the pavilions. Only one of the double spaces may be allocated to a non-agricultural vendor. The other remaining double spaces will be for produce, plants, dairy, meat, or eggs.
  5. When all available spaces under the pavilions are allocated (Saturday markets only):
    - a) Additional vendors will be placed first at the south end of the pavilions (5 available

spaces), then in the center aisle between the two pavilions, then elsewhere as deemed appropriate. These spaces will be approximately 10' x 10'.

- b) The space fee for a single overflow space will be \$15 on Saturdays (or 10% of sales if less than \$150). Vendors using these spaces must be unloaded with their vehicle removed by 7:30 a.m. No vehicles will be allowed in the center aisle area until market ends at noon.
- B) Vendor attendance: It is the market's goal to fill as many of our spaces as possible each Saturday. Vendors with assigned spaces must communicate with the market manager when they are not able to attend a Saturday market, so that we may use their space if needed. Absence from market without communication may result in the loss of the assigned space.
- C) Market booths should be attended to at all times. The vendor assumes responsibility for any losses of product or money from the market site.
- D) Non-profit organizations wishing to educate the public or conduct fundraising should contact the market manager directly. Availability will be determined on a case-by-case basis, as space is available. Non-profits may only sell items consistent with the farmers market theme and standards that are not in direct competition with other vendors or products at the market. Groups selling items will be limited to attending no more than twice in one season, for no charge.

## **VIII. TAXATION**

Vendors selling only produce, meat, or eggs grown on their own farm are exempt from this requirement. All other vendors must have an Oklahoma Sales Tax Permit in order to sell at the Farmers Market, issued by the Oklahoma Tax Commission, and a copy of the permit shall be kept on hand in case enforcement agents come to the market. The vendor is responsible for assessing and remitting the appropriate city, county and state sales tax on all products sold. The Muskogee Farmers Market Association is not responsible for collection or remittance of sales taxes. For information about obtaining a sales tax permit, call (405)521-3160, or go to <https://oklahoma.gov/business/operate/licenses-and-permits.html>.

## **IX. WHEN THE MARKET WILL OPEN**

- A) The 2025 season will begin on Saturday, April 5<sup>th</sup>, and continue every Saturday through the end of October. Mid-week markets will take place on Wednesday mornings beginning May 14<sup>th</sup>, and ending at the end of August.
- B) Market hours are 8am to noon on Saturdays, and 8am to 1pm on Wednesdays. Vendors are asked to set up at least 30 minutes prior to market opening.

## **XI. VENDOR CONDUCT**

Vendors should conduct themselves in a polite and professional manner. The market reserves the right to refuse or revoke membership to anyone displaying behavior that might compromise the integrity or mission of the market.

## **XII. ALCOHOL BEVERAGES OR DRUGS**

No consumption of alcohol is allowed by vendors while on premises. Vendors displaying behavior indicating an alcohol or drug problem may be asked to leave the premises and/or to cease attending.