

Southport Green Market 2008 Rules & Regulations for Growers and Food Producers

Sponsored by Southport Neighbor's Association
3501 N. Southport Ave. #201 Chicago, IL 60657



The Southport Green Market (SGM), sponsored and operated by the Southport Neighbors Association, is located at Blaine School (1420 W. Grace) near the corner of Grace and Southport in the center of the Lakeview community. This is the second year for the Market. Over the years Southport has become a destination for boutique and specialty shopping. This market adds a great local food dimension – a true food festival- to this street and services the many residents and visitors that make-up the street’s foot-traffic. It also provides an opportunity for consumers to buy directly from the people who grow and produce their food and serves as an integral link between urban and rural communities.

The SGM strives to offer the freshest, locally grown or raised vegetables, fruits, meats, poultry, eggs and dairy. The Market will also feature quality value-added goods such as artisan breads and regional specialties, and other food partners such as food vendors.

The SGM promises to:

- Support small to mid-size family farms
- Present a broad array of food and food-friendly vendors thus creating a food festival environment
- Promote food education for children and adults
- Promote links between farmers and area businesses for greater sales opportunities

ADMISSION CRITERIA FOR PRODUCERS AND PRODUCTS

Approved selling privileges are valid for a single growing season. All vendors must reapply annually. Farmers’ selling privileges are based upon their particular Growing Calendar as approved by the SGM. All products are subject to restriction by SGM. Admission is based on the applicant’s strengths in the following areas:

- Copies of all permits and licenses required for the sale of the applicant’s products, and the signed signature page indicating compliance of rules, a signed hold harmless agreement
- A history of positive market attendance, positive consumer relationships, professionalism and timely payment of fees
- Locally grown (within 150 miles of the market) products that demonstrate seasonal integrity and high quality
- Prepared products feature seasonal and regional ingredients
- Uniqueness of products offered
- Ability to engage and educate consumers about products and how they were produced

- Space availability
- Overall market balance between unprocessed farm products and artisan food products
- Individual farms are given preference over partnerships and small to moderate family businesses over larger enterprises.

GENERAL MARKET RULES, POLICIES AND REQUIREMENTS FOR ALL VENDORS AND PRODUCTS

Producer Only – SGM requires that all farmers/producers grow 100% of the products he or she sells. The sale of any goods not grown or produced by the seller or the reselling of goods is prohibited. No product packed for retail sale or displaying stickers can be sold. All sellers must abide by, and all products must comply with, all applicable federal, state, and local regulations. **Exceptions to the 100% homegrown criteria must be explained in writing and submitted with a planned timeline for achieving compliance. SGM will review the request and consider whether or not to grant a conditional exception.**

Cooperative Growers - SGM defines cooperative growers in the traditional sense of an agricultural co-op where each producer must be actively involved in growing or producing what they are selling. In agriculture, this term refers to an organization owned and used by farmers to handle the off-farm part of their businesses from buying farm supplies to marketing their products. While SGM recognizes that not all cooperatives are formally organized, the following standards are required:

- All co-op members must actively grow or produce the product they sell at market.
- 100% of the products sold by the cooperative must come from the cooperative farms.
- All cooperative members must submit a completed application form. SGM can refuse any member who does not meet SGM standards.
- The seller must actively grow or produce at least 25% of the product being sold.
- The cooperative must be a farmer-to-farmer relationship, no auction or produce house product qualifies. The proximity of growers must be within their own immediate area.
- Supplementing is not allowed. Only unique products from each member can be sold.

Seasonal Integrity – All products sold must be locally produced and in season.

Samples - All samples must meet the following criteria:

- Samples must be kept in clean, covered containers approved by the Dept. of Public Health.
- Toothpicks or disposable utensils must be used to distribute the samples.
- Clean, disposable plastic gloves must be used when cutting any samples.
- Cutting surfaces must be smooth, non-absorbent and easily cleanable.
- Preparation of food products (except trimming) is prohibited.
- Producer must have control over samples at all times.
- There must be a waste container in a prominent place adjacent to the sampling area for public use.

Failure to abide by these sampling requirements may result in the loss of sampling privileges.

Prohibited Items - The sale of hobby ware, art objects, and all types of crafts, clothing, and animals is prohibited. The Market Manager is empowered to interpret the rules and to approve or disapprove products of craft-like nature.

Brand Names – Products processed and sold under a brand name other than the vendor’s are not allowed. (see Prepared Product section)

Trash Management - Before leaving the market, each vendor must remove all matter and debris from their area. This includes the area around the stall and in the common walkway. Trash must be completely removed without regard to whether the litter originated in the vendor's area and must be disposed of off-site. Vendors who fail to clean up properly face fines of up to \$500 from the City’s Department of Sanitation. Repeat offenders face possible suspension or eviction from the markets. Sellers who dump remaining water into the sewer grates must remove leaves, flowers or other items that may cause blockage of the sewer grates before dumping the water.

Weights and Measures – Scales must be approved commercial scales and certified annually by the City of Chicago. The face of the scale must be visible to the buyer and use of a non-certified scale is a procedural violation. (see Contact Sheet to arrange certification)

Pets - For health and safety reasons, pets are not allowed at any market. The sale or giving away of animals at is also prohibited.

Potentially Hazardous Foods – It is the responsibility of the vendor to abide by the Department of Health guidelines concerning the vending of potentially hazardous products. These include but are not limited to: meats, poultry, fresh eggs, dairy products and cheese. If any vendor is deemed to be in violation of health codes pertaining to such products, the following measures will be taken:

- The vendor will be immediately removed from the market for that day.
- Penalties will be assessed against the vendor for selling a hazardous food product
- The proper regulatory agency will be notified.

Product Temperature - The vendor is responsible for monitoring and maintaining proper temperatures in accordance with health codes. Vendors who sell products that must be kept refrigerated or frozen must have an accurate thermometer on-site. Meats and Poultry: must be held at 0° or lower Eggs: must be held at 40° Dairy and Cheese: must be held at 40°

Noise, Fumes, Obstruction of Sales - Violations of this section that result in 1) verifiable consumer complaints, 2) obstruction of any nearby vendor to conduct sales or 3) an adverse affect to the welfare of the market, will result in immediate disciplinary action of a fine and/or suspension or expulsion from the market.

- Radios may not be played during market sales hours. All product promotion must occur within the space assigned to the producer and not in any common area.
- The running of any gasoline or diesel motors or engines, including vehicles, is not permitted.
- Due to safety hazards, charcoal grills and propane are prohibited, unless approved by the SGM.

Vendor Placement - Vendor stall locations are not permanent and may be changed at the discretion of SGM for any market day during the season and/or annually. In making any determination in this regard SGM will consider the following:

- A history of good consumer/producer relationships.
- Providing good product mix and consumer traffic flow, including fire department requirements.

- Quality of product display, customer service and participation of owner at markets.

Description of Selling Space

- A space for a vehicle and a 10' x 10' selling area.
- Market Managers may designate some spaces as "unload only" pending available space.
- At the discretion of the Market Manager, large trucks may not be allowed to park within the market, regardless of the number of stalls occupied.
- Vehicles, merchandise and tables must be kept within the designated stall space.
- All promotions and sales must be done within the assigned stall space and may not encroach on the mandated fire lane or pedestrian flow area.
- Producers who rent more than one space shall rent that space for the entire season.
- Electricity and water are not available.
- Assigned stall spaces are non-transferable and cannot be sublet.

Tables, Tarps and Tents

- Sellers must furnish their own tables, chairs, drop cloths, displays and weather protection.
- All tents must be securely weighted with a minimum of 50 lbs. at each corner.
 - Tables must be sturdy and stable.
 - Tables shall not be used beyond load capacity and the products on the display table must be secured.
 - All tents must be secured with 50lb weights on each corner, to withstand rainy or windy conditions or be subject to immediate removal.

Product Display, Signage, Prices and Product Authenticity

- All products must be neatly displayed, and removed from crates/boxes when appropriate
- All products must have proper signage, which include the following: price per unit, product name and variety, and if it is not grown in a field, please indicate method (i.e.: hydroponics).
- All prices must be clearly marked or posted in 2" minimum height letters/numbers and list each individual item for sale. Collusion and deceptive pricing practices are strictly prohibited. Bargaining with the consumer is not allowed.

- Vendors are trusted to represent their product truthfully. Misrepresentation of products will result in the appropriate disciplinary action of a fine, suspension or expulsion from market.

Vendor Signage - All vendors must display a sign, with lettering at least 3” inches high, clearly identifying the name of their establishment, phone number and the city or town, county and state where their production occurs.

Licenses and Permits – It is the responsibility of the vendor to obtain and provide copies of all licenses and permits required to sell their products in the City of Chicago. This includes the following:

For What	Application Name	Where to Get an Application
Sampling	Temporary Food Service License	Your Southport Green Market contact
Selling on Food items	Itinerant Merchant License	Your Southport Green Market contact
Selling in Illinois	Illinois Business Tax Number (IBT)	Register online at: https://www.revenue.state.il.us/app/lbri/ or mail in this application: I http://www.revenue.state.il.us/taxforms/reg/reg1.pdf

Growing Practices - Farming practices must be fully and truthfully disclosed when customers inquire. Failure to do so will result in disciplinary action, including possible revocation of selling privileges. Using terms like *sustainable agricultural practices* and *transitioning to organic* must be substantiated or cannot be used.

Organic Product - All products sold as organic must be prominently labeled as "Certified Organic" with the certifying agency name. The use of the word 'organic' is prohibited unless the product is certified. This includes raw and processed products.

Market Days/Hours – The market days for 2008 are Saturdays beginning June 14th and ending October 18th. The hours for operation are 8AM-12PM; these hours are subject to change as conditions warrant. SGM operates rain or shine.

Cancellation Policy

- Cancellations due to holidays or holiday weekends are not permitted.
- Producers who do not show up two or more times at a market during their designated season may lose their space reservation and are subject to fines.
- If a national holiday falls on a market day, the market may be switched to another day at the discretion of SGM.
- In case SGM has to cancel a market due to unforeseen circumstances, you will be contacted.

Attendance Policy - On the application, vendors must specify their start date for each market and commit to the entire market season. Vendors will be charged from their start date to the end of market season. Switching, adding or dropping markets within the season is only allowed with SGM approval.

- You will be charged for the markets you have selected, regardless of your attendance.
- Vendors must attend all markets they are contracted for.
- Repeated failure to attend markets will result in the review of eligibility to participate in the market program.

Farm/Business Visits – SGM has the right to visit farm/business locations to verify compliance with market criteria and guidelines. No notification is necessary prior to inspection. An inspection may include ownership information and any other information relevant to determining product legitimacy. Failure to allow such an inspection will constitute a violation of market rules.

Noncompliance – SGM reserves the right to refuse acceptance of any vendor or item that is not in keeping with the rules or quality of SGM criteria and guidelines.

Setup, Safety and Sanitation – Markets should be safe, tidy and aesthetically pleasing. Causing or maintaining an unsafe or unsanitary condition at the market will not be tolerated. Vendors must adhere to the following regulations:

- The SGM is conducted in accordance with local, State and Federal laws.
- Producers are expected to be familiar with and comply with the SGM safety guidelines.
- Producers shall immediately comply with the Market Manager's directions in all matters relating to safety.

- Stall areas, including back areas, shall be kept clean of excessive produce trimmings garbage and excessive piles of boxes.
- All boxes, crates or bags of produce and other food products must be kept at least 6" off the ground surface.
- Smoking is only allowed 15 feet outside the entrance of markets.
- Boxes, produce displays or signs may not extend into customer traffic aisles. Generally, all tables within a stall must run "border to border". Side access may be restricted if customers have access to the back area of adjacent stalls.

Arrival, Departure and Selling Time

- Vendors may begin setup at 7:00 a. m. and must be set up by market start (8AM).
- Vendors may leave only after the market has closed (12PM) and a safe exit can be made; all vendors must be off the parking lot and completed all clean-up by 12:30PM.
- Vendors may not conduct sales until ½ hour before the market opens or may not conduct sales ½ hour after the market has closed.
- Vendors may not leave their space before the market closes without approval from the Market Manager.
- Violators will be ticketed and liable for any damage or fines.

RULES FOR SALE OF SPECIFIC PRODUCTS

Vendors and Products Falling in Multiple Categories - Vendors whose products or practices place them in more than one category are subject to all of the requirements of each category. Contradictions will be settled by SGM.

Requirements for Vegetable and Fruit Producers

Fresh produce may be sold by the piece or by weight on a scale. Produce must be grown from cuttings grown by the vendor or from seeds or transplants. The final product may not be purchased or bartered for. The producer must have tended perennial crops from leased or rented land for one growing season prior to the sale of the product.

- Produce must not be processed or adulterated. Vendors may sell a mixed bag of produce or vegetables, but may not process them without a processing license.
- Produce quality must meet or exceed minimum standards. No distressed or inferior product will be allowed for sale.

Restrictions for Vegetable, Fruit, Meat and Poultry Producers

- Raw agricultural products should be minimally handled or processed before packing for market. Preference is given to farmers bringing field-run or better grades. Waxed produce is not allowed unless approved by SGM. Labels on produce are prohibited. No commercially prepackaged, wrapped or labeled products are allowed.
- The sales of new crop items must be submitted and approved by SGM. Substantial additions to existing and approved product lines are also subject to SGM approval. Mixed operations (certified organic/conventional) must present products for sale in a manner approved by SGM.
- The sale of products listed on the Growing Calendar for each farmer may be restricted and must be approved annually. Produce offered for sale may be restricted by type, quantity, commodity or season. Restrictions are imposed to ensure a balance of variety, quantity and season.

Requirements for Meat and Poultry Producers - The following potentially hazardous foods may be sold in the frozen state within these requirements:

- All beef and bison stock held for sale shall have been raised by the vendor for at least 50% of the live weight or for twelve months at slaughter.
- For meat and poultry products processed by others (i.e. sausage) the vendor must produce the meat ingredients. All processing must take place in a USDA or state licensed facility.
- Vendor must ensure that the processed product contains a majority (75%) of the original raw ingredient grown by the producer for processing.
- Meats (beef, lamb, pork, bison and goat) and poultry must meet the requirements of the Chicago Food Service Sanitation Municipal Code 4-8, 7-40 and 7-42 and the Rules and Regulations of the Chicago Board of Health.
- All items must be packaged and frozen at the time of slaughter and remain frozen until sold.
- Product temperature must be maintained at 0 Degrees F or below and the temperature must be checked every two hours. Freezers at markets must be maintained by an electrical generator or cold plates to ensure the proper temperature is maintained.
- Packaging and labeling of meat and poultry must meet USDA standards and clearly state safe handling guidelines.
- Meat and poultry must be stored in a licensed facility and a copy of the last inspection of the vendor's storage facility must be provided before permission to sell is granted.

- The Safe Handling of Frozen Meats and Poultry labels must read: “Perishable foods can cause illness when mishandled. Proper handling of meat is essential to ensure the food is safe for you to eat.”

Requirements for Egg Vendors – Vendors must comply with State regulations for egg production and selling including handling requirements and licensing. Eggs must be held at 40° after harvesting, during transportation and at market.

Requirements for Bedding Plant, House Plant, Herb Plant Vendors

- The vendor shall have performed the propagation, germination, planting of cuttings or division work for all potted plants, trees or nursery starters that are sold.
- All Nursery vendors will be required to show the Nursery License and Nursery Seller’s Permit.
- It is strictly forbidden for vendors to purchase plants for the sole and immediate intent to resell them without sufficient propagation as defined by SGM or without necessary growing time. Noncompliance will result in expulsion from the market.
- Purchased plant materials must be grown on the vendor’s premises for at least 60 days before they can be offered for sale.
- Purchased plugs size 32 or larger must be grown on the vendor’s premises for at least 60 days before they can be offered for sale.
- Patented materials may be sold, but may carry no identification of the licensed patent holder or propagator other than that required by law.
- Containers must be utilitarian and not decorative.

Requirements for Floral and Ornamental Producers

- Must be grown or gathered by the vendor (see Requirements for Wild Gathered section below).
- Must not be treated with any substance other than a clear lacquer spray. Dyes and paints are prohibited.
- Decorated circular wreaths that use mixed elements will be allowed. All decorative elements must be grown, formed and decorated by the vendor.
- Potpourris must be 100% produced by the vendor, including the oil and fixative.

Requirements for Cooperative Growers – The origin of all products must be clearly stated.

- The main signage must identify the cooperative, the individual growers and their farm locations.

- Each farm's product must be segregated in the display area and clearly identified with the farm name and location.
- The seller must know the growing practices of all the cooperative members and be able to supply contact information for these growers if the consumer has additional questions.

Requirements for Value-Added Vendors

- A minimum of 75% of the original raw ingredients grown by the producer for processing must be verifiably present in the end product.
- Processors who are not growers must be able to verify that 75% of their ingredients are purchased from local growers/producers.
- All value-add product must satisfy all public health labeling, permitting and other requirements pertaining to processed products
- Vendor must have copies of all necessary licenses for the production of the processed product on file with SGM before offering any processed item for sale.
- The products defined above may include but are not limited to the following:
 - Fresh juices and beverages prepared from fresh fruits and vegetables.
 - Flower arrangements and wreaths.
 - Jams, preserves, vinegar, oils and flavored oils, etc.
 - Dairy, meat and poultry products where the seller plays a substantial role in the husbandry of the animals and the production of the raw product.
 - Other products approved by SGM and consistent with the intent of the Market Program (i.e. wool, etcetera).

Requirements for Bakery Vendors - It is strictly forbidden for vendors to purchase ready-made or frozen baked goods with the intent to resell them.

- All bakery items must be made from scratch. Vendors may not sell items made from purchased pre-made doughs, batters, crusts, or dry ingredient mixes. For example, the shortening (fats and oils), the leavening, and the salt must be added by the vendor to comply with this rule.
- A vendor must participate on a regular basis in the physical production of the product.
- The vendor must keep all recipes and receipts for ingredients on file and must be able to produce them at an inspection.
- SGM strives to support participating farmers/producers and encourages other businesses to support them and source their raw ingredients through them whenever possible.

- Ready to eat meat, vegetable and/or bean-filled pastry items are prohibited.

Requirements for Honey Producers

- Honey must be produced by bees kept by the vendor. Or, if bees are on vendor's land for pollination, the vendor may sell the resulting honey with prior approval by SGM.
- Honey must not be adulterated.
- Raw beeswax must not be adulterated with dyes, fragrances, etc.
- Raw beeswax may be formed into blocks, tapers, votive or cylindrical-type candles only.
- Honey producer must manufacture the candles him/herself with rendered beeswax from hives.

Requirements for Maple Syrup Producers

- Syrup must be produced by the vendor from sap that he/she collects.

Requirements for Wool/Mohair Producers

- 100% of the product must come from the vendor's own flock.
- The animals may be professionally sheared.
- The raw product may be sent out for processing.
- Only clean wool/mohair, rovings, yarns or batts may be sold. All wool displayed and/or sold must be in its natural color. Bleached wool may be sold. Dyed wool is prohibited.
- Wool may not be pooled with other flocks during off-site processing.

Requirements for Wild Gathered (Foraged) Products

- Vendors selling wild-gathered or foraged items 1) must have proof of land ownership 2) ors how written permission from the land owner to gather the item and 3) provide the location and amount of land gathered
- Items may not be purchased or bartered for

Requirements for Soap Vendors

- Hand-milled soap must be processed by the vendor and contain either an emollient or fat or both that is produced by the vendor.
- Vendor-produced ingredients must be at least 50% of the value.
- Soap must be sold in bar form.
- Any ingredient must be FDA approved.
- Label must include all ingredients.

Requirements for Food Vendors -

- A minimum of 75% of ingredients used in the menu items must be purchased from SGM farmers/producers
- All food items must be prepared by the food vendor; no 'purchased prepared' items
- Hold or be in the process of attaining a City Of Chicago Festival Food License

Prohibited Products

- Live birds or live animals
- Products purchased by a seller that have not been approved by SGM (sodas, water, coffee and tea).
- Unauthorized agricultural products.
- Crops grown using Genetically Modified (GM) seed planted after March 1, 2000. Consult SGM for a current list of these crops, which include varieties of canola, soy, corn, tomato, radicchio, summer squash, potatoes, cotton and papaya. Note: since there are no labeling requirements for GM seeds, the only sure way to avoid growing crops using unlabeled GM seeds, is to give preference to certified organic agricultural products and processed foods.

Past Debts - Outstanding market fees must be paid by December 30th, of the prior year to remain in good standing. Failure to do so will cause potential loss of market placement and selling privileges for the following season.

Fees - Each 10' x 10' market space is \$300 for the 20 monthly markets. Additional spaces can be rented, but must be pre-approved at the discretion of SGM. Each vendor is limited to three (3) spaces per market.

- Market fees are billed twice per season with the first payment (half) is due by the opening of the first market and the second payment due by July 30th.
- In order for applications to be considered, a non-refundable deposit of \$25 and a complete application is due by March 15, 2008. Please make all checks and money orders payable to: Southport Neighbors Association. If accepted into the market, a credit of \$25 will be applied to your billing statement. Any applications received after March 15, 2008 will be charged a \$100 non-refundable late fee. No applications will be accepted after March 31, 2008.

Standards of Conduct – For vendors and their employees:

- Be knowledgeable about products (how it is grown, used, produced, etc.)

- Unreasonable, outrageous or and disruptive activities and behavior are prohibited.
- Be courteous, professional and presentable at all times. No drinking alcohol, smoking, yelling, hawking, throwing of objects, swearing, name-calling, slanderous remarks about others or disparaging comments about other products will not be tolerated.
- Producers experiencing difficulty with customers are encouraged to refer the matter to the Market Manager or to SGM.
- Complaints about other producers or the Market Rules and Regulations must be made in writing to SGM.
- Distribution of printed materials (other than pre-approved vendor brochures), petitions, or political advertisements is disallowed.
- Committing a criminal act will cause immediate expulsion from the market and is subject to appropriate legal action
- Loitering or solicitation is strictly prohibited.
- Vendors are not allowed to solicit tips.

Discipline or Removal of a Producer From the Market - Producers who do not comply with Market rules and regulations shall forfeit selling privileges at SGM Markets and may be subject to fines and penalties. SGM will provide adequate written warning prior to taking any disciplinary action. Appropriate County Agricultural Commissioners and State Department Food and Agricultural inspection services will also be notified. A producer may be removed or suspended from any market or have selling privileges in the market limited by SGM for any of the following reasons:

- Failure to obey and conform to State, local government or SGM rules and regulations.
- Causing or maintaining unsafe or unsanitary conditions.
- Repeated failure to attend markets
- Behavior that obstructs any other vendor's commerce or ability to transact business
- If SGM receives a legitimate complaint pertaining to questionable quality, conduct or business practices about a vendor, the following actions will be taken:
 - A written warning will be given to the vendor, including the date, time and nature of complaint.
 - A second complaint will result in the vendor being subject to a two-week suspension of selling privileges.
 - A third complaint from a customer will result in a minimum 90-day suspension
 - and/or permanent removal from the program.

- Vendors or producers are required to satisfy any customer complaint in any circumstance.
- Vendors must accept returned product.
- Any violation of Cook County Weights and Measures regulations will be subject to a penalty.
- No refunds will be given as a result of any infraction of any local or State government laws or Market rules and regulations.
- The severity of any penalty or discipline imposed by SGM will be directly related to the gravity or repetition of the violation. A vendor is responsible for the actions of its representatives, employees or agents. The decision by SGM regarding all of the above matters shall be considered final.

Insurance Requirements - All applicants must have a Commercial General Liability Insurance Policy with coverage limits of \$1 million per occurrence and in aggregate, include:

- Broad Form Coverage
- Products/Completed Operations
- Personal Injury,
- Automobile,

And, list the following Additional Insured:

Southport Green Market
% Southport Grocery & Cafe
3552 N Southport
Chicago, IL 60657