



The Merrimack Farmers' Market (the "Market") was created by the Merrimack Agricultural Commission with the purpose of creating a venue for local farmers and growers to make their products available to the public.

Dates: Every Wednesday from June 9 through October 6, 2021

Time: 3:00 p.m. to 6:00 p.m.

Location: Vault Storage, 526 Daniel Webster Highway, Merrimack, NH 03054

Rules and Regulations

Vendor Registration. Each full-time vendor will be assigned a space for the season. The Market Manager will issue spaces on a first-come, first-serve basis. Spaces will be issued by the Market Manager upon receipt of a completed application along with proof of insurance and any licenses that are required. Fees for the 2021 season are \$125.00. We are asking each vendor to make a commitment to be onsite at least 12 of the 18 Wednesdays that the Market is in operation.

Products. The Market is primarily an agricultural market, but also provides a venue for a variety of products in local industries. Products must be clearly labeled in accordance with state and federal law. The following are the types of vendors that will be allowed at the Market.

1. An **agricultural vendor** is a vendor who sells food, fiber, plants, or flowers, and agricultural products grown in New Hampshire by a vendor or the vendor's employees.
2. A **prepared food vendor** is a vendor who sells ready to eat food or drink provided by the vendor in New Hampshire in a home or licensed community kitchen.
3. A **craft vendor** is a vendor who sells items that do not qualify as agricultural or prepared food and that are hand-crafted in New Hampshire by the vendor in their home or shop.

Insurance. Each vendor must carry their own product liability insurance. **Proof of insurance must be received with your application.** All licensing required by law must be on file with the Market. If you are advertising organic products, the proper certification must be submitted. All vendors under the age of 18 left alone at the booth must have current working papers on file with their employer.

Licensing. The following information was compiled by the Town of Merrimack's Fire Department/Health Division. This information does not preclude compliance with all regulations pertaining to farmers' markets and food safety.

1. **Baked Good Sales.** Home-baked non-refrigerated non-hazardous food sold at the Market does not require a Homestead Food License from the Merrimack Health Division or from the New Hampshire Food Protection (He-P2310). Cities may require home kitchens to be licensed. Foods that require refrigeration (i.e., dairy, meat products, some fruits, and pickled food) require food licenses (He-P2311). Out-of-state food licenses can be accepted (He-P2312). Merrimack food licenses are issued for 12 months.
2. **Wild Mushrooms** (NH Food Code 3-210.17). Mushrooms must be individually inspected and found to be safe by an approved mushroom identification expert. This requirement does not apply to cultivated mushrooms that are regulated by a food regulatory agency or packages of mushrooms from a regulated food processing plant.
3. **General Meat Sales Information.** The Town of Merrimack has a Class G License (\$50.00) which allows the farmers to sell frozen USDA inspected meats and poultry on their farm (He-P2304). The New Hampshire Food Code does not allow open cutting or handling of meat without being in an enclosed mobile unit. The unit must contain a 3-bay sink, hand sink, and commercial refrigeration, as well as being fully screened in. This unit must be inspected for cleanliness and food safety procedures. Seller of meat products should be able to produce a copy of the licensing document. The label on meat should contain the meat plant's inspection number (USDA seal), species,

cut, net weight, ingredient statement, and safe handling instructions. Meat products are required to be transported refrigerated at less than 41°F or frozen.

4. **Chicken.** Chicken (poultry) producers can sell raw chicken, fresh or frozen, without a license at the Market, if they fall under the USDA small producer exemption. The USDA exempts small producers under 1,000 birds from inspection. The Market is considered an extension of their small meat producers. Chicken (poultry) must be slaughtered under sanitary conditions, in easily cleanable areas and records are to be kept on how many are raised and sold. Food safety professionals recommend selling products frozen for better temperature control during summer months. Product must be maintained at 41°F or less or kept frozen.
5. **Beef, Pork or Lamb.** Beef, pork, and lamb are regulated by the USDA and are required to be USDA inspected. Beef, pork, and lamb animals are required to be slaughtered and packaged at a USDA facility. The beef, pork, and lamb producers can sell these products from their farm or at a farmers' market. Meat vendors can sell USDA inspected meats (beef, lamb, and pork) direct to consumers at the Market. These must be frozen, individually cryo-vaced and have the USDA seal on the package. They cannot sell custom cut meat because this is only allowed for personal use and should be stamped not-for-sale.
6. **Game Meat (Elk, Deer, Bison, Rabbit, etc.)** (NH Food Code 3-201:17). Farm-raised game for sale is under voluntary USDA inspection. Game meat sold at farmers' markets or farm stores are required to be in the voluntary USDA inspection program.

Set Up. Vendors may check in and set up their assigned space one hour before the Market opens. Vendors must be ready to sell at the opening of the market and may **NOT** sell before the Market opens. The farm/business name must be clearly displayed. Tentage must always be secured and in case of high winds must be taken down. The Market site may not be permanently altered (i.e., tent stakes). Tents may be secured to cinder blocks but may not pose a safety hazard.

Trash/Clean Up. Each vendor will have a trash receptacle in their stand and is responsible for policing their site before, during, and after the market is open. Each vendor is responsible for the removal of their own trash. Assigned spaces must be cleaned and vacated by 6:30 p.m. "Leave it cleaner than you find it."

Equipment. Running water, Wi-Fi, and an outhouse are available at the location. All equipment (i.e., chairs, tables, tentage, parasols, trash receptacles, hand sanitizer, gloves, etc.) will be provided by each vendor. Any scale used at the Market must be certified by the Division of Weights & Measures annually. Each vendor selling by weight products must have their own scale.

Conduct. Vendors must always conduct themselves in a professional manner. Shirts and shoes are required. Open alcoholic beverages and tobacco products are prohibited. No vulgar language.

Weather. This is an open-air market and will be held rain or shine. In the case of heavy wind or lightening, the Market will be closed or suspended until the threat has passed.

Pets/Children. Dogs on leashes and accompanied by their owner will be allowed at the Market. All other pets or livestock are not allowed. Service animals will be permitted. Small children must always be supervised.

Pricing. Prices must be clearly displayed. Prices may not be changed after the Market is open. The *New Hampshire Weekly Market Bulletin* may be used as a pricing guide. If your business is registered to accept WIC vouchers, please display a sign at your booth. Each vendor is responsible for advertising their farm name and products that they have for sale each week.

Market Manager/Aide. Please report any concerns or disputes to the Market Manager or Market Aide. The Market Manager is the go-to for all disputes. He is a fair and just facilitator for all vendors. If they are not available, please contact Bob McCabe (603) 759-2737 or the Market at merrimackfarmersmarket@gmail.com.

Additional resources for vendors:

NH Department of Agriculture, Markets and Foods..... <http://www.nh.gov/agric/index.html>
NH Market Association<http://www.nhfma.org>
NH Department of Health and Human Services<http://www.dhhs.nh.gov>
UNH Cooperative Extension<http://extension.unh.edu>
Town of Merrimack..... <http://www.merrimacknh.gov>