



Market Master

Contact information:

Market Master: DDA Director
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2023 APPLICATION & POLICIES

LOGISTICS AND VENDOR RESPONSIBILITIES:

The Middleville Market is in the Village of Middleville at the Community Pavilion (91 East Main Street, Middleville, MI). The Market will be open on Fridays from 3-7p.m June 2nd -September 8th. Vendors are required to set- up ½ hour prior to market hours. The Pavilion is a shared community space, therefore vendors may not begin setting up before 2:00 pm without written permission from the Market Master. All vendors (seasonally or weekly) must submit a complete and signed application by April 21, 2023 (see pages 6-7) which will be reviewed and either approved or rejected by the Market Advisory Committee. Vendors will be contacted by May 1st if their application has been approved and payment will be due at that time. Daily vendors should contact the Market Master by the Wednesday preceding the Friday Market in which they wish to participate. An application is not considered approved unless a written statement of acceptance has been issued by the Market Master and payment has been received. Vendors are expected to remain open during the entire length of the Market day unless all their products have been sold. Booth payment will be accepted electronically via the middlevilledda.org Market site; no refunds will be issued due to cancellation.

WHO CAN PARTICIPATE AND WHAT CAN BE SOLD: Vendor space is open to any Michigan grower, specialty food processor, non-food agricultural product producer, and artisan. Approval of vendor applications must be given prior to the day of sale at the Market. An effort will also be made to assure variety in the products being sold. All products sold must be Michigan grown, produced, processed, and/or crafted. Farm Products must be grown or raised by the vendor upon land that they control through ownership, lease, rental, or other legal agreement. These products include, but are not limited to, fresh fruits and vegetables, nuts, honey, eggs, herbs, meat, and dairy products. Fish Products must be caught in Michigan waters. Artisan work is subject to jury review by the Market Advisory Committee (see Artisan Information and Application for more details). Vendors are required to display the pricing of all products. Vendors may not sell any products or substances prohibited by federal, state, or local law, ordinance, or other regulation, or products containing any such prohibited substances. All licenses, seals, permits, sales tax information, and other legal requirement for the sale of any items shall be the responsibility of the vendor. Licensed vendors must maintain a current copy of license on file with the Market application. The Market Master reserves the right to have items removed from the space if different from the original approved application.

VENDOR SPACE ASSIGNMENTS: A Vendor space is defined as a 10 x 10 foot space, and displays may not exceed those dimension without written permission from the Market Master. A space does not include any additional amenities, and vendors must supply their own tables, chairs, and display items. Seasonal approved vendors who apply before the April 21 deadline will have a guaranteed space reserved each week; however, the location of that space may vary week to week to better accommodate the dynamics of the Market as assessed by the Market Master. Spaces will be relinquished for the day if the assigned vendor is not present 30 minutes prior to the start of the Market (i.e. 2:30 pm). **Specify on your application if more than one booth space is needed.**

All vendors are required to park remotely so the spaces nearest the market may be utilized by patrons. Vendors must remove trash and litter from any source before their departure, subject to grievance write-up.

PROCESSED FARM PRODUCTS AND BAKED GOODS - The Cottage Food Law, enacted in 2010, allows individuals to manufacture and store non-potentially hazardous foods (that do not require time and/or temperature control for safety) in an unlicensed home kitchen. No on-site cooking or food preparation is allowed unless it is pre-approved by the Middleville Market Master and licensed by the health department.

All processed goods must be individually labeled listing ingredients (see label example on Page 5). Please follow safe food handling guidelines. There will be no running water available at the Market site.

NOTE: SUBMIT LABEL SAMPLE FOR APPROVAL AT TIME OF APPLICATION.

Nursery Products –Nursery products are fresh cut or potted flowers, bedding plants, seeds, perennials, annuals, trees, or shrubs that are propagated from seed, cuttings, bulbs, plugs or plant divisions.

Foraged Products – Vendor identifiable wild berries gathered from public and/or private land by the vendor are permitted. NO WILD MUSHROOMS ACCEPTED AT ALL.

Processed Non-Food Agricultural Products – Items in this category are considered Artisan Crafts and are allowed if they are processed by the Vendor and made from all-natural ingredients (such as beeswax candles, handspun yarn, handmade soaps, etc.). Artisan crafts are subject to jury review (see Artisan Information and Application for more details). Vendors must have an ingredient list prepared and available upon request. Individual labeling is preferred.

Artisan Crafts - All artwork and crafts sold must be of high-quality workmanship and be designed and executed by the vendor. Commercial duplication, printing and/or items assembled from kits may not be sold. Manufactured items may be incorporated into their craft work, such as jewelry, findings, furniture hardware, and basic notions, provided the majority of the product is handmade and reflects the skills of the craftsman. Any items not previously approved and sold at the Market must get jury approval prior to being sold at future markets (see Artisan Information and Application for more details).

Additional Requirements - All Market vendors must comply with applicable local, state, and federal laws and regulations including those that pertain to production, processing, handling, and distribution.

- Sales tax is the responsibility of market vendors respective of their products and business plan. This is not an assumed responsibility of the Middleville Market, DDA, or the Village of Middleville.

REVIEW OF MARKET POLICIES: These Policies are to be reviewed at least annually by the Middleville DDA Board and are subject to change as needed to ensure the growth, quality, and success of the Market. They may be reviewed and/or revised more frequently as needed.

HOLD HARMLESS CLAUSE:

In consideration for being accepted as a Vendor at the Middleville Market, to the extent allowed by law, Vendor hereby agrees to defend the Village of Middleville, County of Barry, Middleville Market, "Market Master", and Middleville DDA, including their respective officers, representatives, committee

members, employees, and other agents and representatives (referred to collectively as the "Market Parties") against any claim of liability, including but not limited to claims based on the Market Parties' own negligence, even if such claim is false or fraudulent, and to defend the Market Parties against any claim or liability that may arise as a result of any accident or occurrence in, at, or on the Middleville Market or the grounds on which the Market is held (the "Premises"). Vendor further agrees to indemnify, defend, and hold harmless the Market Parties against any and all liability, losses, or damages or any expenses whatsoever, including attorney's fees, to the Market Parties as a result of any claims, demands, damages, costs, or judgments against one or more of the Market Parties that may arise in connection with Vendor's activity, whether on the Premises or as a result of any sale of any product or other activity of the Vendor at the Middleville Market, occasioned by an act or omission of the Vendor or anyone claiming by, through, or under the Vendor, even if such claim(s) are false or fraudulent.

INSURANCE NOTE:

Vendors are strongly encouraged to carry their own liability insurance against injury and product liability. You are responsible for protecting your own assets and resources. The Middleville Market does not provide insurance (personal liability, product liability, etc.).

VENDOR CODE OF CONDUCT:

- Be courteous and respectful to everyone.
- All Food Vendors are to use safe food handling practices.
- Keep vendor space clean, neat, and orderly during market hours.
- No obscene language or behavior (swearing, signs, or conduct).
- If there is a concern, please file a grievance.
- No smoking or vaping are allowed in the pavilion at any time.
- Remove all items from the Market within one hour after Market closes.
- Applicable Vendors must comply with the Michigan Cottage Food Laws and accepted products.
- Proper labeling is Vendor responsibility. Label submissions as applicable are required with application for market review as a service only to vendor.
- Zero tolerance for sexual harassment, hawking, dumping, badgering, and/or degrading other vendors or customers. Any of these behaviors may result in accelerated grievance proceedings up to and including immediate expulsion from the Market.
- All Vendors are required to have and display a copy of all federal, state, and local licenses necessary for products to be sold.
- While the Market is a family-friendly atmosphere, vendors who bring their children must supervise their children at all times.

GRIEVANCE PROCEDURE:

Any vendor with a complaint regarding any Market matter including pricing habits, display, or conduct of another vendor, must present the complaint in writing to the Market Master and DDA Chair. A decision on the complaint will be issued in writing within 15 days of receipt.

- 1st violation: verbal warning
- 2nd violation: written warning
- 3rd violation: expulsion from Market. Failure to comply with expulsion/removal may result in legal action and pursuit of related costs.
- These violations are not specific to calendar year (i.e. if a warning was given in 2022 on the same violation, a second will be automatically given in 2023). The process may be accelerated based on the nature of grievance at the Market Master’s discretion, especially in cases involving the safety and wellbeing of market attendees.

ATTENDANCE PROCEDURE:

Vendors must notify the Market Master of cancellations at least 72 hours prior to the start of the Market. A vendor will be considered a “no-show” unless the Market Master is notified. Calling, texting, or emailing the MarketMaster are suitable methods of communication. In case of cancellation, booth fees are non-refundable and non-transferable. Exceptions may be made for emergency situations and at the discretion of the Market Master. Repeat violations may result in loss of seasonal vendor space and expulsion from the Market:

- 1st violation: verbal warning
 - 2nd violation: written warning and loss of seasonal vendor space, when applicable
 - 3rd violation: expulsion from the Market for the remainder of the 2023 season
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Cottage Food Information

LABEL EXAMPLE: (PROVIDED AS A GUIDELINE):

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| <p>MADE IN A HOME KITCHEN NOT INSPECTED BY THE MICHIGAN DEPARTMENT OF AGRICULTURE</p> <p style="text-align: center;">Chocolate Chip Cookie Pinkster 123 Foodstuff Lane Casserole City, MI 82682</p> <p>Ingredients: Enriched flour (Wheat flour, niacin, reduce d iron, thiamine, mononitrate, riboflavin and folicacid), butter (milk, salt),chocolate chips (sugar, chocolate liquor, cocoa butter, butterfat (milk), Soy lecithin as an emulsifier), walnuts, sugar, eggs, salt, artificial vanilla extract, baking soda Contains: wheat, eggs, milk, soy, walnuts Net Wt. 3oz</p> |
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WHAT FOOD PRODUCTS MEET THE REQUIREMENTS FOR COTTAGE FOODS?

Select non-potentially hazardous foods (time and/or temperature controls not required to assure food safety - meaning foods can safely be kept at room temperature and do not require refrigeration) meet the requirements for cottage foods and can be prepared in a home kitchen and sold directly to consumers without a license. Many of these items are identified by MDARD. Examples include:

- Breads
- Similar baked goods
- Vinegar and flavored vinegars
- Cakes, including celebration cakes
- Sweet breads and muffins that contain fruits or vegetables
- Cooked fruit pies, including pie crusts made with butter, lard or shortening
- Fruit jams and jellies (as defined in 21 CFR part 150) in glass jars that can be stored at room temperature (except vegetable jams/jellies)
- Cookies
- Dry herbs and dry herb mixtures
- Dry baking mixes
- Dry dip mixes
- Dry soup mixes
- Dehydrated vegetables or fruits
- Popcorn
- Cotton Candy
- Non-potentially hazardous dry bulk mixes sold wholesale can be repackaged into a Cottage Food product.
- Chocolate covered pretzels, marshmallows, graham crackers, Rice Krispy treats, strawberries, pineapple or bananas
- Coated or uncoated nuts
- Dried pasta made with eggs
- Roasted coffee beans or ground roasted coffee
- Vanilla extract (Note: these products require licensing by the Michigan Liquor Control Commission)
- Baked goods that contain alcohol, like rum cake or bourbon balls (Note: these products require licensing by the Michigan Liquor Control Commission)

WHAT FOOD PRODUCTS ARE NOT ALLOWED TO BE PRODUCED IN MY HOME?

Potentially hazardous foods that require time and/or temperature control for safety are NOT ALLOWED to be produced in a home kitchen and must be produced in a licensed kitchen. Examples include:

- Meat and meat products
- Fish and fish products
- Raw seed sprouts
- Vegetable jams/jellies
- Canned fruits or vegetables like salsa or canned peaches
- Canned fruit or vegetable butters like pumpkin or apple butter
- Canned pickled products like corn relish, pickles or sauerkraut
- Pies or cakes that require refrigeration to assure safety and cakes with glaze or frosting that requires refrigeration
- Milk and dairy products like cheese or yogurt
- Cut melons
- Caramel apples
- Hummus
- Garlic in oil mixtures
- All beverages, ice, and ice products
- Cut tomatoes or chopped leafy greens
- Confections that contain alcohol
- Focaccia-style breads with fresh vegetables and/or cheeses
- Food products made from fresh cut tomatoes, cut melons or cut leafy greens
- Food products made with cooked vegetable products that are not canned
- Sauces and condiments, including barbeque sauce, hot sauce, ketchup, or mustard
- Salad dressings
- Pet food or treats

2023 Middleville Market Vendor Application

NAME: _____ BUSINESS/FARM NAME: _____

ADDRESS: _____ CITY: _____

STATE: _____ ZIP: _____ PHONE: (_____) _____

EMAIL: _____

WEBSITE: _____

Please circle products that you plan to sell at the Market:

Baked Goods
Bedding Plants
Dried Flowers
Eggs
Fresh Cut Flowers
Fruit
Greens

Hanging Basket
Herbs
Honey
Maple Syrup
Meats
Perennials
Vegetables
Other

Artisan Crafts
*(additional application
on the reverse side)*
Cottage Food
*(additional application
on the reverse side)*

MARKET FEES & ANNUAL MEMBERSHIP

\$25 per day for a 10x10ft Space or
\$200 per Season for a 10x10ft Space

I have read and agree to comply with the Middleville Market Policies in their entirety. I hereby grant permission to be photographed, voluntarily and without compensation, understanding that the same is intended for publication by print media, newspaper, television, digital mass media, or video. If the undersigned is an agent or representative of Vendor, he or she attests to possessing the authority to sign this Agreement on behalf of Vendor.

Printname: _____

Signature: _____

Please attach a copy of all required licenses and any special consideration requests to this application.

FOR OFFICE USE ONLY: Season Vendor Fee Information. Amount Received: _____ Date: _____ Initial: _____
Assigned Space (if applicable): _____

PRODUCE & FOOD INFORMATION AND APPLICATION

- 1.) What do you produce?
- 2.) What other farmers markets do you attend?
- 3.) What brought you to the Middleville Market?
- 4.) Are you a Cottage Food Producer? YES NO
 - 4a.) Are you current on food safety rules and standards? YES NO
 - 4b.) Are you current on labeling requirements? YES NO
 - 4c.) Are you current on acceptable foods and storage requirements? YES NO

If you answer "No" to any of items related to question 4, please review the Michigan Cottage Food Laws: https://www.michigan.gov/mdard/0,4610,7-125-50772_45851-240577--,00.html

Vendor hereby acknowledges that he/she has read and verified his/her responsibilities regarding Michigan Cottage Food laws, and the Middleville Market Policies.

Signature: _____ Date: _____

Print Name: _____

ARTISAN INFORMATION AND APPLICATION

Artisans: Please include *three photos of your work and a photo of your display* for jury approval with application.

The application and photos will be reviewed and approved by the Middleville Market Advisory Committee. All work must be handcrafted or created by Michigan residents only. No imported, wholesale, brokered or commercial items may be sold. Artists may display and sell only the types of work represented in photos submitted with this application. Photos may be used for promotional purposes.

- 3 photos of work
- 1 photo of space set-up (if applicable)

A REMINDER: If it is determined that the work displayed has not been handcrafted by you, we reserve the right to ask you to leave without a refund of your space fee. There are no refunds.