



**2023 TOWN OF CUMBERLAND FARMERS MARKET  
VENDOR APPLICATION/MARKET RULES & REGULATIONS**

**Please read and fill out the entire Vendor Application Sheet.** Additional pages can be included if vendor deems necessary.

Print or type information clearly and submit *to*:

**Town of Cumberland**  
**Attention: Farmers Market**  
**Farmers Market**  
**11501 East Washington Street**  
**Cumberland, Indiana 46229**  
**Or**  
**Christine Owens at [cowens@town-cumberland.com](mailto:cowens@town-cumberland.com)**

**You can also turn information into Barb Smith the market manager at the market or email: [barbjsmthrn@gmail.com](mailto:barbjsmthrn@gmail.com) Phone: 317-697-0508**

**The 2023 Market Season is upon us! We are looking forward to a successful market year!**

**Market Location:** The market is held at Cumberland Town Hall between the Speedway Gas Station and the Meijer Shopping Center

**Dates and Hours:** The market is held every Saturday from May 6<sup>th</sup> thru October 28<sup>th</sup> from 8:00 am until Noon. (26 Saturdays).

**The Town of Cumberland requires there to be a contact number and insurance certificate on file the entire time that the vendor participates in the 2023 Farmers Market season. If you do not provide us with this information you will not be able to set up on Town property. This paperwork needs to be receive prior to setting up.**

**The following are the fees for the 2023 Farmers Market Season**

<b><u>2023 Cumberland Farmers Market Fees</u></b>	
<i>Season Pass - \$75.00</i>	<i>½ Season Pass - \$40.00</i>
<i>Monthly Pass - \$ 15.00</i>	<i>Weekly Rate - \$5.00</i>
<b><u>Make Checks payable to:</u> Town of Cumberland</b>	
<i>Town of Cumberland/Farmers Market</i>	

**EXPLANATION OF FEE:**

The Town of Cumberland Farmers Market is designed to be a self-sustaining. Growing the Market is extremely important to the Town. At this time all of the fees will be spent on sustaining the Market. Insurance and staff needs.

**REGISTRATION PAYMENT INFORMATION:**

The Town of Cumberland will only accept check or money orders for their seasonal payment of \$75.00. If someone has a payment to be made “the day of the market” prior to leaving the market the application and payment will need to be submitted to the market manager (Barb Smith)

## **SPECIAL NOTES**

All vendors are to be set up no later than 30 minutes prior to the start of the Farmers Market each Saturday. Season Vendors not set up 30 minutes prior to the start of the Market will risk losing a reserved booth space for that day and may be placed in a fill in space or directed to the overflow booth spaces.

## **PERMITTED WARES FOR CUMBERLAND FARMER'S MARKET**

The primary purpose of the Cumberland Farmer's market is for the offering for sale articles for human consumption such as locally grown or produced meat, dairy, free range eggs, fruits, vegetables, edible grains, nuts and berries, aviary products, maple sugars, syrups or articles such as flowers grown and offered for sale by the grower or producers, members of his family or by his employees. The market in order to maintain enough activity for the entire Farmers Market Season; has allowed other craft and specialty merchandise as long as it is handmade/homemade. If you are selling something other than consumables you will need to submit your paperwork to Barbara Smith, market manager. Vendors not selling consumables will be at the discretion of the market manager. The sales of eggs, cheese, meat, fish, poultry or refrigerated dairy products are permitted with proper health licenses.

## **HOME BASED VENDOR REQUIREMENTS – Guidance for new law that went into effect July 2023 – HB1149**

1. You must be identified at a Retail Food Establishment or a Home Based Vendor.
  - HBV's can only sell items made, grown or raised by the individual at your residence, it cannot be a potentially hazardous food product that is prepared using proper sanitary procedures and cannot be resold (you cannot sell to someone else for them to sell)
  - Items permitted are: baked items, candies, produce (whole and uncut), pickles (traditional fermented), honey, mushrooms, jams, jellies, dehydrated fruits, (For other items contact your local Health Department for guidance)
  - All HBV's must obtain a Food Handlers Certificate from a source accredited by the American National Standards Institute"(ANSI). ServSafe Food Handler training fulfills this requirement or you can obtain just a Food Handlers Certificated. This certification is valid for three years. This can be obtained on-line for a \$10 fee.
  - **Labeling:** All foods produced by HBVs must be labeled with the following statement in at least 10-point type: Name and address of the producer, common name for the food product, ingredients in descending order, net weight or volume of product or numerical count, date in which it was produced and the following statement: **"This product is home produced and processed and the production area has not been inspected by the State Department of Health"**

**RETAIL VENDORS** – If you have a retail license or working **out of a commercial kitchen, you must adhere to those requirements.**

## **GENERAL VENDOR TERMS**

Goods must be sold directly from vans, trucks (one ton or smaller) or cars. Vendors must furnish their own tables, chairs or other display arrangements. In case of inclement weather, vendors must furnish their own protection. Tents must be anchored with weights or to vehicle to prevent damage from blowing away.

Vendors must keep their produce in good condition. Low quality or dirty vegetables, fruit, etc. should not be displayed or sold. Vendor pricing should consider quality and supply, it is suggested you check area stores prices. Prices must remain consistent throughout the entire market time frame.

Restrooms are available in town hall during the market.

## **HEALTH AND SAFETY REQUIREMENTS AND REGULATIONS**

All items intended for human consumption must be kept at least 18 inches off of the ground at all times, be under a tent or umbrella and be in a safe and sound condition. Vendors are responsible for any damages resulting from his sale of unsafe or unsound goods. No potentially hazardous foods should be sold. For reference, please call Marion County Health Department at (317) 221-2000. Permits for consumable goods must be visible at the Market. All items requiring

immediate refrigeration must meet State, County & Local Health requirements, rules & regulations. Vendors are responsible for their own refrigeration source. **Vendors are responsible for complying with all applicable laws, regulations and ordinance pertaining to their products.** Scales and measuring devices must be legal and accurate.

#### **VENDOR CLEAN UP**

Failure to completely clean up assigned spaces and surrounding area may result in loss of vendor privileges or fines.

#### **COVENANT NOT TO SUE**

By participating in this Farmers Market, the Vendor agrees not to institute any action or suit of law or in equity against the Town of Cumberland their employees, volunteers, agents, officers and designees as a result of action taken under this contract. The Vendor's will not aid in the institution or prosecution of any claims for damages, costs, loss of services, expenses or compensation for or on account of any damages, loss or injury to person or property resulting from the terms of Vendor's participation in the Cumberland Farmers Market.

#### **INDEMNIFICATION**

The Vendor hereby agrees to indemnify, hold harmless, release, waive, and forever discharge the Town of Cumberland their employees, volunteers, agents, officers and designees from all actions, damages, liabilities, and expenses, including reasonable attorney fees and court costs that may arise out of or as a result of the Vendors' participating in the market.

#### **INSURANCE**

Vendor(s) shall provide a certificate of liability insurance for protection against damages in the event injury occurs at the Market or an injury is caused by their products and will maintain insurance for the duration they participate in the market. Proof of insurance must be with you in case it is needed to substantiate something. Certificate of Liability Insurance can be scanned and emailed, or mailed to the Town of Cumberland. These insurance certificates are to be on file in the office with each vendor application. The Certificate can also be hand delivered to the Town of Cumberland or to Barbara Smith.

#### **MARKET SUPERVISION**

**Farmers Market Questions are to be directed to:**

**Barb Smith – Market Manager and Vendor- Blue River Natural Foods 317-697-0508**

**Email: [barbjsmithrn@gmail.com](mailto:barbjsmithrn@gmail.com)**

**AND**

**Christine Owens- Assistant Town Manager - Town of Cumberland – 317-894-6202**

**Email Address: [cowens@town-cumberland.com](mailto:cowens@town-cumberland.com)**



## 2023 FARMERS MARKET VENDORS APPLICATION

### VENDOR INFORMATION

Name: \_\_\_\_\_

Business Name (if applicable): \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State \_\_\_\_\_ Zip Code: \_\_\_\_\_

Web Site: \_\_\_\_\_ Social Media: \_\_\_\_\_

### CONTACT INFORMATION

Email Address: \_\_\_\_\_

Mobile Phone: \_\_\_\_\_ Home Phone: \_\_\_\_\_

### EMERGENCY CONTACT

Name: \_\_\_\_\_ Contact Number: \_\_\_\_\_

### Type of Merchandise for sale, explain in detail below

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The Town of Cumberland requires there to be a contact number and insurance certificate on file the entire time that the vendor participates in the 2023 Farmers Market season.

If you do not provide us with this information you will not be able to set up on Town property until we have this document.

Will pay  \$75 for the season  \$40 for ½ Season  \$15 per month  \$5.00 for each market

Certificate of Liability Attached

Make checks payable to **Town of Cumberland/Farmers Market.**

**I acknowledge by my signature below that I have read the rules for the Cumberland Farmers Market and agree to abide by all of the terms and conditions.**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_