



Post Office Box 832, Kittery, Maine 03904
E-Mail kitterycommunitymarket@gmail.com

Rules and Regulations

**Thank you for participating in the Kittery Community Market.
To ensure success, compliance with the following Market rules and regulations is mandatory.**

Applications and Vendor Fees:

- A. All returning and new vendors must apply and accept our terms and conditions each season.
- B. Prior to participation, vendors must provide vendor fees, insurance certificates, and any required licenses or certifications for products sold in Maine.
- C. Compliance with all local, state, and federal food regulations and relevant product-specific regulations is mandatory.

Communication and Payment:

- A. Vendors must provide mobile phone numbers on their applications and subscribe to our SMS text alerts. Unsubscribing is allowed after the vendor's final Market of the season.
- B. Vendor fees are non-refundable and must be paid in full **by April 15th** each year.
- C. Vendors applying after April 15th must pay all vendor fees within a week of acceptance and confirmation.
- D. **After April 15th**, all vendor fees must be submitted online, with no acceptance of checks or cash.
- E. Vendors are responsible for keeping their fees and paperwork (licenses and insurance certificates) current. Failure to comply will result in disqualification until resolved.

Vendor Participation:

- A. **Returning Vendors** not in good standing may be excluded from participation, with decisions made by the Board of Directors. "Not in Good Standing" refers to frequent lateness, no-shows, unpaid vendor fees, expired licenses, expired insurance, and uncooperative behavior with the Manager and all other participants in the Market.
- B. **Returning and New Vendors** must list all products they wish to sell on the application form. To maintain a healthy balance of products, the Kittery Community Market Board of Directors and Market Manager reserves the right to decline products from both new and returning vendors.
- C. Vendors must seek permission from the Market Manager before adding new items to their stand. Kittery Community Market reserves the right to perform a table audit



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to ensure compliance with the vendors' stated product list.

- D. **Photographic Consent:** By participating, vendors grant permission to use their photographs and images of their products and booths for market promotion, including printed materials, the KCM website, and social media.
- E. **New Vendor Applications** are reviewed by the Kittery Community Market Board of Directors at their monthly meetings, with prompt communication from the Manager regarding acceptance. If your business is approved, the Manager will confirm available dates. **Only pay vendor fees once you have been officially admitted and have confirmed dates.**
- F. Kittery Community Market will be open, rain or shine. Threats of severe winds/and or lightning and concerns for public safety may be cause for canceling the Market or closing it down for the day. An email and SMS text will be sent to notify Vendor Members, Musicians, and Scheduled Presenters in the event of cancellation. Cancellations are non-refundable.

Location and Time: The Kittery Community Market (KCM) is in Kittery Center Village on Post Office Square, at 10 Shapleigh Road in Kittery, Maine 03904. The Market operates every Sunday from the first Sunday in June until November 24th, from 10:00 am to 2:00 pm.

- A. Vendors must park across the street at the Naval Lodge. Vendor vehicles must be moved to the Naval Lodge by 9:45 AM. Limited parking spots are available for vendors requiring access during market hours. Please do not request one of these spots unless you require access throughout the market. These requests will be considered case-by-case, and there is no accommodation guarantee.
- B. The Market Manager determines vendor space location; all vendors must comply with their assigned spot.

Ethics and Business Conduct: All vendors must practice the highest standards of business ethics and conduct. Vendors must convey a positive and friendly attitude to all customers, KCM staff, volunteers, and other vendors. Verbal or physical abuse, behavior disparaging another participant, actions that unnecessarily interfere with other participants' set-up, sales, or activities, and any other action deemed uncooperative by the Market Manager are strictly prohibited. Failure to comply with these standards may result in removal from the market; the Board of Directors will make these decisions.

Reimbursements: Vendors will be given a weekly slip to fill out for reimbursements of vouchers and tokens. Vendors are responsible for knowing what specific vouchers and tokens they are eligible to receive.



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- A. SNAP, Maine Harvest Bucks, and New Hampshire Granite Bucks are reimbursed directly by Seacoast Eat Local to the vendor.
- B. Vouchers for Veterans are reimbursed by the organization Vouchers for Veterans
- C. Power of Produce, Bumper Crop, and Kittery Community Market special event vouchers will be reimbursed by Kittery Community Market.
- D. **Kittery Community Market is not responsible for reimbursement of vouchers and tokens that vendors are not eligible for or not listed above.**

Vendor Market Space Set-Up: Vendors will be assigned a vendor market space, approximately 10' x 10', by the Market Manager. Vendors must provide their tents, tables, signs, and chairs. Vendors must strive to maintain a clean and attractive display. No sales are allowed until the signaled start of the Market.

- A. Set up time is from 8:00 am to 9:50 am. All vendors must be set up and ready to serve customers by 9:50 am.
- B. Vendors will not be permitted to enter and set up once the market has started.
- C. All vendor tents must be secured with a minimum of 10-pound weights per pole.
- D. Smoking within twenty (20) feet of the Market and Vendor Tents is prohibited.
- E. Vendors who cook or warm products must always have a fire extinguisher.

Signs, Labeling, and Products: All vendors must provide a sign that displays their farm/business name and location.

- A. All food vendors must have a sign displaying the prices of items offered for sale, and craft vendors must have a sign or individually priced items.
- B. All vendors must sell items under the business name(s) they applied for. Changes must be approved by the Market Manager ahead of time.
- C. Processed foods require labeling with the business name and a list of ingredients.
- D. All products are to be produced or grown by the vendors. The Market Manager will consider special circumstances; these products may only represent 20% of your inventory.
- E. All vendors who offer samples must have hand sanitizer, paper towels, and a cleaning product available.

Attendance: Please notify the Market Manager one week in advance via email if you cannot attend. This will enable us to fill the vendor market space. If there is an



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emergency, please call/text the Market Manager on their cell or email kitterycommunitymarket@gmail.com.

- A. If three (3) Market days are missed without notification, the Market Manager will report the no-shows to the KCM Board of Directors, and a decision may be made to allocate your spot to a vendor on our waitlist.
- B. Three (3) late appearances will be reported to the KCM Board of Directors, who will decide if the vendor can continue participating in the Market.
- C. Part-time vendors who give at least one week's notice can reschedule if spots are available on future Market dates.
- D. Vendors breaking down or setting up during Market hours is disruptive to the customer experience and destructive to the overall reputation of the Kittery Community Market and will not be allowed. Vendors may not leave early. If you are running late, contact the manager, who may make an exception if your setup is not disruptive or causes a safety issue.
- E. If you are feeling unwell, you may, if necessary, leave and plan for your breakdown at 2 pm.

Non-Profit/ Community Vendors: One non-profit/ community organization may use a vendor Market space for fundraising or information based on space availability each week. Use is by prearrangement and at the discretion of the Market Manager. The Non-Profit Vendor must apply. The Vendor fee will be waived. Non-Profit Vendors must not have a political purpose, agenda, or affiliation. Non-Profit vendors and community organizations must provide tents, tent weights, tables, and chairs. Non-profit vendors and community organizations must represent causes that impact Kittery, the state of Maine, and the Seacoast region.

Produce: All produce, fruit, and flowers must be grown or wild-gathered by the vendor. Vendors buying produce from other sources for resale at the Market is prohibited unless preapproved by the Market Manager. All harvest, post-harvest, transportation, and display handling must comply with State of Maine guidelines for food safety. Any pesticide application must comply with label directions for application rate, target crop, pest, and post-application harvest periods to maintain the highest quality and safety of our customers.

Plants and Nursery Stock: All plant material must be grown by the vendor. Vendors buying finished or pre-finished products from other sources for resale at the Market is prohibited unless pre-approved by the Market Manager. All vendors selling plant material must have a Maine Nursery license at the site and on file with the Market Manager. Plant



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material must be of the highest quality. Products with insects or diseases are prohibited from sale and will be cause for expulsion from the Market. No genetically produced product will be allowed.

Animal Products: The vendor must raise or catch all meat, seafood, dairy products, and eggs. Vendors buying products from other sources for resale at the Market is prohibited unless pre-approved by the Market Manager. The vendor must have processed all dairy products in a dairy-compliant facility. All meat, seafood, dairy, and eggs must be packaged, labeled, transported, and displayed in accordance with Maine Agriculture food and safety guidelines and stored with a proper thermometer to track temperature.

Processed Foods: All baked or processed goods must have been made from scratch by the vendor. No commercially frozen, canned, or premixed ingredients are allowed. All processing facilities or home kitchens must have a Maine State Kitchen License and Mobile Vendor License on-site and on file with the Market Manager. All foods that have undergone processing must include a list of ingredients on their label.

Wool, Fiber, and Wood Products: All raw wool and fiber materials must be raised and produced by the vendor or purchased from a local farm. All wool, fiber, and wood products should be labeled with the source of the product.

Crafts and Homemade Items: All crafts that are sold must be handmade by the vendor in their own home or shop. The items should be unique, original, and made from natural materials whenever possible. The product's craftsmanship, attention to detail, and final presentation should be of the highest standard. Products made from kits will not be considered. Artisan crafter vendors can sign up for a maximum of 12 markets per season.

Specialty Vendors: The Kittery Community Market Board of Directors has the discretion to allow specialty vendors that fall outside our standard rules and regulations if they have a positive environmental impact or bring something unique to the customer experience. They must be compliant with all safety and general Market rules. Only two spots will be made available each season for such circumstances.

The Kittery Community Market Board of Directors and Market Manager may make exceptions to any of these policies but is rarely expected to do so.

Compliance: Any vendor will forfeit their membership in the Kittery Community Market for non-compliance with Market rules. No refunds will be given. Their removal can be challenged in accordance with Kittery Community Market Organization and By-Laws.



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Maine has no restrictions on the types of food that may be sold at farmers' Markets. However, there are requirements related to the source of the food. Food sold at farmers' Markets must come from "approved" sources, meaning sources licensed to provide such food, including food manufacturers, processors, and retailers. Exempt from license requirements is anyone selling only whole, unprocessed, fresh fruits and vegetables. Fruit or vegetables that are processed or products made from processed fruits or vegetables must be produced by a licensed entity. Processing includes peeling, slicing, husking, etc.

Insurance and License Requirements: Vendors must meet all the State of Maine Department of Agriculture licensing requirements listed on the "Farm Stands and Farmers Markets Mobile Vendor Guidelines." (See below.) Each vendor is liable for the safety of his or her own products and must maintain adequate liability insurance. Vendors must have an application and copies of all appropriate licenses at their vendor space and on file with the Market Manager. Vendors need to carry General Liability insurance with limits no less than \$1,000,000 per occurrence and \$2,000,000 aggregate. Kittery Community Market and the property owner (10 Shapleigh Rd LLC) must be listed as additional insured.

Vendors whose insurance policy is in their name and not the name of their business must add their business name to the additional insureds.

A State Scale and Product Inspector may inspect your scale and check for safe food handling compliance and license at any time.

State of Maine License Requirements at Farm Stands and Farmers' Markets

(Source: "Farm Stands & Farmers Markets Mobile Vendor Guidelines", Maine Department of Agriculture, Food and Rural Resources, Division of Quality Assurance Regulations at www.getrealmaine.com)

1. Sales of fresh, raw, unprocessed fruits and vegetables only -
 - Exempt from licensing requirement.

2. Sales of fruits and vegetables that have been peeled, sliced, husked, canned, baked, dehydrated, refrigerated, frozen, ground, cured, smoked, shelled, or otherwise prepared and packaged for human consumption at farm stands and farmers' markets -
 - Mobile Vendor License



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3. Sales of ME or USDA-inspected meat and poultry products at farm stands and farmers' markets -
 - Retail Meat Sales License
 - Mobile Vendor License

4. Sales of poultry products at farm stands and farmers' markets raised, processed, and packaged with a Grower/Producer Exemption in a commercial food processing facility -
 - Commercial Food Processor License
 - Retail Meat Sales License
 - Mobile Vendor License

5. Sales of poultry products at farm stands and farmers' markets raised, processed and packaged, with 1,000 birds or less exemption, in a commercial food processing facility -
 - Commercial Food Processor License
 - Retail Meat Sales License
 - Mobile Vendor License

6. Sales of butter at farm stands and farmers' markets manufactured in a commercial food processing facility and sold by the commercial processor -
 - Commercial Food Processor License
 - Mobile Vendor License

7. Re-sales of butter at farm stands and farmers' markets -
 - Mobile Vendor License

8. Sales of dairy products (except for butter) at farm stands and farmers' markets -
 - Mobile Vendor License
 - Milk Distributor License from the Division of Animal Health & Industry (287-7610)

9. Sales of potentially hazardous food at farm stands and farmers' markets manufactured in a commercial food processing facility, and sold by the commercial processor -
 - Commercial Food Processor License
 - Mobile Vendor License

10. Re-sales of potentially hazardous food at farm stands and farmers' markets -
 - Mobile Vendor License



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11. Sales of non-potentially hazardous food at farm stands and farmers' markets manufactured in a home food processing facility and sold by the home food processor -
 - Home Food License
 - Mobile Vendor License
12. Re-sales of non-potentially hazardous food at farm stands and farmers' markets -
 - Mobile Vendor License
13. Sales of baked goods at farm stands and farmers' markets manufactured in a commercial bakery and sold by the commercial baker.
 - Commercial/Wholesale Bakery License
 - Mobile Vendor License
14. Re-sales of baked goods at farm stands and farmers' markets -
 - Mobile Vendor License
15. Sales of baked goods at farm stands and farmers' markets manufactured in a home food processing facility, and sold by the home food processor -
 - Home Food License
 - Mobile Vendor License
16. Sales of cider/juice at farm stands and farmers' markets manufactured in a cider/juice processing facility, and sold by the cider/juice processor -
 - Cider/Juice Beverage Plant License
 - Mobile Vendor License
17. Re-sales of cider/juice at farm stands and farmers' markets
 - Mobile Vendor License
18. Sales of maple syrup at farm stands and farmers' markets manufactured in a maple syrup processing facility and sold by the maple syrup producer -
 - Maple Syrup Producer License
 - Mobile Vendor License
19. Re-sales of maple syrup at farm stands and farmers' markets -
 - Mobile Vendor License



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Thank you for your participation, and we wish you success!

Helpful Resources:

Farmers' Market License Requirements

https://mainefarmersmarkets.org/market-managers/keeping-your-market-legal/farmers-market-reference-guide/#:~:text=All%20licenses%20can%20be%20obtained,%2Fpermits_and_licenses%2Fapplication_forms.shtml.