

## FARMERS' MARKET RULES & REGULATIONS

Millen Farm operates a weekly market providing an opportunity for local growers and producers to sell their locally grown and made produce direct to consumers.

Stallholders and market management are bound by the following rules and regulations.

### DEFINITIONS

**The Real Farmers' Market** - a market operating weekly at the Millen Farm site in Samford, Queensland.

**Certified Naturally Farmed** – an alternative certification scheme created by local small scale farmers to provide assurance for discerning shoppers.

**Member** – a financial member of Millen Farm.

**Stallholder** – a grower, producer or artisan who has met selection criteria and has successfully applied to trade at the market.

**Grower** – the person who is responsible for and exercises control over a primary product for the full production cycle of the product sold – e.g from planting to harvest.

**Producer** - is the person who is responsible for the manufacture of a product from one or more locally sourced primary products.

**Artisan** – a person directly responsible for making or producing a food product.

**Small business owner** – a person who operates a shop front in the Samford central business district or immediate surround are and has been approved to operate a stall at the market.

**Carried grower, producer or artisan** – a person who themselves is not eligible for a stall but whose product may be sold via another stallholder. An additional set of criteria must be met by carried growers etc., and carried goods may only be sold by stallholders with the permission of the committee.

**Guest** – a grower, producer or artisan who brings a specialized seasonal product to the market for a short period of time and is not a financial member.

**Local** – within 100kms of Millen Farm, Samford, Queensland.

**Market Day** – is every Wednesday of the calendar year except when the Committee and market Manager may determine the grounds unsuitable due to wet weather.

### 1. ORGANISATION STRUCTURE



The Real Farmers' Markets operates every Wednesday from 2pm – 5pm at Millen Farm. No trading is permitted prior to 2pm.

The Real Farmers' Markets operates on Moreton Bay Regional Council land, managed by Samford Commons and Millen Farm.

The Real Farmers' Markets operates under a permit granted by MBRC.

#### 1.1 LICENSEE

The permit to operate The Real Farmers' Markets is held by Millen Farm, a not for profit organisation.

Millen Farm has established a committee to oversee the management of The Real Farmers' Markets, the Millen Farm Real Farmers' Markets Committee (The Committee) who report to the Millen Farm Board.

#### 1.2.0 MARKET MANAGER

The Market Manager operates the weekly Market under the direction of the Market Committee.

It is the Market Manager's responsibility to promote and manage the day to day activities of the market, and to ensure stallholders comply with the Millen Farm Real Farmers' Market rules and regulations.

Stallholders are obliged to follow instructions and directions given by the Market Manager or the Committee.

#### 1.2.1 AUTHORITY OF MARKET MANAGER

The Market Manager, after conferring with at least one Committee member can withhold or withdraw a stallholder's invitation to participate at the market and require the stallholder to leave the Market site for any of the following reasons:

- A product for sale poses a risk to the health or safety of consumers
- Activities or actions of the stallholder poses a risk to the health and safety of consumers
- A stallholder is selling produce or product of poor quality
- A stallholder is on-selling unapproved produce
- A stallholder has otherwise acted in a manner that will bring the reputation of the Market into disrepute
- A stallholder is abusive towards customers, Market Manager, Committee members or other stallholders
- A stallholder has not responded adequately to a complaint that has been brought to the stallholders attention
- A stallholder has not complied with a reasonable request made by the Market Manager or Committee
- A stallholder has outstanding stall fees owed by the stallholder to the Market
- Or any other reason at the discretion of the market Manager.



The decision of the Market Manger of Market Day is final.

If the decision is made on a Market Day the decision will take effect immediately and be applicable for the entire day's trade.

Any such breach can lead to the withdrawal of the stallholder's invitation to participate in the market on future market days.

A stallholder may appeal the decision of the Market Manager after the conclusion of the day's trade at the market.

The Market Manager will provide a written justification to the Committee outlining the events that led up to the stallholder's exclusion from the market, and any subsequent actions.

The stallholder may request that the Committee review the Market Manager's decision by writing to the Chairperson of the Committee.

Any decision made by the Committee is final.

An excluded stallholder will be provided with a clear justification of their exclusion and may be invited to participate in future markets only when the reasons for exclusion have been addressed to the satisfaction of the committee.

## 2.0 STALLHOLDERS

The Committee has absolute discretion to approve stallholder eligibility to participate in The Real Farmers' Market.

Farmers and producers must be open to an inspection of their property to verify the authenticity of their product.

Eligible stallholders will be invited by the Committee to participate following a formal application process.

Stallholders must be based within a radius of 100km from Millen Farm, Samford.

Preference will be given to stallholders who reside in Samford and it's immediate surrounds, then Brisbane and surrounds, then SE Qld.

Exceptions may be made for growers who are able to come to the market and return to their residence by car on the day of the market, as approved by the Committee.

Stallholders must be financial members of Millen Farm.

### 2.1. PRIOR TO TRADE

Prior to trade at the Real Farmers' Market, the stallholder must submit copies of;



- a. Millen Farm membership of \$25
- b. Current Certificate of Currency Public and Product Liability Insurance (\$10 million).
- c. Stall fees paid in advance as per the schedule of fees.

Permanent stallholders will have a site allocated by the market Manager and will be entitled to attend the market every week while their Stall Fees are paid monthly in advance.

Guest stallholders and Casual stallholders must book at least one week in advance and are allotted sites at the discretion of the Market Manager and the Committee.

## 2.2. STALLHOLDER OBLIGATIONS

All primary produce for sale at the Market must be grown within the designated area of a 100km radius of Millen Farm or as otherwise approved by the Committee.

All value added products for sale at The Real Farmers Markets must be made by the stallholder within the designated area of 100km radius of Millen Farm or as otherwise approved by the Committee.

Most of the ingredients used in value added products are to be either grown by the producer, sourced from The Real Farmers' Markets stallholder growers or other local growers and suppliers. Ingredients unavailable in the area with the prior approval of the Committee should be sourced from areas as close to Samford as possible.

The Real Farmers' Markets has a strong preference for products grown, sourced or made locally (i.e. as close to Samford as possible). In circumstances where a product is not available locally but is deemed by the Committee to benefit the local community, it will be considered for inclusion in the market. The committee has final say in what products will be sold at the market.

Artisan goods are to be made by the artisan stallholder within the designated area within a 100km radius of Millen Farm, Samford or as otherwise approved by the Committee in accordance with food and safety regulations.

## 2.3 RIGHT TO TRADE AT THE MARKET

The Committee reserves the right to determine who trades at the market.

Any breach of market policy or trade practices deemed to be prejudicial to the market can lead to a stallholder being excluded from the market.

Stallholders who have been identified as being in breach of market rules and regulations have the right to appeal a Committee decision; written and, or oral. Any decision of the Committee will be final.

## 3.0 MARKET SITES AND SCHEDULE OF FEES

A standard site at The Real Farmers Market is 3m x 3m.



Some stalls have car access and some are car free sites. There is no difference in fee between the sites.

Allocation of sites is at the discretion of the Market Manager and may be changed from week to week to facilitate the operation of the market.

Permanent stallholders are required to pay stall fees monthly in advance.

Fees are payable by stallholders to the Market Manager as scheduled below:

### 3.1. FEES

Permanent stallholders per month (\$25 per week)

Calculated as  $\frac{\$ \text{weekly rate} \times 52 \text{ weeks}}{12 \text{ months}} = \text{monthly rate}$

Standard site

Double site

Guest stallholders per week for a limited maximum period of four weeks

\$30 Standard site

Casual stallholders' weekly rate for a single attendance at the market

\$40 Standard site

### 3.2 MILLEN FARM MEMBERSHIP & AUDIT

Stallholders must be financial members of Millen Farm which has a \$25 one off Membership payment.

Stallholders will be required to have a farm visit audit. The audit and visit will assist stallholders to ensure they meet their obligations as sellers at the market. The audit will include growing areas, processing facilities, packing sheds, cool rooms etc., and locations where other farm activities are carried out

The cost for the audit visit is charged as follows;

Audit fee \$60

Travel \$1/km

### 4.1 OPERATION OF A STALL

The stallholder is responsible for the operation of the approved stall and it must be operated:



- I. In accordance with the Moreton Bay Regional Council health and safety rules and any other statutory regulation
- II. By the stallholder themselves or a relative of the stallholder
- III. By an employee of the stallholder with extensive working knowledge of all aspects of production and product
- IV. If the Market Manager is dissatisfied with the level of stallholder/employee knowledge the right to sell approved/carried goods may be rescinded following consultation with the Committee.

#### 4.2.0 ALLOWABLE PRODUCE

The Committee will give priority to stallholders offering high quality produce for sale.

The Committee will encourage stallholders to offer produce which is organic, certified naturally farmed and grown or produced locally.

Goods are to be sourced from areas as close to Millen Farm, Samford as practical.

In circumstances where a product is not available locally but is deemed by the Committee to benefit our local community, it will be considered for inclusion in the market.

The Committee reserves the right to approve what products will be sold at the market.

No genetically modified products/ingredients are allowed.

#### 4.2.1 CATEGORIES OF ALLOWABLE PRODUCE

FRESH PRODUCE (Grown, reared, caught, processed locally)

Fruit and vegetables

Herbs

Coffee

Mushrooms

Meat products

Dairy

Eggs

Honey

Poultry

Seafood – caught, farmed in local coastal/inland waters

DRIED GOODS (If unavailable in the local area they must be sourced from, in order of preference: SE QLD, NNSW or Australia and subject to Committee approval in special circumstances)

Nuts

Grains & pulses

Herbs & spices

Dried fruit



VALUE ADDED FOOD PRODUCTS (Made locally with approved products sourced from other The Real Farmers' Markets @ MF stallholders from predominantly local products)

Baked goods

Bread

Confections

Pasta

Preserves, pickles, jams

Wine

Juices and cordials

Oils derived from vegetables, nuts or seeds

NURSERY/HORTICULTURAL PRODUCTS (Grown locally)

Food plants

Seeds must be vegetable, herb and flower seeds

Native plants

Garden plants (any plants listed on the National Weed list will not be permitted).

Flowers

Produced by an approved grower on the approved farm/premises

Compost

Bagged manures

Mushroom compost

Cane/straw/hay/mulch

Liquid manures

#### 4.3 PRICING OF GOODS

The policy of The Real Farmers Markets is to provide fair prices for both farmers and consumers. Competitive pricing and provision of seasonal specials is encouraged, however,

- Produce should be offered at a fair price
- Price fixing amongst producers is unlawful and will not be tolerated
- Prices of goods should be clearly displayed

#### 4.4. QUALITY OF GOODS

Food producers must offer fresh produce and the highest possible quality food products.

If seconds are sold, they are to be clearly marked as such and priced accordingly. Misshapen or "ugly" produce is not considered seconds.

The Market Manager has the authority to require stallholders to remove substandard product or products that do not comply with the rules.

#### 4.5 ONSELLING

Only approved goods produced or grown by the stallholder will be permitted for sale except in the following circumstances:



- Stallholders may be given permission to resell or on-sell approved produce from other approved stallholders, as determined by the Market Manager or the Committee and at a fee determined by the Committee

If a similar product is being sold at the market by a local producer preference will be given to the local producer.

## 5.0 STALL FEES, PAYMENTS & BOOKINGS

All stallholders are required to pay their stall fees in advance.

Permanent stallholders must pay their fees monthly in advance.

Guest stallholders must pay their weekly fee in advance.

Casual stallholders must pay their fee in advance.

Stall fees are to be paid by direct deposit or cheque – no cash.

### 5.1 BANK ACCOUNT FOR PAYMENT

Direct deposit can be made to a nominated account at Bendigo Bank.

In the event that a market day is cancelled due to unsuitable weather, stall fees will be rolled over until the next market.

## 6.0 STALLHOLDER NON ATTENDANCE OR CESSATION OF TRADE

Stall fees will not be refunded in the event of a missed attendance where the Market has occurred as regularly scheduled.

Permanent stallholders must advise of their expected non-attendance at least 24hrs in advance as a courtesy to the Market Manager, fellow stallholders and customers.

Stallholders can hold their stall place if they continue to pay their stall fees in advance for the period of their absence. The stallholders site may be allocated to another casual or guest stallholder for the period of the absence.

If a stallholder does not continue to pay their stall fees for the period of their absence they may wish to come to a sharing arrangement of the allotted space with another seasonal stallholder. The Market Manager or the Committee must be made aware of this arrangement.

A stallholder who returns to the market after a period of absence will have a site allocated by the Market Manager. The site may or may not be the same as before their absence.

Stallholders ceasing trade at the market either temporarily or permanently need to inform the Market Manager at least two weeks in advance of their last attendance at the market.

### 6.1 TRANSFER OF STALLHOLDER SITES

Stallholder sites cannot be automatically transferred.





If a participating stallholder sells their business they must apply in writing with the new owner to renew the invitation to participate at the market.

The Committee reserves the right to refuse approval of the new owner subject to

- A satisfactory farm/site visit and audit completed at the stallholders expense.
- Agreement that the new stall and stallholder will comply with the Committee's rules and regulations and,
- That the new stallholder will bring benefit to the market.

#### 7.0 ON SITE CATERING POLICY

A limited number of stalls will be allowed at the discretion of the Committee to sell food and drinks prepared on site and that can be consumed on or off site.

Stallholder food preparation area must be approved by Moreton Bay Regional Council.

Stallholders must display any signage or license as required.

All food preparation must comply with Moreton Bay Regional Council guidelines. Stallholders are responsible for ensuring their compliance.

The Committee is not responsible for managing compliance.

Food products and samples may be prepared on equipment such as an electric grill or hotplate that can be accommodated within the confines of the stallholders site. Please note there are no powered sites available at The Real Farmers Markets.

Stallholders of on-site catering stalls must carry their own public liability and product insurance (\$10 million).

Stallholders with a product suitable for sale at a stall run by an on-site caterer may approach the on-site caterer to offer their product for possible inclusion on the menu. E.g. produce that could be sold on beverage stalls.

#### 8.0 SITE REQUIREMENTS

Standard sites are approximately 3m x 3m.

Stalls must not exceed the designated area.

If the stallholder's requires more space, they can apply for a double stall site. The double site may be allocated at the discretion of the Market Manager.

Exceeding designated stall space will constitute a breach of market rules.

#### 8.1 STRUCTURES

All tents, overhead shade poles and other structures must be securely fixed and not be positioned to cause obstruction or danger to any person.



Tents and temporary structures must be secured with tent pegs or weighted objects situated at the legs of the tent.

Stallholders may erect shade umbrellas in front of their stall to shade sun and heat susceptible produce following consultation with the Market Manager.

Umbrellas must be securely pegged and not create trip hazards.

Stallholders must maintain their individual site space in a clean and sanitary manner.

## 8.2 WASTE

At the end of each Market, the stallholder is responsible for all of the stall's waste. The stallholder must leave the site clean and take all waste off site.

## 8.3 PACKAGING

Produce and products must be packed locally. Wherever possible packaging should be minimal and compostable or able to be recycled. Plastic carry bags other than produce bags will not be permitted.

Recycled cloth bags and plastic alternatives will be made available for consumers at the market. Stallholders are encouraged to work towards The Real Farmers Markets being a plastic free zone.

## 8.4 IDENTIFICATION

Stalls must be clearly identified by the customer.

All stallholders must have signs that display their name and address, and business trading name whilst trading at the Market.

## 8.5 CLAIMS ABOUT PRODUCE

Stallholders must be able to substantiate any claims they make about their product.

False or misleading claims are unlawful and will not be tolerated by the Committee.

Stallholders found to be making unsubstantiated claims about the produce they are offering for sale may be excluded from the Market.

The Committee takes no responsibility for claims made by stallholders and makes no claims such as "organic" or "sustainable" in regards to the operation of The Real Farmers Market @ MF.



## 8.6 LABELLING

All products offered for sale must comply with the labelling requirements outline in the Australia New Zealand Food Standards Code and other relevant legislation.

The Committee encourages stallholders to label their produce with place or origin labels and information about the farm, farming practice or the people involved in the production of the produce.

## 8.7 WEIGHTS AND MEASURES

All goods packaged on the market site must be weighed according to the National measurement Act 1960 (C'th).

Scales must be certified and weighing procedures clearly visible to customers. Stallholders must provide the opportunity for customers to check the weight of packaged goods should they ask to do so.

## 8.8 ACKNOWLEDGEMENT OF USE OF OTHER REAL FARMERS' MARKET STALLHOLDERS PRODUCE

Any produce or ingredients sourced from other stallholders should be listed clearly.

## 9.0 OPERATIONS

### 9.1 TRADING HOURS

Normal trading hours for the Market are between 2pm and 5pm on Market Day (Wednesday).

No trading can commence prior to 2pm.

The Committee reserves the right to change the trading hours if deemed necessary.

### 9.2 SET UP AND PACK DOWN

Access to the site for stallholders is from 1pm on Market day.

Stallholders are required to have their stall ready, with all exhibits displayed for sale no later than 2pm.

Stalls must be open and properly staffed for the entire period of the trading hours unless sold out.

No vehicle movement within the designated market stall area will be allowed between 1.45pm and 5pm on Market day.

Stalls cannot be dismantled until the close of the Market.



All vehicles not used in the sale of produce or product must be garaged off the stall site no later than 1.45pm on Market Day.

#### 10.0 HEALTH AND SAFETY

The Committee will endeavor to provide a safe workplace for stallholders, customers, visitors and other people at the Real Farmers Market.

It is the responsibility of the Committee, the Market Manager and stallholders to work together to identify any risks and to notify the Market Manager of risks if they occur.

It is the responsibility of the Committee, the market Manager and stallholders to remove or mitigate any risk as is practicable.

#### 10.1 GENERAL

Stallholders must comply with the Queensland Food Act 2006, Food Production (Safety) Act 2000 and related legislation in addition to all relevant National Food Safety Standards.

#### 10.2 PERMITS AND LICENSES

All on-site catering stalls must have a current food stall permit from Moreton Bay Regional Council.

All baked or value added goods must be made in a kitchen/food premise approved by Moreton Bay Regional Council.

It is the responsibility of each stallholder to apply for any licenses or permits required for selling or producing their products to the public.

It is the responsibility of the stallholder to display any licenses or permits as required.

The Committee is not responsible for ensuring compliance of any stall.

#### 10.3 PRODUCE/PRODUCTS

All food must be kept off the ground at all times.

All unpackaged, value added products for sale at the market must be covered and sneeze barriers used if necessary.

Gloves, tongs and other utensils must be used when handling un-packaged food to avoid hand contact.

Tastings of product must be accompanied with individual disposable tasting spoons or sticks and a container provided for their disposal.

All samples must be covered.



All stalls selling food must have access to hand washing facilities and provide towel facilities.

All foodstuffs that require chilling must meet relevant food chill regulations.

#### 10.4 GAS/ELECTRICAL EQUIPMENT AND FIRE SAFETY

No generators will be permitted.

Any stallholder cooking with or using electricity or gas equipment is required to have a fire blanket and an annually tagged fire extinguisher.

It is the responsibility of the stallholder to ensure they know how the extinguisher is operated.

No gas appliances are to be used on site without the express approval of the Market Manager.

It is the responsibility of the stallholder to regularly check all gas bottles and equipment attached to gas bottles to ensure gas hoses and attachments are not faulty and that bottles are date compliant.

#### 11.0 SMOKING

Smoking is not permitted at the market.

Stallholders must comply with the Queensland health regulations in regard to smoking. Substantial fines may apply.

#### 12.0 DOGS

Dogs are permitted at the market only if they are on a lead and only if they are under the direct control of an adult.

#### 13.0 MARKET COMMUNICATIONS

All stallholder queries/suggestions are to be passed to the Market Manager who will forward them to the Committee.

##### 13.1 COMPLAINTS

All oral complaints by customers or stallholders must be directed to the Market Manager.

The Market Manager will inform the Committee of all complaints.

The Market Manager will attempt to resolve the issue.

Should the complaint not be resolved, a formal written complaint can be made. Written complaints should be addressed to;





The Real Farmers' Market Committee  
Millen Farm Ltd  
P O Box 853  
Samford  
Qld 4520

#### 14.0 COMMUNITY GROUPS AND FUNDRAISING

Community groups may apply to have a fundraising stall or a stall to disseminate information to the local community. The Committee has the right to determine stall suitability, whether a site fee needs to be paid and allocation of site.

Any sale of raffle tickets, lotteries or other fundraising must meet the requirements of any relevant legislation. The Committee is not responsible for compliance.

