



BENTONVILLE FARMERS MARKET GUIDELINES

102 East Central, Bentonville AR 72712 // downtownbentonville.org // 479-222-0946

Welcome from Dylan - Farmers Market Manager

Hello and welcome to the Farmers Market Guidelines! Thank you for your interest and support of the Bentonville Farmers Market. Our market is one of the largest and most highly recognized Farmers Markets in Arkansas, but we will continue to grow and be the best that we can be every year. Here at the Bentonville Farmers Market, we strive to be genuine and intentional with our market and the vendors that we choose. Our market exists to increase availability of fresh, locally produced foods, support our local farmers and businesses, and to promote a healthier community. We choose vendors that believe in quality and strive to make their product the best that it can be. By choosing vendors that value quality in what they produce, we provide healthier options to our community. We value each of our vendors and the relationships that are created by working together. We are here to serve our community and we do what we do with service in mind.

Introduction:

Downtown Bentonville, Inc. (DBI) is the independent nonprofit downtown association that inspires, unifies, and champions the Downtown Bentonville Experience. DBI is the heart of the city's social scene, the core of an expanding regional art and culinary renaissance, and an entrepreneurial environment rich with opportunity. At 1,790 acres, the downtown district is the largest in Northwest Arkansas and draws people from around the world to live, work and explore. The Downtown Bentonville Experience offers a dynamic and growing arts, culinary and entertainment scene in a unique entrepreneurial environment that opens doors to global opportunity.

The mission of the Bentonville Farmers Market is to improve the availability of locally produced foods, support local farmers and businesses, and to promote a healthier community through education and appreciation for locally produced foods.

There are four types of certified vendors at the Bentonville Farmers Market:

- **Growers**- the seller is the producer of the products being offered for sale, from lands he owns or rents, with control over the production, harvesting, and marketing of the products, and a financial interest in the products and the market manager has toured their farm.
- **Crafters**- all crafts offered for sale are original in nature and produced in whole by the seller. No crafts shall be permitted that are derived from kits. All crafts approved the market manager.
- **Homemade products**- all products are produced, baked, or manufactured by the seller and are original in nature. All food items must adhere to all Arkansas Department of Health regulations.
- **Prepared food vendors** - must be certified by the Arkansas Department of Health



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before applying.

There are three levels of participation at the Bentonville Farmers Market:

- **Season Vendor** – Vendors who participate in every market during the season.
- **Session Vendor** – Vendors who participate in 1-2 full sessions during the market season.
- **Daily Vendor** – Vendor who has been invited by DBI to attend market up to two times per month. Daily Vendor status does not guarantee regular space at market.

Market Governance:

1. The market is manned by Downtown Bentonville, Inc. (DBI) a non-profit downtown development agency association.
2. The market manager is responsible for the orderly and efficient conduct of the market, and for implementing and enforcing the rules and regulations. The market manager will represent the organization and its governing body during market.
3. Acceptance into the Farmers Market is at the sole discretion of DBI and is done on a year to year basis.
4. DBI holds the right to terminate participation at the Farmers Market at the Market Managers discretion.

Applications

1. Applications open on January 2nd for the season.
2. All applicant submissions are due by 5:00 PM on February, 15th. All applications must be submitted online. Paper applications will not be accepted.
3. All applications submitted after February 15th will be considered late and will be charged a nonrefundable fee of \$75.
4. Priority is given to farmers.

Saturday Farmers Market General Operations:

1. The Saturday Farmers Market is held on the Bentonville Square.
2. The market will operate every Saturday, April through October, unless otherwise noted by DBI management.
3. Hours of operation are between 7:30am and 1:00pm. Vendors may arrive as early as 5:30am to begin setup and must stay until the end of the market day to provide a full market to shoppers arriving throughout market hours. All vendors must be prepared to sell no later 7:30 AM.
4. The Bentonville Farmers Market operates rain or shine.
5. Vendors must be in their assigned spaces no later than 7:20 AM. After that time, access to space will not be guaranteed.
6. Vendors may leave early only under extenuating circumstances and with the



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permission of the market manager.

7. Vendors must notify the market manager of absence no less than twenty-four hours before market opening time.
8. According to City of Bentonville Vendor Ordinance (Ord. 2005- 128), no selling is permitted without onsite DBI representation before or after the official market opening or closing.
9. Vendors are not allowed to park directly on the Downtown Bentonville Square. Alternative parking is available in the downtown area.
10. DBI reserves the right to visit applicant's farm, business, or establishment with notice. Visitation will take place before admission confirmation and throughout the market season. Failure to meet standards set forth by DBI on your farm or business can lead to termination from the market at DBI's discretion.

Who May Sell at the Market:

1. Vendors must either live, grow or make their product within Benton County or the five counties contiguous to Benton County: Washington, Madison, Carroll, Delaware, OK, McDonald, MO or through special permission by DBI.
2. All agricultural products, including, but not limited to, locally grown fruits and vegetables, dairy products, meats, flowers, plants, honey products, maple products, eggs, herbs, and related products.
3. Vendors with hand-produced crafts (does not include crafts from kits).
4. Bakers who have baked the products themselves and who possess the proper licensing from either the Arkansas Department of Agriculture, Arkansas Department of Health or the Benton County Department of Health.
5. Prepared food vendors with a current mobile food service license. All prepared food vendors must use compostable materials to be able to participate in the Farmers Market.

Guidelines for Selling:

1. All vendors must have a visible sign clearly showing their name. This sign must be posted to the front or back of the tent, or on front of table.
2. Farmers may not use the term "organic" at the Bentonville Farmers Market unless their farm is certified organic by a USDA accredited third party certifier and the farm has submitted their current certification to DBI.
3. A map to the farm or establishment with clearly written directions must be submitted on the application.
4. Each vendor will be responsible for all equipment and supplies for the setup of a booth. Displays should be constructed in such a way that they do not block customer walkways nor pose any other hazard to customers. All cords need to be taped or



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covered.

5. Metal tent stakes are not allowed. Products cannot be pushed into the ground.
6. Sellers must post prices. It is expected that prices will be fair to consumers. The seller, and fellow sellers may not collude among themselves to attempt to influence prices.
7. All produce displayed for sale must be at least 12 inches off the ground with the exception of heavy or large items such as pumpkins.
8. All products offered for sale must be of the highest and freshest quality possible. The market manager reserves the right to direct any inferior goods to be removed from display. Failure to remove products deemed inferior may result in expulsion from the market.
9. Each vendor in the market must be directly involved with or knowledgeable about the production of the produce or products being sold at the market. No secondary sale is permitted at market and will result in immediate expulsion.
10. Vendors are responsible for the action of their representatives, employees, or agents.
11. Each vendor must submit list of intended produce including plant variety with the application. Submission of pesticides/herbicides used on your farm will be mandatory to disclose to DBI.
12. All food truck vendors must use disposable flatware, cutlery, and cups comprised of compostable material.
13. Products not specifically identified must be pre-approved by market management.
14. All spaces must be swept clean at end of market each day.
15. Vendors who provide samples and/or products that will result in waste material, such as cups, rinds, and corn cobs, must provide containers for waste disposal.
16. All applicable food safety regulations, both state and local, must be adhered to.
17. All applicable licenses and permits for products sold must be kept current. Copies of licenses and permits will be kept on file with market management.
18. Vendors will be accepted to participate in the market at the discretion of DBI. DBI may revoke the privilege of sellers at its discretion.
19. It is mandatory for accepted vendors to attend the Bentonville Farmers Market Information Meeting. Failure to attend this meeting will result in repeal of acceptance.

Product Quality Review

1. DBI reserves the right to undertake a quality review of any product sold at the market at any time. If DBI receives a complaint about a product's quality (i.e taste, appearance, ingredients, place of origin) that product may be reviewed.
2. You will be notified by the Market Manager if they decide to review a product.
3. DBI will sample a product and within a one to two week period will either allow the vendor to continue selling the product as is, recommend a specific change to the product to improve quality, or ask the vendor to discontinue the product in question.
4. If the vendor refuses to adapt or discontinue his or her products, disciplinary actions will follow.

Stall Fees and Assignment:



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1. The market manager will assign vendor locations. Moving locations is not permitted without approval from the market manager or an onsite DBI representative.
2. Fees and payment schedule will be determined annually by DBI. Daily fees and commissions will be due and payable to the Market Manager by end of market day. Base fees will be due in-full prior to the contracted session.
3. Session vendors will be assigned a spot for the duration of the contracted session. Vendors may be asked to relocate due to street-closings, special events or for market cohesion.
4. The market will assign daily vendor spaces depending on availability. Space in the market is not guaranteed.
5. No subletting of booth space is permitted.
6. Refunds are not given on season or session fees.
7. Booth sharing is permitted but must be approved by the Market Manager first. Both parties must adhere to the guidelines. Both parties will pay a separate commission at the end of the market day.
8. Double spaces will be permitted at the discretion of the market manager. Booth fees are paid per 10'x10' space. New vendors will not be allowed double booth spaces and all recurring vendors with double booth spaces must make a minimum of \$5000 per session.
9. All season vendors must attend a minimum of twenty four markets out of the twenty eight market season. Failure to attend the minimum requirement of markets will result in expulsion from the market at the market manager's discretion. A session vendor must attend a minimum of nine out of ten markets. Second session vendors must attend a minimum of eight out of nine markets.

Nonprofit Guidelines:

1. Nonprofits attending the market are classified as Daily Vendors, and are subject to the rules set forward in the Bentonville Farmers Market Guidelines.
2. Nonprofits must provide an interactive element to the existing market theme and must be relevant to the market interest.
3. Nonprofits may attend only on special events or as specified by market manager.
4. Under no circumstances will the selling of raffle tickets be allowed. Any items for sale must be of handcrafted or handmade in nature by the participating group. Exceptions may be available during special market events.

Entertainment and Performances:

1. All performances must be scheduled with market management at least seven days prior to performance date.
2. Music or demonstration must be family appropriate and relevant to market interest or scheduled special event.
3. Amplification will not be allowed unless prior approval by the market manager.



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4. DBI reserves the right to revoke performance privileges at any time.

Reporting Sales and Commissions:

1. Sales reporting and commission payments are due at the end of each market day.
2. All vendor sales are reviewed by DBI and are used for planning. Individual vendor sales are not released.
3. All Double Your Dollars/SNAP tokens are required to be turned in at the end each market day. Failure to do so can result in disciplinary action.

Sales Tax Obligations:

1. Bentonville Farmers Market vendors are responsible for registering with the Arkansas Department of Finance and Administration and for collecting and remitting sales tax on tangible personal property sold at the market, unless otherwise exempt pursuant to Arkansas law.
2. Downtown Bentonville, Inc., incurs no responsibility on behalf of the Bentonville Farmers Market vendors regarding the collection and payment of sales tax, and provides no advice regarding the tax status of individual vendors.
3. Downtown Bentonville, Inc. recommends that each vendor consult a tax professional to determine whether they are required to collect and remit sales tax.

Compliance:

1. All complaints must be submitted in writing to the market manager.
2. All complaints will be reviewed by the market manager in an attempt to resolve the issue.
3. Application approval serves as the vendor's agreement to abide by the rules of the market, as established by DBI.
4. DBI reserves the right to visitation to vendor's farm, business, or establishment by appointment. Failure to provide visitation will result in market expulsion.
5. Failure to comply with rules will result in warning. DBI reserves the right to skip disciplinary action if needed. Disciplinary action is as follows:

First offence:	Verbal Warning
Second offence:	Written documentation
Third offence:	Expulsion from the market

Saturday Farmers Market Fees:

Season/Session Vendors-

1. Booth fees are \$15 per day and must be paid before the season or session begins. Fees are not to be paid until accepted into the market. There are 28 Saturdays in the 2018 market season.
2. There is a 15% discount for those that pay for the entire season before or at the



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market meeting.

3. The commission fee is 5% for each market and is due at the end of the selling day.
4. Fees are based on 10'x10' space. Any additional booth space must be approved by the market manager and is subject to additional fees.

Full Season	April 20 – October 26	\$420 (\$378 with discount)
Session 1	April 20 – June 22	\$150
Session 2	June 29 – August 17	\$120
Session 3	August 24 – October 26	\$150

Daily Vendors-

1. Booth fees are \$25 per day and must be paid upon arrival for each market.
2. Daily vendor booth space is dependent on availability and may be subject to relocation by market manager. Participation is not guaranteed.

Daily Vendor	\$25
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