

Bentleigh Farmers' Market

REGULATIONS

1. COMPLIANCE WITH VICTORIAN FARMERS' MARKETS ASSOCIATION ACCREDITATION & MEMBERSHIP

The Bentleigh Farmers' Market will be an accredited member of the Victorian Farmers' Markets Association and is therefore bound by its [Accreditation Regulations](#) and the [VFMA Charter](#). The market can have no more than 10% unaccredited stallholders, therefore priority will be given to stallholders who are VFMA accredited or in the process of applying for VFMA accreditation. The Bentleigh Farmers' Market aims to have 90% accredited stallholders by 2013.

As a VFMA member, the Bentleigh Farmers' Market requires that ALL stallholders sign up for membership if not already members. Membership is part of the accreditation process so if you are already accredited with the VFMA you do not need to sign up for membership separately. If you do not qualify for accreditation for reasons relating to the origin of the ingredients of your products, you may still qualify for membership and will need to fill out a 'membership only' form. For more information about VFMA accreditation and membership for stallholders, see the [Stallholder information](#) page of the VFMA website.

A membership levy determined by the VFMA at \$7 will be collected from each stallholder in addition to the stallholder site fee at each market day, and paid out to the VFMA on behalf of the stallholders.

2. PRODUCE

2.1 Allowable produce

All producers must be based in Victoria. Stallholders must understand that if another producer with a similar product of the same or greater quality applies to attend the market and is located considerably closer to the market location, that new stallholder may also be accepted into the market, provided they meet all other requirements.

Priority will be given to stallholders whose products are organic, biodynamic, chemical-free and free range, and who supply heirloom and rare breeds.

Accredited stallholders may only sell those products listed in their VFMA accreditation application.

Non-accredited stallholders may only sell items listed on their application form.

All stallholders must advise the Market Manager in writing if they wish to introduce new products at the market, which are not listed on their original application or renewal form.

Primary produce

As the Bentleigh Farmers' Market is a platform for Victorian farmers to sell direct to their customers, it is the Management Committee's priority to ensure that primary produce makes up the majority of goods for sale. This is farm based produce grown or reared by the stallholder selling it. Value added products such as cheese and preserves are also considered primary produce if the main ingredient is produced on the manufacturer's own land, by the manufacturer.

No re-sellers/agents are permitted.

Secondary / Value added produce

The Management Committee also allow a certain number of manufacturers who hand make their product to attend the market, provided their product is 1) a 'staple' (eg. bread), 2) particularly unique and unavailable elsewhere, 3) ingredients are sourced direct from other stallholders or convivia 4) supporting a local community group. Products must be made at a registered premises by the stallholder and utilise Victorian or Australian primary ingredients.

Products that are bought-in and re-packaged cannot be sold at the market.

Product compliance

All food items on sale must not contain GMO's, monosodium glutamate, hydrogenated fat, trans-fats and aspartame. Any E numbers must be declared. All fertilisers to be used should be biodegradable and should not bioaccumulate. Meat must be reared without growth hormones or antibiotics.

Organic produce

All organic producers MUST display a certificate from one of the recognised governing bodies at each market day.

ALL stallholders must only sell items that qualify as 'allowable products' (defined below);

Allowable produce:

| | |
|------------------------------|---|
| Vegetables | must be grown in Victoria, no fresh produce from genetically modified plant varieties is allowed |
| Fruit | must be grown in Victoria; no fresh produce from genetically modified plant varieties is allowed |
| Meat | animals must be reared and processed in Victoria; |
| Dairy | must be produced from [Victorian] milk |
| Seafood | must be caught or farmed in Victoria or in its coastal waters; |
| Poultry | animals must be reared and processed in Victoria |
| Eggs | must be produced in Victoria |
| Preserves | must be predominantly made from primary produce grown in Victoria - exceptions may apply |
| Honey | must be produced in Victoria |
| Herbs | must be grown in Victoria |
| Cut flowers | must be grown in Victoria |
| Nursery stock | must be grown in Victoria |
| Food plants | must be grown in Victoria, no fresh produce from genetically modified plant varieties is allowed |
| Juices | must be made in Victoria from [Victorian] grown fruit and vegetables |
| Coffee | fair trade, direct trade, local or organic preferred, must be roasted in Victoria |
| Tea | fair trade, direct trade, local or certified organic preferred, herbal components should be sourced from other stallholders or [Victorian] farmers where possible |
| Savoury snacks, Sweet treats | must be made in Victoria using predominantly [Victorian] produce |
| Bread | must be made from grain grown and milled in Victoria where possible |
| Organic compost | must be produced in Victoria |
| Worm farms & worms | made and/or grown in Victoria |
| Seeds | must be vegetable, herb & flowers seeds for the home gardener, open pollinated. Seeds without chemical treatment preferred. No GM varieties. |
| Wine & other beverages | must be produced in Victoria from fruit and grain grown in Victoria - exceptions may apply |
| Nuts, grains & pulses | must be grown in Victoria |
| Vegetable, nuts & seed oils | must be grown in Victoria |

2.2. Product pricing

The Bentleigh Farmers' Market aims to educate consumers about the true value of the cost of food production. Vendors will offer all produce at fair, market driven prices that reflect the quality and/or specialty nature of the goods sold and which achieve profitable outcomes, Overcharging and/or advantageous pricing is discouraged.

3. CANCELLATION CONDITION

An Administration fee of \$20 will be applied for all cancellations within three days of the event. If the stallholder does not cancel by 10AM on the day before the booked market then they will be charged the full rate of the stallholder site fee. Special circumstances may be considered but we encourage you to set in place contingencies for such events.

4. STALLHOLDER DISMISSAL & RENEWAL

4.1 Market 'start-up' period.

To establish stallholder suitability, the first six months of market operations will be considered the market 'start-up' period. During this 'start-up' period, if a stallholder's product is found to conflict with the market mix or their conduct found to be unsatisfactory, the management committee reserves the right to dismiss the stallholder at any point without prior notice.

4.2 Probationary period

After the initial six month market 'start-up' period, stallholders will be accepted on the basis of a three month probationary period when they a) apply for the first time or b) renew their booking for the market. If their product is found to conflict with the market mix or their conduct found to be unsatisfactory, the management committee reserves the right to dismiss the stallholder at any point without prior notice.

4.3 All other times

After the initial six month market start-up trial period, and outside of each stallholder's three month probationary period, the management committee reserve the right to dismiss any stallholder with a minimum of one month's notice. However, if it is found that a stallholder has acted in a way that is detrimental to the reputation or the interests of the market, or not in accordance with the Market Regulations, the Management Committee has the right to dismiss that stallholder without prior notice.

4.4 Renewal

Stallholders will be asked to renew their application every twelve months. Failure to do so will warrant dismissal.

5. STALL & PRODUCE PRESENTATION

5.1 Stall presentation

Stallholders will need to provide their own tables, shade or weatherproof covering. Marquees must have substantial leg weights available to use on hard surfaces or in windy conditions.

Your **Trading Name** must be clearly visible to customers at ALL times.

VFMA accredited stallholders must also display their accreditation sign and certificate in clear view of customers.

All goods for sale should be presented neatly and have prices clearly marked for customer viewing, using signage or label if it is a packaged product (eg: not fresh produce).

Dogs are permitted at the Bentleigh Farmers' Market including guide dogs and guide dogs in training. All dogs must be kept on a leash and under control by their owners at all times. All produce must be presented at a height which will avoid animal contamination. Please refrain from placing any food items or produce directly onto the ground.

5.2 Labelling of products

All produce sold at the market must comply with the labeling requirements in the *Australia New Zealand Food Standards Code*. See the FSANZ website for more information: www.foodstandards.gov.au.

At bare minimum, market management expects to see the following information on packaged items:

- Name of food
- List of ingredients
- 'Use by' or 'best before' date as appropriate
- Net weight or liquid volume
- Special storage requirements if applicable
- Instructions for use if applicable
- Name and address of producer
- Allergen or Warning Statements
- Declaration of alcohol by volume (if alcohol present)

Signage must be used to name and price all unpackaged items.

5.3 Manning of stalls

The person manning the stall must be either the principal producer, a family member or farm based employee, all of whom must be directly involved with growing, rearing, catching or making of the product. In the case of value added products, stallholders must be involved in the production process and have thorough relevant product knowledge.

Stallholders must avoid leaving their stall unmanned for any length of time during market operating hours unless they reach 'SOLD OUT' status. In this circumstance signage must be left on the stall stating that they are 'SOLD OUT' along with the time that status was reached. At all other times, if a stallholder must leave their stall for a time we suggest they ask a neighbouring stallholder to serve customers in their absence.

No stallholder is eligible to leave the market prior to 12:30pm except for in the case of severe weather conditions. Should this be the case, the Market Manager will advise you that it is time to depart.

5.4 Music

Stallholders who wish to play music must seek approval from the Market Manager first.

5.5 Code of dress

It is recommended that stallholders selling food items wear aprons or appropriate clothing. Stallholder name badges are encouraged.

5.6 Customer interaction

Stallholders and assistants are required to maintain the highest standards of stall/product presentation, customer service and relations. Stallholders should refrain from sitting, reading and mobile phone use while the market is open to the public. Loud and intrusive selling techniques will not be permitted. Stallholders are not to use any public address system or other practices, which may cause annoyance to other stallholders and customers.

5.7 Smoking

While manning the stalls, a 'No Smoking' policy must be strictly adhered to. Smoking will not be permitted within a 10 metre radius of any food vendor. To maintain good hygiene practices, hands should be washed prior to returning to your stall.

6. MARKET SITE AND SET UP

6.1 Exhibition space

The market site can accommodate a maximum of approximately 60 stalls. The dimensions of the stall sites are 3 x 3 metres. **Space for your vehicle cannot be guaranteed.**

The Market Manager has complete and unfettered right to allocate each stallholder site as they see fit.

The market site poses a number of challenges during set up, therefore stallholder cooperation is essential to prevent any disruptions to the set up procedure.

It is important that you listen and abide by any traffic or movement instructions within the market area. Stallholders should unload their vehicles as quickly as possible.

Further logistical briefing will take place prior to your commencement at the market.

To allow for smooth traffic flow, no produce can be placed in front of your stall prior to 7.30 am. Thereafter, stallholders must not place any goods beyond one metre distance from the front of their stall without prior consent from the Market Manager nor cause obstruction to other stallholders or the general public.

6.2 Traffic management

Strict **5km** per hour speed limit within the market area during set-up and pack down. No traffic movement within the market area between the hours of 7.30 am – 1:00 pm (with the exception of emergency vehicles).

Trading times will be from 8:00am to 12:30pm each market day – rain, hail or shine!

7. REGULATION COMPLIANCE

7.1 Food safety

All stallholders must meet food safety requirements as determined by the food safety risks associated with their food handling activities, therefore you **must hold a Food Act registration or notification certificate** for your class 2, 3 or 4 activities. When applying for the registration or notification, your principal council will advise what food safety requirements you must meet and whether you need a food safety program, according to your activities.

It is expected that you will follow safe food handling practices at the market.

State-wide recognition

On July 1st 2011, a state-wide registration and notification scheme for temporary and mobile food premises was introduced. This means your *Food Act registration or notification* with your principal council will be recognised by all councils state-wide so you can trade in different districts without further registration or notification.

Please read *Victoria's Food Act – food vans and stalls* to ensure you understand the new scheme and what is required of you. Also see www.health.vic.gov.au/foodsafety for more information or speak to the Health Unit of the council in which your business is based.

As part of the new state-wide registration and notification scheme, market stallholders must submit a *statement of trade* to the council in whose district they wish to trade. Contact your principal council to obtain the *statement of trade* form or download it from www.health.vic.gov.au/foodsafety/bus/mobile.htm.

All stallholders must submit a *statement of trade* to Glen Eira Council and provide a copy with their *Application to Trade* at the Bentleigh Farmers' Market.

PrimeSafe

All stallholders transporting meat, poultry or seafood must hold a *PrimeSafe Meat Transport Vehicle Licence* to ensure they are transporting produce to the market in a vehicle that complies with food safety regulations. See www.primesafe.vic.gov.au for more information.

Dairysafe

Under the Dairy Act 2000, anyone wishing to produce milk for sale or be involved in its production, transport, manufacture or distribution, must hold a licence from Dairy Food Safety Victoria (DFS). Milk includes but is not limited to milk from cows, sheep, goats and buffalo. For more information visit www.dairysafe.vic.gov.au or call 03 9810 5900.

7.2 Liquor Licence

Any stallholder selling alcohol is responsible for arranging their own liquor licence with Glen Eira Council.

7.3 Food tastings

Any stallholder wishing to offer tasting samples to customers should notify the Market Manager accordingly. Please consider waste wise solutions to tasting cups etc.

8. EQUIPMENT

8.1 Gas

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.
- Provide an appropriate working fire extinguisher for any stall where gas burners are used and to ensure they know how the extinguisher is operated.
- Ensure their gas appliance is compliant with gas safety standards.
- Ensure that any gas appliance used for cooking is clean and satisfies food safety regulations. All fat and oil must be disposed of safely and must not leak or drip near naked flames.
- Ensure the area around the cooking appliance is left as they found it, no dripping of fat etc. onto asphalt or grass.

8.2 Electricity

Powered stall sites are limited and can only be provided to meet health regulations.

A maximum of current ampage draw is set per powered site.

All electrical equipment must be tagged and tested before use at the farmers' market. If equipment is not tagged and tested, this will be carried out by market management at the stallholder's expense.

Stallholders must supply their own extension cables to run from the power outlet to their stall. A minimum of 10 metres is recommended.

Market management will make all precautions necessary to ensure the safety of the electrical area. Please avoid walking through the electrical area and please deter market shoppers from entering the powered area.

No power supply will be available for cash registers or weighing machines. We therefore ask that you make alternative arrangements.

8.3 Measuring instruments

Stallholders using measuring instruments must ensure they comply with the Trade Measurement Regulations 2009.

Measuring instruments such as scales must be approved with an NMI (National Measurement Institute) or NSC (National Standards Commission) number and verified by a servicing licensee or inspector before they can be used at the market.

For more information read the *Guide for Market Stallholders and Roadside Traders* and visit www.measurement.gov.au.

8.4 Water & hand-washing facilities

There will be hand-washing facilities outside the market site's amenities block. Some stallholders will need to supply their own dedicated hand-washing facility, depending on their food handling activities (see 7.1 Food Safety). It is the responsibility of the stallholder to know what is required of them.

ALL stallholders must have hand sanitiser easily accessible.

8.5 First aid

Stallholders should provide their own clearly labelled first aid kit with a supply of blue waterproof dressings.

9. INCIDENT REPORTING

All first aid and Occupation Health and Safety matters need to be reported immediately to the Market Manager. If you identify a potential hazard or 'near miss' please notify the Market Manager immediately so steps can be taken to prevent injury or damage to property. OH&S is the responsibility of all stallholders, market staff and volunteers. Refer to the Emergency Management Plan for further information.

10. SECURITY

We strongly recommend that you keep your money in a money belt, zipped pockets or a lockable tin in order to ensure its security.

The Bentlyigh Farmers' Market cannot be held responsible for any loss of stallholder money.

11. INSURANCE & INDEMNITY

All stallholders MUST have both public and product liability insurance for the sale of goods produced by their business, whilst operating at the Bentlyigh Farmers' Market. Stallholders must ensure their policy covers a minimum of 10 million dollars and remains current whilst trading at the market.

It is also advisable to have adequate insurance to cover equipment (chillers, display cases etc.) as Bentlyigh Farmers' Market accepts NO responsibility for any damage incurred whilst on site.

The stallholder must indemnify to the extent permitted by law, the Bentlyigh Farmers' Market from any damage, expenses or liability incurred from any injury or damages to any person or property resulting from or arising out of the occupancy of the stall site or anything connected with such occupancy.

12. STALLHOLDER FEES

The stallholder site fee charged for each market day will be \$75 for a site (powered or non-powered). This fee includes the \$7 VFMA market day levy which pays for your membership to the association.

All stall fees are to be paid in cash during each market. If a stallholder fails to attend a market without having notified the Market Manager by the Friday prior to the market taking place, the stallholder site fee will be forfeited. The stallholder will then need to pay the fee again at the next market as well as the current fee. THIS POLICY WILL BE STRICTLY ENFORCED as non-attendance diminishes the market for other stallholders and the credibility of the market as a whole.

13. MARKET INITIATIVES

The Benteigh Farmers' Market may introduce initiatives from time to time to engage the local community, add value to the market and encourage shopper spending. Stallholder cooperation will be necessary for these initiatives to be successful. This may involve offering a discount to loyal shoppers or supporting educational activities for children. You will be provided with more information if and when these initiatives are developed.

16. PHOTOGRAPHIC AND FILMING RIGHTS

The Benteigh Farmers' Market has complete and unfettered right to use any image or footage of the market or particular stall to promote the market generally, whether by printed material, through its website or other means.

14. MARKET DAY CANCELLATION

In the case of extreme weather, if the market needs to be cancelled in respect of public safety, the Benteigh Farmers' Market will not be liable for any loss of sales by the stallholder.

15. ENVIRONMENTAL CONSIDERATIONS

Benteigh Farmers' Market is committed to promoting sustainable practices in the production, transport, selling and consumption of food. The Market aims to be a zero waste market that is free of plastic bags and disposable containers. Where packaging is absolutely necessary, it must be code 1, 2 or 3 plastic, if at all possible. Alternatives in tasting cups, coffee cups, juice glasses etc such as reusable containers are preferred. All promotional material for the market will be printed on recycled paper materials using vegetable inks.

15.1 Strict NO PLASTIC policy

The Benteigh Farmers' Market will be plastic bag free so stallholders will not be permitted to supply new plastic (or bio-degradable) bags to the public. In the case of plastic being required for health standards or product longevity, please discuss with the Market Manager prior to attending the market.

15.2 Refuse responsibilities

At the end of the market stallholders will be responsible for ensuring that all refuse is bagged up and taken with them. Organic waste may be composted on site, but all other refuse should be taken away. Rubbish bins provided by School, Council or market management are STRICTLY for public use only.

Stallholders are also responsible for leaving their stall site and surrounding area clean and tidy. Waste water from a stall must NOT be disposed of in Council drains.

17. COMPLAINTS

Customer complaints on market day should be made in writing and deposited in the market feedback box, or following market day should be made in writing via mail or email to the Market Manager.

Should a customer complaint be relating to unsatisfactory produce or goods, the Market Manager will refer the complaint directly to the stallholder from whom the product was purchased. Should the customer request anonymity the Market Manager will deal with the complaint accordingly.

Complaints raised by stallholders must be made in writing via mail or email to the Market Manager. The stallholder details will be kept confidential.

If a complaint is made about a stallholder by any party, that stallholder will be provided with written notice detailing the allegations and given an opportunity to respond in writing or in person at a subsequent Management Committee meeting.

Should the accused stallholder decide not to respond to the allegations and/or should it be found by the Management Committee that the stallholder has acted in a way that is detrimental to the reputation or the interests of the market, or not in accordance with the Market Regulations, the Management Committee has the right to dismiss the stallholder from the market without prior notice, as per point 4.3 *Dismissals - all other times*.

Stallholder complaints relating to the Market Manager must be made in writing to the Bentleigh Farmers' Market Management Committee, East Bentleigh Primary School, Bignell Rd, East Bentleigh, VIC 3195.

Complaints by the Market Manager must be made in writing to the Management Committee and will be dealt with accordingly.

Thank you for reading and abiding by these market regulations.