POLICY FOR MASSACHUSETTS FARMERS' MARKETS

The Massachusetts Department of Agricultural Resources (MDAR) both promotes and regulates agriculture across the Commonwealth. Our goal is to work to increase sales opportunities and delivery of our farmers' products to all areas of the Commonwealth and beyond. Such broad availability is also intended to include people who otherwise may not have access to those products at the farms themselves, or through traditional retail outlets. Further, MDAR has a regulatory and statutory role in the sale of agricultural products at public markets. For these reasons and others, MDAR has determined that a uniform definition and minimum qualifications are necessary to optimally direct these efforts.

As farmers' markets have grown in Massachusetts and in an effort to maintain the benefit realized by our Commonwealth's farming interests, it has become increasingly important that such outlets are adequately defined. Accordingly, this policy document is intended to provide basic guidance and definitions relative to farmers' markets in Massachusetts.

A *Massachusetts Farmers' Market* is a public market for the primary purpose of connecting and mutually benefiting Massachusetts farmers, communities, and shoppers while promoting and selling products grown and raised by participating farmers.

Minimum qualifications for a *Massachusetts Farmers' Market*:

- Two or more farmers, or their employees, volunteers, or representatives, who are present at all times during the operation of the farmers' market and who are selling products of which a majority are grown, produced, or raised by the farmer at their agricultural operation within the Commonwealth.
- The market has set hours of operation and operates on a regular schedule.
- The products are clearly labeled as to origin.
- The market complies with all applicable local, state, and federal laws and regulations.
- The market must have, and abide by, a set of rules* that governs the operation of the market and, at a minimum, assures the primary purpose of a *Massachusetts Farmers' Market* as providing a direct marketing opportunity for Massachusetts farmers, foresters and fisheries and addresses the following:
    - Terms and conditions of sales, including pricing and labeling
    - Vendor eligibility and product source
    - Compliance by all vendors with local, state, and federal laws and regulations.

MDAR strongly suggests that farmers' markets have a written grievance procedure and address market and vendor liability, including any insurance requirements in their policies or rules.

* Rules must be approved by MDAR if the market is applying for or receiving MDAR sponsored grant funds or intending to include the sale of wine by farm wineries at the market. However, all farmers' markets are expected to have rules that meet these minimum qualifications.

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