

**MARKET SAFETY BEST PRACTICES**  
**Vermont Farmers' Market Association**  
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**There is much that markets can do to mitigate potential safety issues. These include developing a set of articulated vendor guidelines with required vendor sign-off conducting a thorough assessment of physical site issues, etc. Not all safety issues can be anticipated, however, markets should think through how to handle issues that crop up on market day in an affirmative, yet sensitive way.**

**Take advantage of the [Farmers Market Legal Toolkit risk management section](#), including its checklists**

**General Safety Guidelines**

- Review the [Farmers Market Legal Toolkit](#) on ADA issues and seek a partnership with a disability center/group to assess accessibility.
- Market Managers should be aware of the common State Rules and Regulations governing farmers markets and assist vendors in understanding them.
- Each year the vendor application/renewal form should require the signature of the vendor stating they have read and understood the current market guidelines and agree to adhere to them.
- Vendors should each have Product Liability Insurance (more info on the NOFA-VT website). This insurance product covers the individual vendor for the products they make/sell, as well as anything that could happen to a customer as a result of their vending stand or space.
- Consider having each farmers market vendor sign a Hold Harmless Clause/General Release/Product Liability Release form that includes compliance with State Rules and Regulations for selling their individual food products. If possible, asking vendors to have the market as an insurance “certificate holder” will mean that the market is alerted if the insurance lapses. However, it is important to remember that a Hold Harmless clause will not always absolve the market from being part of a lawsuit if one is brought.
- Many markets maintain a file of completed safety checklists of the shopping spaces, vendor products, and parking areas which may reduce their liability if an incident happens.
- Vendor Guidelines should make it clear that Vendors are responsible for compliance with the Rules and Regulations of the State of Vermont (including any taxes) and must be in compliance and in possession of any licenses that may apply. An excerpt of information about the most common licenses is listed below, by Agency. Market Managers should be familiar with the licenses necessary for each vendor type and remind vendors on the annual application/renewal form. The licenses or photocopies must be available while vending; some market managers do a walkthrough once per season.

**Agency of Agriculture, Food and Markets**

- Dairy Products: contact the Dairy Division at 1-802-828-2433
  - Licenses required:
    - *Milk Handler's License* for anyone selling dairy products they produce.

- Retail License to sell prepackaged product.
  - Frozen Dessert License for ice cream and other frozen dairy products.
- Meat Products: except Game Birds, Rabbits and Venison. Contact the Meat Inspection at 1-802-828-2426.
  - Licenses required:
    - Farmers' Market Retail License for red meat and *inspected* poultry.
    - Uninspected poultry – no license needed, but all labeling requirements of 6VSA #3312 that apply to their product.
- Eggs: contact the Consumer Assurance Section at 1-802-828-2436
- Scale Certification: contact the Consumer Assurance Section at 1-802-828-2436 (the market manager does not regulate scales; the state does. However, the market manager needs to be in contact with the VAAFM regulator.)
- Labeled Products: contact the Consumer Assurance Section at 1-802-828-2436

### **Department of Health**

- Baked Goods: contact the Food and Lodging Program at 1-800-439-8550
  - Home Baking License, same requirements as Home Catering License. Unless gross sales are less than \$125 a week, averaged over the entire year.
- Prepared Foods: contact the Food and Lodging Program at 1-800-439-8550
  - Licenses required:
    - Fair Stand License: covers those who wish to do the food preparation at the Farmers Market.
    - Home Caterers License: covers those who wish to prepare food at home and bring it to the Farmers Market, packaged and ready for sale.
- Vendors selling to Restaurants: Contact the Food and Lodging Program at 1-800-439-8550.
- VTFMA recommends attending the annual Farmers Market Conference to hear about current regulations directly from state agency personnel.

### **Site Safety**

- Maintain a safe, family-friendly, multi-generational environment.
- Have traffic aisles and ensure that they remain clear.
- Recognize the need for a market common area.
- Have an Emergency Plan for unexpected incidents.
- Maintain a formal version of the boundaries of designated vendor spaces.
- Have solid footing materials for the entrance areas giving special consideration to vehicles, the elderly, and small children.
  - Be aware of mud and slippery ground in high-traffic walking areas and mark them appropriately.
- Have a bicycle policy:
  - Post signs for no riding through the market area.
- Support clean environment practices:
  - Trash, recycling and compost collection containers.
  - Access to bathrooms.
  - If you allow dogs, have a policy for dog owners to pick up after their animal
- Examine customer-vendor vehicle intersections.

- o No vehicles should be driven in the farmers' market vending area during market hours.
  - Ensure a safe environment for vendors entering and departing the market area.
- Required to have necessary General Limited Liability Insurance (Commercial Liability) (more info [here](#)):
  - o Commercial Liability Insurance covers the market site but does not cover individual vendor space and/or product liability concerns.
  - o Strongly suggest that vendors obtain a Product Liability Insurance Policy to cover incidences under the vendor's canopy and product liability concerns.
- Require tents, umbrellas, vendor signs, and displays to be well secured with weights and stakes.
- Maintain contact with state and town officials around parking, market access, and traffic flow concerns.

### **Vendors**

- Be aware of the boundaries of the designated vendor space.
- Strongly suggest vendors obtain a Product Liability Insurance Policy to cover incidences under the vendor's canopy and product liability concerns.
- REQUIRE that tents, umbrellas, vendor signs, and displays to be well secured with weights and stakes.
  - o Consider safe and appropriate placement as well as visibility of all tie-downs to safeguard against customer injury.