

Farmer's Market Rules and Regulations

The City of Portland regulates the Farmer's Markets. The Farmer's Markets may be held on Mondays and Wednesdays from 7:00 am to 2:00 pm at Monument Square and Monument Way, and Saturdays from 7:00 am to 12:00 pm at Deering Oaks Park, on Farmer's Market Road and Jenny Lane. Farmers may arrive two hours prior for set-up and may remain two hours after for break-down. All farmers participating in the Farmer's Markets must be duly licensed by the City Clerk's Office. By the issuance of a license a licensee will then be allowed to sell local fruits, vegetables, flowers, seedlings, plants, or any other item permitted by Portland's Farmers Market Ordinance, subject to the following rules and regulations.

1. All products offered for sale at the Farmer's Markets must be local. Local is defined as that which is raised, produced or grown in the State of Maine. Fruits, vegetables, flowers, seedlings and plants must be raised or grown in the State of Maine for a minimum of six (6) weeks prior to being offered for sale at the Farmer's Markets. Licensees must certify on their license application that all of the products they offer for sale at the Farmer's Markets are local.
2. All licensees shall certify in writing that any product offered for sale shall be of their own raising or that of some other person holding a Farmer's Market license. In addition, licensees may also sell local products that are produced or raised by someone who does not hold a Farmer's Market license as long as those products are labeled prior to display as having been produced or raised by someone who does not hold a Farmer's Market license. No more than 25% of the total amount of a licensee's annual sales at the Farmer's Market shall result from the sale of any products that are produced or raised by someone who does not hold a Farmer's Market license.
3. All license applicants must obtain from the City Council, Selectman, or Town/City Clerk where the applicant resides, a certificate of qualifications to the effect that the applicant resides in the town or owns or rents in the town, property capable of being cultivated.
4. Public liability insurance must be filed with the City Clerk's Office before any license can be issued. This insurance must name the City of Portland as the **additional insured** and must be in the amount of at least \$400,000.
5. Crafts, souvenirs, and antiques are just a few of the items that **can not** be sold at the Farmer's Market.
6. Local fruit, vegetables, flowers, seedlings and plants may be sold at the Farmer's Markets.
7. The following items **may** also be sold at the Farmer's Markets, provided the product is produced, processed, or manufactured in an establishment licensed by the Department of Agriculture to produce the item and that the seller had produced, or processed, or manufactured the item: Licensees must provide proof of their current license with the Department of Agriculture.
 - a. Farm fresh eggs, provided they are stored at forty-five (45) degrees Fahrenheit during transport and display.
 - b. Honey, jams, jellies, pickles, relishes, maple syrup, apple cider, packaged herbs or herb blends and pesto.
 - c. Fresh meat and meat products, and fresh poultry and poultry products, provided that they are stored at or below forty (40) degrees Fahrenheit during transport and display at the public market.
 - d. Frozen meat and meat products, and frozen poultry and poultry products, provided that it is stored such that it remains frozen during transport and display at the public market.

- e. Pasteurized milk and milk products stored in compliance with Maine State Law.
 - f. Cheese, provided that it is stored at or below forty (40) degrees Fahrenheit during transport and display.
 - g. Raw or spun fiber.
8. The following items **may** be sold, provided that the total amount of sales from all such items **does not exceed 49% of the total amount of sales** made by the licensee at the Farmer's Markets:
- a. Any other edible produce that is a derivative of local plants or produce **grown by the licensee**, provided that the licensee holds the necessary license from the Department of Agriculture to produce such item(s). It is the intention that the licensee would be allowed to produce and sell such items such as fruit pies, breads, squares and fruit filled cookies derived in whole or in part from the products grown on their farm. It **does not** allow for the sale of such items as rice crispy squares, chocolate chip cookies, chocolate fudge, or brownies, to name a few.
 - b. Any baked goods eligible to be sold at the public market must be individually or collectively wrapped while displayed and sold.
 - c. The sale of any potentially hazardous foods, which includes any perishable food or food products which consists, in whole or in part, of milk or any other ingredient capable of supporting rapid and progressive growth of infectious and toxigenic microorganisms, including but not limited to, cream fillings in pies, cakes or pastries, custard products, meringue topped bakery products, or butter cream type fillings in bakery products, **will not be allowed**.
9. Stalls shall be assigned by Larry Bruns from Hanson Field Flower Farm. His phone number is (207) 883-5750. Stalls may be assigned by seniority. Those who fail to timely submit their license application by March 31st may be bumped to the bottom of the list. Additionally, in order to accommodate the growing number of participants, some licenses may be limited to certain days of the week on which the licensee may participate in the market.
10. The Farmer's Market shall be the primary use of Monument Square on the designated days of the week, during the designated times from April 15th through November 15th. From November 15th through April 15th, the Farmer's Market location may be relocated in the square to accommodate other activities.
11. Any licensee who violates any section of Chapters 15 or 21 of the City Code, who violates these rules and regulations, who has combined with any other licensee in the fixing or maintaining of a price, who participates in the fraudulent use of weights or measures, or who intentionally and knowingly deprives another licensee of the use of the latter's designated stall in the market, will have their license revoked. If anyone has cause to believe a licensee has committed any of the above acts, they should contact the City Clerk's Office at (207) 874-8557.
12. Fees are set by the City Council and are as follows:
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| New Application Fee | \$30.00 | Renewal Application Fee | \$20.00 |
| License Fee | \$65.00 | | |
- License expires March 31st of each year.
13. Please submit City application, proof of insurance, public market certification, copy of current State Department of Agriculture License(s) (if applicable), State Mobile Vendors License (if applicable), and fees as a complete package, as this will help expedite the processing of your license at this office.