



Mt Eliza Farmers' Market

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# Mt Eliza Farmers' Market

## CRITERIA & REGULATIONS POLICY

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

The Mt Eliza Farmers' Market is 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 25% unaccredited stallholders, therefore priority will be given to stallholders who are VFMA accredited or in the process of applying for VFMA accreditation.

As a VFMA member, the Mt Eliza 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 of \$5 will be collected from each stallholder as part of 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

Priority will be given to those producers based within the Mornington Peninsula area or within a 50km radius. 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 prior to introducing new products and items at the market if they were not listed on their original application or renewal form.

#### Primary Produce

As the Mt Eliza 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 produce/Value Added

The market management committee also allow a certain number of manufacturers to attend who hand make their product 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.

## Produce Compliance

All food items on sale must avoid the use of 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 bio-accumulate. Meat must be reared without growth hormones and/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 free range and 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 stallholders or Victorian farmers where possible
Cakes, biscuits	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;

## 2.4 Product pricing

The Mt Eliza 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. STALLHOLDER FEES AND CANCELLATION CONDITIONS

Many stallholders at Mt Eliza Farmers Market are considered 'regular' or 'seasonal' stallholders. We have a waiting list consisting of many new stallholders wishing to obtain a site at the Mt Eliza Farmers Market, therefore we require timely payment of invoices and notice of non-attendance so we can re-allocate your site.

### 3.1 Stallholder Fees

- Fees are current as of February 2022. However, small increases in fees may occur.
- The fees below reflect a standard market stall site of 3m x 3m.
- Stallholder fees are charged as follows (inclusive of GST):
  - \$60 market site fee - non-powered
  - \$65 market site fee - powered
  - \$5 VFMA membership levy, which we collect and pay on your behalf (all stallholders pay)
  - \$5 levy for non-VFMA members, charged if stallholder is not a VFMA member
  - \$10 large market site fee - gazebos larger than 3m x 3m

### 3.2 Payment of Fees

- All stall fees (considered confirmation of attendance) are to be paid by the due date on the invoice. **Your site will be forfeited if confirmation is not received.**
- Invoices will be issued on the 6th of each month, with due dates for invoices being 10 days later.
- Payment to be made via direct deposit to account as per invoice.

### 3.3 Cancellation Policy

- Please notify the Market Manager at least one week prior if for any reason you can't attend. Credits or refunds will not be available if sufficient notice is not provided.
- Non-attendance diminishes the market for other stallholders and the credibility of the market as a whole.

### 3.4 Casual or once only stallholders

- We welcome new and casual stallholders. Casual stallholders may be invited and wish to attend on a continued basis, this will be dependent on available space and suitability.

## 4. STALLHOLDER DISMISSAL

### Probationary period

Each stallholder will be accepted to the market on the basis of a three month probationary period to establish their suitability. 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.

### All other times

After the stallholder's three month probationary period, the management committee reserve the right to dismiss any stallholder with a minimum of one month's notice. All dismissals will be made in writing.

### Renewals

Stallholders will be asked to renew their acceptance of the Market Criteria and Regulations Policy every twelve months. Failure to do so, will warrant dismissal.

## 5. MARKET DAY CANCELLATION

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

## 6. STALL & PRODUCE PRESENTATION

### 6.1 Stall presentation & Safety

Stallholders will need to provide their own tables, shade or weatherproof covering. Marquees must be weighted down with a **minimum of 20kg weights attached to each leg**. Pegs are not permitted to be used, even on the grass area. All weights must be suitable for use on hard surfaces and in windy conditions.

Your **Trading Name** (which should match your registered VFMA 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 labels if it is a packaged product (eg: not fresh produce).

As Mt Eliza Farmers' Market is a dog-friendly environment, 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 pavement.

### 6.2 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 *Mornington Peninsula Shire Council Fact File: Food Labelling* for an overview of the minimum requirements or [www.foodstandards.gov.au](http://www.foodstandards.gov.au) for the FSANZ website. 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.**

### 6.3 Staffing 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 1:15pm 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.

### 6.4 Music

Stallholders who wish to play music must seek approval from the market manager first.

### 6.5 Code of dress

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

## 6.6 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.

## 6.7 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.

# 7. MARKET SITE AND SET UP

## 7.1 Exhibition space

The market site can accommodate a maximum of approximately 55 stalls. The dimensions of the stands are 3 x 3 metres or 4.5m x 3m. It is essential that you indicate the size of your stall space on your application or renewal form and this stall size will not change without market manager consent. **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 to avoid congestion then park in the dirt car park at the rear of the shops. Surrounding car parking in adjoining streets must be left for shoppers and village traders.

To allow for smooth traffic flow, no produce can be placed in front of your stall prior to 8:15am. 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.

## 7.2 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 8:15am–1:15 pm (with the exception of emergency vehicles).

Official trading times for the market are 9:00am to 1:00pm each market day – rain, hail or shine! Please note that many of the elderly shoppers at the market arrive from 8:30am and wish to shop before the crowds arrive. It is suggested that your stall is set-up and open for service from this time.

# 8. REGULATION COMPLIANCE

## 8.1 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 shall follow safe food handling practices at the market.

### Food Act registration or notification

On July 1<sup>st</sup> 2011, a state-wide registration and notification scheme for temporary and mobile food premises came into place. This means your *Food Act registration* from your principal council will be recognised by all councils state-wide so you can trade in different districts without further registration.

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](http://www.health.vic.gov.au/foodsafety) for more information or speak to the Health Unit of the council in which your business is based. Once you have registered your temporary food premises with your local council, you will need to complete a *statement of trade* form (see below) and submit that to the Mornington Peninsula Shire.

### **Statement of trade**

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](http://www.health.vic.gov.au/foodsafety/bus/mobile.htm).

All stallholders must submit a *statement of trade* to the Mornington Peninsula Shire and provide a copy of their approval letter with their *Application to Trade* or *Renewal Form* at the Mt Eliza 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 which complies with food safety regulations. See [www.primesafe.vic.gov.au](http://www.primesafe.vic.gov.au) for more information.

### **8.2 Liquor Licence**

Any stallholder selling alcohol is responsible for arranging their own liquor licence with the Mornington Peninsula Shire Council.

### **8.3 Food tastings**

Any stallholder wishing to do tastings should notify the Market Manager accordingly.

## **9. EQUIPMENT**

### **9.1 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.

### **9.2 Electricity**

- Powered stall sites are limited and can only be provided by agreement.
- A maximum of 15 amps from one outlet is available per powered site.
- Stallholders must supply their own extension cables to run from the power outlet to their stall. A minimum of 10 metres is recommended. All electrical equipment must be tagged and tested before use at the market. (If equipment is not tagged and tested, this will be carried out by market management at the stallholder's expense.)
- Market management will take 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.

### 9.3 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](http://www.measurement.gov.au).

### 9.4 Water & hand washing facilities

There will be hand-washing facilities at the market site's amenities block in the dirt carpark at the rear of the shops and in the Ritchies Village Shopping Centre. 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.

### 9.5 First aid

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

## 10. INCIDENT REPORTING

All first aid and Occupation Health and Safety matters need to be reported immediately to the market manager and an incident report will be completed. 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 market's Emergency Management Plan for further information.

## 11. 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. Electronic payment systems are highly recommended. The Mt Eliza Farmers' Market cannot be held responsible for any loss of stallholder money.

## 12. INSURANCE & INDEMNITY

All stallholders MUST have both public and product liability insurance for the sale of goods by their business for no less than \$10 million dollars. Each stallholder must ensure their policy remains current whilst trading at the market. It is also advisable to have adequate insurance to cover equipment (chillers, display cases etc.) as Mt Eliza Farmers' Market accepts NO responsibility for any damage incurred whilst on site.

The stallholder must indemnify to the extent permitted by law, the Mt Eliza 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.

## 13. PRODUCE DONATION & OTHER INITIATIVES

In order for market management to best promote the market and survey its customers, on occasion stallholders may be asked to donate produce for a market hamper. We ask that each stallholder donate a suitable item or items to contribute to a bursting basket of market produce.

The Mt Eliza 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 when these initiatives are developed.

## 14. PHOTOGRAPHIC AND FILMING RIGHTS

The Mt Eliza 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.

## 15. ENVIRONMENTAL CONSIDERATIONS

Mt Eliza Farmers' Market considers itself an example of responsible practice and minimal waste. Packaging must be code 1, 2 or 3 plastic, if at all possible. Alternatives in tasting cups, coffee cups, juice glasses etc such as PET and cornstarch are actively encouraged. All promotional material for the market will be printed on recycled paper materials using vegetable inks.

### 15.1 Strict NO PLASTIC policy

The Mt Eliza 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 or disposed of in the Waste Wise bins provided. These bins are collected at 1:30pm, so rubbish must be disposed of by this time. Failure to do so will mean that stallholders must take their refuse home with them. Rubbish bins provided by Council are ONLY for public use and must not be used by stallholders. 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.

## 16. COMPLAINTS

Customer complaints on market day should be made in writing in the comments book at the market information stand or following market day should be made in writing via email to the Market Manager: [info@melizafarmersmarket.com.au](mailto:info@melizafarmersmarket.com.au)

Should a customer complaint relate to unsatisfactory produce or goods, the Market Manager will refer the complaint directly to the stallholder from whom the produce 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 email to the Market Manager. The stallholder details will be kept confidential. If the complaint relates to another stallholder, 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 further notice.

Stallholder complaints relating to the Market Manager must be made in writing via email to the Mt Eliza Chamber of Commerce, [info@melizafarmersmarket.com.au](mailto:info@melizafarmersmarket.com.au)

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.