Plain Language Guide to Selling at a Farmers Market

In this guide, you will learn about:

- choosing a market
- Applying to a market
- Designing your market stand
- Setting your Prices
- Making Sales

A Guidebook of the

New Entry Sustainable Farming Project

New Entry Sustainable Farming Project

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www.nesfp.org

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TABLE OF CONTENTS

Introduction: Why sell at farmers' markets?..... 4

Steps for Success at a farmers' market 5

Step 1: Choosing the right market 6

Step 2: Applying to the market 8

Step 3: Signing a market contract 10

Step 4: Bringing the right equipment 11

Step 5: Designing your farm stand 12

Step 6: Setting your prices 13

Step 7: Making sales at the market 14

Accepting Farmers Market Coupons 15

One growers story 16

Appendix A: Additional resources and contact information 20

Appendix B: Sample farmers market application 21

Introduction—Why Sell at a Farmers Market?

When farmers sell directly to consumers, they earn a better price. Farmers markets are a good form of direct marketing. However, farmers markets are not right for everyone. How does selling at a farmers market fit with your business' marketing plan? Do you have the resources to start selling at a farmers market? The following list of advantages and disadvantages can help you answer these questions.

Advantages of Selling at Farmers' Markets

- Farmers markets bring together many customers in one place.
- The start-up costs are low.
- The market provides advertising for the farmers.
- You are paid right away in cash.
- You have direct contact with your customers. They will give you feedback on your business.

Disadvantages of Selling at Farmers Markets

- You need a vehicle to transport your products to the market.
- Farmers markets require a lot of labor time.
- There can be a lot of competition at the market.
- If you do not like to talk directly to customers, you will not like selling at farmers' markets

Keys Steps to Success with Farmers Markets

√ Choose the right market for your business

√ Offer high-quality, unique products

√ Use an attractive display

√ Set fair prices

√ Be friendly and talk with customers

Insert market photo

Step 1: Choosing the Right Market

There are over 125 farmers markets in Massachusetts! Each market is a little different. Some markets have many vendors. Other markets have only one or two farmers. Each market has a different customer base. It is important to choose the right farmers market for your business. Do your homework and you can make an informed choice.

These questions can help you decide if a market is right for your business:

- Who runs the market and makes the rules?
- Does the market attract many customers?
- What kind of people live or work near the market?
- Are the days, times and location of the market convenient for you?
- How much does do farmers pay to have a stand at the market?
- Do you need to commit to the market for a whole season?

Meet with the Market Manager

Learning about the other vendors can help you choose a market. Ask the market manager questions before applying to a market. If possible, visit the market.

- How many other farmers are at the market?
- What products do the other farmers offer their customers?
- Do the other farmers sell the same products as you? How do they package their product?
- What advantages do you have over the other farmers? Price? Quality? Variety?
- Does the market advertise?

Step 2: Applying to a Farmers Market

Different farmers markets have different vendor applications. Before you apply to a market, get a copy of the market rules from the market manager. The farmers market application is a time to sell yourself to the market manager. Explain what special things you can bring to the market: You may offer new products or will attract new customers to the market. For an example of a market application, please see the appendix.

Questions to ask the market manager before you apply:

- Is the market flexible about fees?
- Do you need to commit to the full season?
- Is there a reduced price if you only sell part of the season?

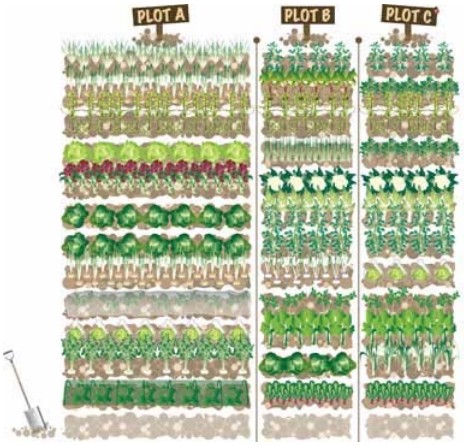
Applications ask you to provide information about your farm.

- Where is the farm located?
- What products will you sell at the market?
- Who will staff your market stand?
- Will you sell only your products or products of other farmers?

Step 2: Applying to a Farmers Market

The application may ask you to provide extra information, including:

- Your crop plan
- A copy of your liability insurance
- A health permit if you sell prepared foods



Additional Tips

- Write **specific names** of your crops on your application. For example, if you grow Chinese broccoli, write "Chinese broccoli" not "broccoli" on your application. Provide a list of ethnic or specialty crops if the application does not include these options.
- Tell the market manager if you plan to sell with a group of farmers.

You can look at sample applications before completing your own application. See the appendix for a sample application.

Step 3: Signing a Market Contract

Farmers market vendors usually sign a farmers market contract. The contract explains the market rules. It lists what you need to do and your responsibilities as a vendor. When you sign the contract, you agree to follow all market rules. Rules may include having insurance, paying fees, and cooperating with the market manager.

Insurance

Many farmers markets require you to have liability insurance. Some require specific amounts of insurance. Some farmers associations, such as the Farm Bureau, provides low-cost insurance coverage for farmers.

Disputes

Sometimes there are disagreements between vendors and the market manager or customers. The market rules explain how to address disagreements.

Penalties

Many farmers market rules list penalties for breaking the rules. For example, if the vendor does not pay the market fee, the market manager may end the contract. Penalties for different violations are usually listed in the rules. Ask the market manager if you have questions about the penalties.

Local, State and Federal Laws

Farmers market vendors must also obey all local, state and Federal laws. The market rules may not explain all laws. However, the vendor is always responsible for following them. This includes health permits to sell prepared foods; providing labels on prepared foods; following rules about product claims such as “organic”; having your scale “certified” for legal trade; and following labor laws.

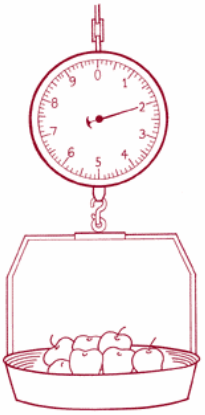
Step 4: Bringing the Right Equipment

Farmers markets usually ask vendors to bring their own equipment. It is important to have all the right equipment to have a smooth day at the market. Ask the market manager if any equipment is provided for vendors. If not, you should bring:

- ☑ One or more tables to display your products
- ☑ Containers to display your products in.
- ☑ A sign with the name of your farm or business
- ☑ A sign with product names and prices
- ☑ A cash box for collecting money
- ☑ Small bills and coins to make change
- ☑ Bags for customers
- ☑ A scale for weighing products (if you sell by weight)
- ☑ A tent to cover the table and protect you and the customers from sun or rain.

Using a Scale at the Market

If you are going to use a scale, you need to have the scale certified by the Massachusetts Division of Standards. The Division of Standards tests your scale to make sure it is accurate. It costs $25 to have your scale certified. To schedule an appointment to get your scale certified, call the Massachusetts Division of Standards at (617) 727-3480.



Step 5: Designing Your Farmers Market Stand

The best way to attract customers is to have a good display. The following tips can help you create an attractive display.

- Have a sign with the name of your farm or business.

- Only bring high-quality, clean products.
- Keep your display neat and organized.
- Place vegetables in attractive containers. If possible, tilt containers towards customers.
- Keep containers full. Move products to smaller containers if necessary.

- Think about the colors in your display. Use a colorful tablecloth.
- Bring bags or containers for your customers. Put them in easy-to-reach locations.
- Keep vegetables looking fresh. Keep vegetables out of the sun. Keep greens moist. Bring a spray bottle with ice water to mist your vegetables throughout the day.

Pre-bunched or bagged items are easier to sell. More information about bunching products is in our Post-Harvest Guide, available at www.nesfp.org

Step 6: Setting Your Prices

One of the hardest parts of selling at markets is setting prices. It is important to know your customers and your competitors before setting your prices.

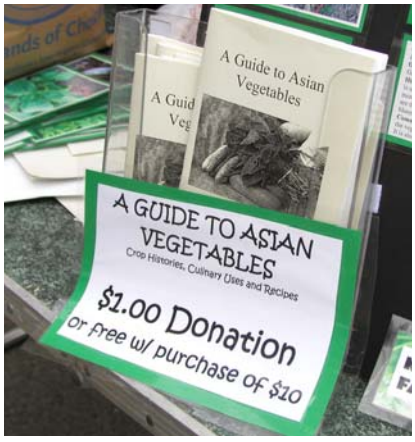
- Understand your costs before you set your prices.
- Set prices that are easy to multiply, add, and subtract.
- You may use different prices at different markets. Think about the kind of customers who shop at each market.
- Don't copy the prices from the farmer next to you. Is your product better quality? Do you have a special variety? Is your product organic? You often have a reason to have a higher price.
- Do not set your prices too low. You can always lower prices later. It is okay to change your prices throughout the season.
- You can offer discounts. Use discounts for high volume purchases. For example, if squash is normally $2/lb, sell 5 lbs for $8 instead of $10. Offer discounts for lower quality products. For example, you can sell bruised or "seconds" tomatoes for half price.

Step 7: Making Sales at a Farmers Market

Farmers markets require you to interact with your customers. This is a hard skill for many farmers to learn. But some farmers love this part of the job. The following tips can help you make smooth sales at the market.

- Try to use the same sales staff at the market every week. The staff will become comfortable with the market and customers will recognize them.
- Serve only one customer at a time.
- Know your products. All staff should know the names of vegetables, how you grew them and how to prepare and cook with them.

- Keep track of when people arrive. This will help you know who to help next.
- Give samples. Encourage people to try new products.
- If you sell uncommon vegetables, provide recipes or tips for how to prepare them.



- Provide more information about your farm. Bring a brochure or other marketing materials. Bring photos of your farm.

Accepting Farmers Market Coupons

Many farmers markets participate in a program called the Farmers Market Nutrition Program. This program gives low-income seniors and women with children coupons to use at farmers markets. These coupons are called Farmers Market Nutrition Coupons and Senior Farmers Market Nutrition Coupons.

NON-TRANSFERABLE

Massachusetts Farmers' Market Coupon

Cupon de Mercados Agricolas

28 24 77

use only with participating farmers at approved Massachusetts Farmers' Markets

use este cupon solamente a mercados agricolas oficial de Massachusetts

$2.50

no change

sin cambio

MASSACHUSETTS GROWN ...and fresher!

Farmer Certification #

$2.50

no change

sin cambio

May be used only for fresh, unprepared produce, cider, honey, turkey products and baked goods. Non-farm vendors ineligible.

good through October 31, 2007

most markets close earlier

la majoria de los mercados cierran antes de Octubre 31

Solamente para comprar frutas y vegetales frescos, cidra, miel, productos del pavo y pan. Vendedores inelejbla non-empresario

Sample farmers market nutrition coupon

The coupons are each worth $2.50. People with coupons use the coupons like cash. Customers cannot receive change when they use coupons. Ask the market manager if the farmers market participates in this program. If so, you need to get certification to accept the coupons. You can get certification by contacting the Massachusetts Department of Agricultural Resources at 617-626-1731.

Markets that accept coupons should have a sign like this on display.

One Growers Story

Kwame farms a 1-acre plot on the Silver Mine Farm in Sutton, MA. Kwame grew up in Liberia where he had many years of farming experience. When Kwame moved to the US he had difficulty finding traditional Liberian crops in area supermarkets. The West African community is growing quickly in Massachusetts and Kwame thinks that many other people must have difficulty finding the vegetables they are familiar with. For this reason, Kwame decided to grow many traditional West African crops including bitterball eggplant, hot peppers, and jute leaves. He hopes to sell the vegetables to the local African community. There are some African stores in the towns near Kwame's farm. Kwame thought about trying to sell his crops to these stores. He worried that the stores would not give him a high price.

Some of the other farmers on Kwame's training farm sell at local farmers markets. Kwame had never been to a farmers market. He decided to ask other farmers about their experiences. The farmers explained to Kwame that selling at farmers markets is a lot of work. You need to have a car to drive all of your produce, tables and other supplies to the market. Markets require lots of labor and time. Sometimes the customers are very nice and other times very demanding. But other farmers explained that they like farmers markets because they receive very good prices for their produce. The farmers instructed Kwame to do lots of research before deciding to sell at a farmers market. Some farmers tried markets with the wrong kind of customers. One Vietnamese farmer explained that he had difficulty selling his Asian greens at a market with no Asian customers. Now he brings a mixture of Asian and non-Asian vegetables. Kwame decided that if he wants to sell his African products at a farmers market, he should sell at a market with many African customers.

Most farmers markets start in the middle of June in Massachusetts. Kwame has three months before the start of the farmers markets to decide if he wants to apply. He decides to meet with some farmers market managers to learn more about their markets. First, he contacts the market manager of a market in Downtown Boston. Kwame thinks this market will have lots of customers and good sales. He also meets with the market manager of farmers markets in two other towns. The second market is in a city with a large African community and Kwame thinks customers may be interested in his African crops. The third market is in a wealthy community. Kwame thinks that he may receive high prices at this market. After meeting with each market manager, Kwame writes down a list of pros and cons about each market.

Market 1:

Pros	**Cons**	**Cost**	**Schedule**
• Lots of customers • Well-established market • Diverse customer-base • Market manager does lots of advertising	• Expensive! • Difficult transportation- far away and no parking • Customers only buy small amounts • Many other farmers	$1,775 for Monday & Wednesday $900 for Monday or Wednesday only	Monday and Wednesday 11 am - 6 pm June 1 through November 15

Market 2:

Pros	**Cons**	**Cost**	**Schedule**
• Many African customers • Close to the farm. Easy transportation. • Low cost • Not many other farmers	• New market • Inconsistent number of customers • Not a lot of advertising	$300 for the season or $30 per day	Saturday 10am-2pm July 1 through October 30th

Market 3:

Pros	Cons	Cost	Schedule
• Lots of customers • Easy parking • Reasonable cost • Well-established market • Not many other farmers	• Not diverse customers • Inconsistent number of customers • Not a lot of advertising • Far from the farm	$400 for the season	Sunday 9am-2pm June 15 through October 15

Kwame decides that he will try the second market. This location is the most convenient and has the largest African population. The market is the least expensive. Kwame asks the market manager if he must commit to selling for the whole season. The market manager agrees to let Kwame sign up for the first half of the season. This will cost more than half the market fee, but Kwame decides it is worth the extra cost. If he decides he wants to continue, he will pay the remainder of the market fee. If his sales are lower than expected he will not continue at the market.

The market manager tells Kwame the specialties of some other farmers. Several farmers will sell tomatoes, carrots, potatoes and broccoli. One farmer sells Asian greens. No other farmers will sell African crops such as bitterball eggplant. Kwame asks his cousin to help him staff the market. He purchases a small tent and folding tables for the market. He makes a sign with the name of his farm. He makes flyers with pictures of his farm. The flyers list his products and explain that he grows his crops organically. Kwame borrows old wooden boxes and baskets from a friend to display his products. He purchases plastic bags and a scale to bring to the market. He has the scale certified to use at the market.

When the first market day arrives, Kwame is ready. He goes to his farm early in the morning to harvest fresh vegetables. He gathers many of his products into bunches so that he will not need to use the scale. It is early in the season, but Kwame planted several early crops and he has a variety of crops to bring to the market. He writes down exactly how much of each crop he is bringing in this form.

Date of Market	June 14	Unit Sale	Unit price	To Market	Return	Sold	Daily Sale	Notes
Crop	Variety							
Tomato	Cherry	1 lb	$2.50/lb	35 lbs	7 lbs	28 lbs	$70	
	Plum	1 lb	$2/lb	30 lbs	0	30 lbs	$60	Bring more or raise price?
Pepper	Red	1 basket	$5/basket	15 baskets	8 baskets	7 baskets	$35	Sell by the lb also
	Green	1 basket	$5/ basket	15 baskets	4 baskets	11 baskets	$55	Sell by the lb also
Collards		1 bunch	$2/bunch	20 bunch	10 bunch	10 bunch	$20	Make smaller bunches
Okra		1 lb	$2.50/lb	25 lbs	5 lbs	20 lbs	$50	
Bitterball Eggplant		1 lb	$2.00/lb	15 lbs	0	15 lbs	$30	Bring more

The first market day is exhausting. Customers asked Kwame many questions, but they are happy to see his unique crops. At the end of the day, Kwame writes down how much of each crop he has sold. He has sold out of two crops and has a small amount remaining of his other crops. He made $600 in sales. The cost of the market is $15 per day. Kwame pays his cousin $50 for helping him at the market. He estimates that he used a 1/4 tank of gas transporting his supplies to the market. He subtracts $25 for gas. Subtracting gas, labor costs and the market fee, Kwame is left with $510. Kwame is happy with these sales on his first day at the market. He makes notes of what he can do to make next week even better.

Appendix A: Additional Resources and Contact Information

Federation of Massachusetts Farmers Markets

240 Beaver Street
Waltham, MA 02452
Tel: (781) 893-8222
Fax: (781) 893-8777
Website: www.massfarmersmarkets.org

Massachusetts Department of Agricultural Resources (MDAR) Main Office

251 Causeway St., Suite 500
Boston, MA 02114
Tel: (617) 626-1700
Fax: (617) 626-1850
Website: www.mass.gov/agr

Bureau of Farmers Markets

David Weber
Tel: (617) 626-1754
Email: david.webber@state.ma.us

National Sustainable Agriculture Information Service Guide to Farmers' Markets

Available at:
http://www.attra.org/attra-pub/farmmrkt.html

Getting Started at Farmers' Markets

A guide for farmers written by the Wallace Center
Available online at www.farmersmarketsusa.org

Appendix B: Sample Farmers Market Application

2008 FARM MEMBERSHIP
FEDERATION OF MASSACHUSETTS FARMERS' MARKETS
REGISTRATION & APPLICATION FOR MANAGED MARKETS

If you have not registered for membership in 2008, fill in Section I and mail it with your $75.00 membership dues (check or money order payable to FMFM) to: FMFM, 240 Beaver Street, Waltham, MA 02452. *Please note that only current members may be considered for FMFM managed markets.*

Thank you for your membership and support!

I. Membership Registration Dues: $75.00

NAME(S): _____

FARM NAME: _____ ROADSIDE STAND? Yes No

MAILING ADDRESS: _____

FARM ADDRESS: _____

TOWN: _____ STATE: _____ ZIP: _____

BUSINESS PHONE: _____ HOME PHONE: _____

CELL PHONE: _____ FAX: _____

E-MAIL No/Yes? address _____ FARM WEBSITE: _____

DO YOU WISH TO HAVE YOUR WEBSITE LINKED TO OURS? Yes No

Please list the number of supply farmer applications needed _____.

II. Application for Participation in FMFM Managed Market(s)

PLEASE NOTE: THIS APPLICATION AND ACCEPTANCE RESPONSES AND ALL REQUIREMENTS AND DEADLINES CONTAINED THEREIN ARE PART OF MANAGED MARKET POLICY HEREINAFTER "POLICY", WHICH CONSTITUTES THE SOLE AGREEMENT BETWEEN YOU AND FMFM RELATING TO YOUR PARTICIPATION AT FMFM MANAGED MARKETS.

→ **I CERTIFY THAT I AM A FOR-PROFIT FARM □ OR NON-PROFIT FARM □ (Please check one).**

To apply for participation at any of our managed markets, please carefully read and complete the rest of this application (pages 1-4), ***Sign where indicated on page 4***, enclose all items and return to FMFM. **Applications are NOT complete unless all required documents are received by FMFM, due on or before April 9, 2008.**

1. **List farm address(es):** *All* locations used for production of goods offered at FMFM farmers' markets *must* be listed, including owner name, complete address (PO boxes are not acceptable) and acres at each location. Please attach additional papers as needed.

   Total acres owned _____ locations _____

   Total acres leased _____ locations _____

2. **Include the following required items with your application:**

   □ **SIGNED LIST OF PRODUCTS** to be offered at farmers' markets (fill out and sign enclosed form).

   □ **DIAGRAM, SKETCH OR MAP** of all fields, orchards, greenhouses, and other properties used for production of goods to be offered at farmers' markets indicating planned location of crops or processing for this year and approximate acres of each crop per site. **You must notify FMFM of changes in your diagram if and when they occur**.

   □ **HEALTH PERMIT** from the health department of your town or city for any baked goods, jams, jellies, relishes, pickles, etc. you intend to sell at market.

   □ **CERTIFICATE OF LIABILITY INSURANCE** for your farm at the market sites you are applying for in this application.

Appendix B: Sample Farmers Market Application

3. Apply for one or more of the following FMFM Managed Markets:

Note on Market Class:
1 = 100% Farmer Grown and Produced (as specified in POLICY, Section 3)
2 = Cooperating Sales System (as specified in POLICY, Section 3)

A. Please check the market(s) that you are applying to as a *Participating Farmer* in **Column A**. **(required)**

B. Please circle your space preference (or day preference) in **Column B**. **(required)**

C. Please enter your anticipated start date and ending date for each market as accurately as you can in **Column C**.

Opening & closing dates depend on vendor participation and final confirmation from each community.

The FMFM Board of Directors has committed to providing an on-site Market Manager for all Managed Markets. For some Markets, depending upon vendor participation, fee adjustments may be required to fulfill this mandate.

Col A To apply, please check	Market Class	Market & Location	Opening & Closing Dates	Day(s) of Week & Hours	**Column B** Fee per season (Please circle space preference)	Approx. equivalent daily fee	**Col. C** Your anticipated start & end dates
	2	**Boston City Hall** City Hall Plaza along Cambridge St.	5/28-11/26 closed 9/1, 10/13	M & W 11 – 6 (11-5 after Nov. 2)	M & W: $1,774.00 M: $903.00 W: $1,016.00 (please circle which day)	$34.78 $37.63 $37.63	
	1	**Cambridge-Central Sq.** Parking Lot, #5 Bishop Allen Dr. & Norfolk St.	5/19-11/24 ***open 5/26 9/1&10/13***	M 11:30 – 6 (11:30-5 after Nov. 2)	(per parking space) -Single: $558.00 -Double: $1,070.00 -Triple: $1,622.00	$20.65 $39.66 $60.06	
	2	**Copley Square** Along St. James Ave.& Dartmouth St.	5/20-11/25 ***open 7/4 and 11/11***	TU & F 11 - 6	$2,680.00	$51.53	
	1	**Framingham** Village Green, Edgel Road	6/12-10/30	TH 12:30 – 5:30	100 sq. ft. - $412.00 200 sq. ft. - $824.00	$21.68 $43.37	
	1	**Somerville, Davis Sq.** Davis Sq. at Day & Herbert Streets	5/28-11/26	W 12 – 6 (11-5 after Nov. 2)	(per parking space) -Single: $544.00 -Double: $1,042.00 -Triple: $1,580.00	$20.15 $38.61 $58.51	
	1	**Somerville, Union Sq.** Union Square Plaza	6/07-10/25	Sat. 9 – 1	100 sq. ft. - $540.00 200 sq. ft. - $1080.00 300 sq. ft. - $1620.00	$25.71 $51.43 $77.14	

Temporary or partial season spaces may be available on a case-by-case basis. For further information, please contact Jeff Cole at (781) 893-8222 or email staff@massfarmersmarkets.org. You may also write to FMFM at 240 Beaver Street, Waltham, MA 02452.

Appendix B: Sample Farmers Market Application

4. Agreement and understanding of application:

A. INFORMATION PROVIDED

With regard to this application, I certify that all information provided is true to the best of my knowledge and belief. I understand that I am responsible for updating the information provided as necessary, and supplying any pending information in a timely manner. **I understand that my participation in the market(s) is contingent on my acceptance of Managed Market Policy (copy attached) and of the Specific Market Rules, hereinafter "RULES", of the market(s) into which I am accepted.** I understand that acceptance letter(s) will contain the RULES and will be mailed to me by FMFM no later than April 20, 2008

B. PENALTIES

I have read and understand POLICY and this application in its entirety, and I understand that if I do not abide by POLICY then I am subject to the terms and penalties of POLICY. **I understand that I have only until April 9, 2008 to submit a complete application and I understand the deadline is 10 days before the market starts to return my signed acceptance and pay the required deposit to FMFM.** I understand that in the event I do not submit a complete application by the above deadline or do not return my acceptance and payment before the market is deemed full by FMFM, I will be placed on a waiting list and will be denied space at markets to which I have applied until and if space becomes available.

C. MANAGEMENT

With regard to the management of the farmers' market, I understand that the Market Manager (Market Master) is the official representative of the FMFM Managed Market, and that under the provisions of Massachusetts General Laws, Chapter 40, the Market Manager is authorized to enforce POLICY and any items addressed within the RULES. I further understand that the Market Manager of FMFM Managed Markets operates under the supervision and direction of the EXECUTIVE DIRECTOR of the FEDERATION OF MASSACHUSETTS FARMERS' MARKETS of which I am a Member.

D. FARM INSPECTIONS AND PRODUCT INSPECTIONS

With regard to farm inspections, and product inspections, I agree that in the event that a grievance is filed against me by a farmer or Market Manager, or the FMFM Executive Director chooses to make a *farm inspection*, that I will adhere to all of the terms and conditions provided in POLICY in regards to those inspections. I further agree that I will make myself personally available to, and make my farm accessible in its entirety for the FMFM Executive Director and/or his/her designees to do appropriate inspections. I agree that I will arrange to be available WITH NO DISTRACTIONS for a minimum of FOUR (4) hours and in FULL DAYLIGHT. I understand that if I show an unwillingness to abide by these terms at any time during the inspection process, my actions will result in a determination of GUILTY and I WILL BE SUBJECT TO the appropriate PENALTIES prescribed in POLICY.

E. PAYMENTS FOR MARKET FEES (OTHER THAN DEPOSITS: SEE PENALTIES ABOVE)

With regard to Payments other than deposits, I understand that I am responsible for making payments on or before the schedule prescribed in POLICY, General Market Regulations, section 5, number VIII: General Payment Schedule. I understand that in the event payments are not made according to POLICY, I will not be allowed to attend the market until such payments are made. I further understand that in the case of payments by check, payments are considered pending until the transfer of funds is verified, and that if my check does not clear I will pay an additional THIRTY ($30.00) DOLLARS to cover bank fees and additional administrative time.

3

Appendix B: Sample Farmers Market Application

F. INDEMNIFICATION

I hereby agree that I will indemnify and hold harmless the Federation of Massachusetts Farmers' Markets, Inc. (a/k/a Massachusetts Federation of Farmers' & Gardeners' Markets, Inc.), the members of its Board of Directors, the Executive Director, all agents, and/or employees of FMFM from any and all claims and liabilities arising or allegedly arising from my negligent or intentional conduct, or arising from my breach of any waiver identified in Paragraph G below. I understand that this means that I will be responsible for reimbursing the above organization and individuals for any judgment against them, any settlement made by them in good faith, and any attorney's fees and costs incurred by them in defending or settling any claim against them, which arises or allegedly arises, as the result of my negligent or intentional conduct.

G. WAIVER

By submitting this application, I hereby agree to comply with the RULES, and POLICY in all respects. I further agree to abide by the decisions of FMFM, its officers, directors, agents and/or employees regarding the interpretation and enforcement of any provision of the RULES, and/or of POLICY. I specifically understand that, in consideration for processing my application, I waive any and all rights to pursue any civil or criminal process against FMFM, its officers, directors, agents and/or employees as relates to any decisions and/or action taken in interpreting or enforcing the RULES, or POLICY by FMFM, its officers, directors, agents and/or employees. I understand that by submitting this application, I am waiving legal rights that I may have as described above, and I do so voluntarily.

H. SEVERANCE

If any provision of the RULES or POLICY on this application is at any time deemed to be void or unenforceable by a court of competent jurisdiction, the remaining provisions shall not thereby be affected.

I. ACCEPTANCE OF APPLICATION

I understand that my application will NOT be considered without my submission of a complete application and my signature below acknowledging that I have read and agree to the terms of this application of four (4) pages, and POLICY, REGARDLESS of previous years participation at any market.

I understand that I may apply for as many markets as I wish on this one (1) form. Each market I apply for on this form will be considered separately; acceptance of my application for each market is independent from any other market applied for. Any additional information that I wish to furnish for a specific market may be provided on a separate piece of paper supplied by me.

Signed under the pains of perjury, this _____ day of_____,2008.

Applicant's Signature _____