



# **HAMILTON & CAMBRIDGE FARMERS' MARKETS**

## **CHARTER**

**Updated - June 2020**



## **PURPOSE**

- To support and stimulate the profitable trading and business growth of Independent primary producers, farmers, professional and domestic growers and associated produce value-adders.
- To provide customers with regular supplies of fresh, seasonal, locally grown and manufactured food.
- To contribute to the economic and social development of Hamilton, Cambridge and the Waikato region.
- To facilitate the community's education in relation to the nutritional and environmental benefits of eating foods within their season and that are produced locally.

## **SUPPORTING ACTIONS**

- Supporting business growth in the Waikato region through providing a venue, marketing of the Farmers' Markets brand and philosophy. Support with ideas and enquiries from potential applicants and providing a low- cost entry to business start-up.
- Stallholders are encouraged to educate the customer on seasonality through conversation. The strict rules of stallholders being the grower or producer will enable a unique way for consumers to become educated.
- The markets will maintain a focus on seasonality, freshness and top quality products.
- The markets will maintain a preference for foods that are grown locally; as a guide, we aim for at least 80% of the foods on sale and the owners of the food stalls, to be from the local region.

## **ACCEPTABLE PRODUCTS**

- 80% of all products sold at the Hamilton & Cambridge Farmers' Markets must have been caught, grown, raised or produced locally. Value Added products must be based on local produce.
- The Markets' definition of local is approximately 100km radius or 2hrs drive.
- An allowance of 20% has been allocated where the base product cannot be grown locally or even in New Zealand but the stallholder has added the majority of value locally.

Some examples of this are imported coffee that is roasted, blended and packed locally or baked goods using local ingredients (i.e. meat, vegetables, fruit, dairy etc...) or South Island salmon that is processed, smoked and flavoured locally.

- This is a food only market – the only exceptions are potted plants, cut flowers, compost and wood.
- The Hamilton & Cambridge Farmers' Markets aim to be Authentic Farmers' Markets. To assist in your understanding of stall holder eligibility, please view attached flow chart and explanation.

## PRODUCT CATEGORIES

- All products for sale at the market must have been reared, grown or produced by the applicant named on the application form.
- The produce must be grown on land that is owned or leased by the applicant.
- The markets do not permit the purchasing/re-packaging/selling on of finished or imported goods. (*See Application Form - Conditions of Entry & Continued Trade*)

### Category 1: Primary Farm Produce

- This includes products such as eggs, fruit, vegetables, herbs, olives, unprocessed meat and fish, seafood, milk, nuts, grains, honey and potted herbs.
- Recreationally caught fish or home-killed/hunted meat & game etc cannot be sold.

### Category 2: Value-Added Products

- This includes products such as oils, wine, jams, preserves, breads, cakes, and desserts, processed meats and fish, butter, cheese, yogurt, ice-cream and fruit juices in which the most significant ingredient(s) are locally grown, i.e. strawberry jam is made using strawberries sourced from the region. You may be asked to provide evidence of local content in the product(s) you sell.
- The stallholder may sell only products that they have listed on their approved application form. Growers of fresh fruit and vegetables will be asked to complete a Seasonal Growers Form every year, listing produce that they intend to bring for sale to the market.

### Category 3: Ready to Eat

- Food and beverage service providers that do not fall into the above categories
- Stallholders are to provide a suitable breakfast/brunch/beverage menu and change this to reflect food seasonality if possible
- It is recommended that stallholders support fellow market stallholders buy purchasing goods from them to use in the breakfast/brunch/beverages that are offered

## STALLHOLDER CATEGORIES AND FEES

### Regular Stallholder

This is for those businesses that would like to participate regularly at the market or on a seasonal basis.

Cambridge Market: \$40 per market day for a site up to 3m wide by 3m deep or \$55 per market day for a double site measuring 6m across by 3m deep.

Hamilton: \$45 per market day for a site up to 3m wide by 3m deep or \$60 per market day for a double site measuring up to 6m wide by 3m deep.

An annual Market Membership fee of \$80 for each market is payable to Hamilton and Cambridge Farmers' Markets Trust. This is due annually in July. All fees are inclusive of GST.

### Short Season Stallholder

For stallholders with products which have a very short season, they can attend the markets as a Short Season Stallholder. There is no annual membership fee but a higher weekly fee. Short term stallholders must attend the market for no more than 6 consecutive weeks.

Cambridge: \$55 per market day for a standard site and \$70 per market day for a double site.

Hamilton: \$60 per market for a standard site and \$75 per market day for a double site.

### Community Table Stall

At the discretion of the Trust on a case by cases basis.

- The stall fee covers the provision of site space, management and marketing of the Hamilton & Cambridge Farmers' Markets, market assets and day to day operation through the employed staff.
- Fees are reviewed annually by the Trust in accordance of meeting financial obligations including the management, marketing and promotion of the markets.
- Stallholders weekly fees are paid at the Managers table on each market day.
- Both market venues are powered – there is an additional stallholder fee (outlined in the application form).
- Stallholders are responsible for supplying their own tables/trestles, bags and other packaging and awning /gazebo.
- Presence of cars in the market are at the Manager's discretion.

## LOCATIONS AND TIMES

### Hamilton Farmers' Market

The market will operate all year round - every **Sunday** of every month. Official (Resource Consent) selling hours are from 8am until 12 noon. Location - Claudelands Barn, Gate 3, Brooklyn Road, Hamilton.

### Cambridge Farmers' Market

The market will operate all year round - every **Saturday** of every month. Official (Resource Consent) selling hours are from 8am until 12 noon. Location - the town centre end of Victoria Square, adjacent to the cricket ground, corner of Victoria and Alpha Street, Cambridge.

## SITE AND STALLHOLDER RESPONSIBILITIES

### Clean-up and Rubbish

All stallholders must ensure that their stall site and the area that surrounds it is left clean and tidy once the market closes each day. **Rubbish bins are provided at the market for customer use only, stall holders must take their own rubbish away with them.**

### Health and Safety

All stallholders must trade in accordance with the Food Hygiene Regulations 1974 or The Food Act 2014. Requirements are monitored by the Hamilton City Council / Waipa District Council. The Administrator can assist with queries during the application process and is responsible for liaison with the Environmental Health Officer who audits the market.

The Hamilton & Cambridge Farmers' Markets are Licensed Food Premises. Therefore, the following applies:

- Perishable items must not be displayed in direct sunlight.
- Smoking or vaping by stallholders is not permitted within the confines of the market.
- Animals are not permitted at food stalls or in vehicles used to transport food to the market.
- All food other than fruit and vegetables must be prepared and prewrapped in a registered premise. No home preparation is allowed. A copy of the current registration certificate for the premises where the food is prepared must be attached to your application. Processed food must remain in its pre-market packaging while on display.
- All meat and fish must be kept at or below 2°C when being transported to the market and displayed for sale.
- Shellfish in shells must be kept at or below 10°C.
- All cheese must be made and pre-wrapped on registered or approved premises and must be stored below 10°C.
- Stallholders selling readily perishable food must have a thermometer and be able to demonstrate storage and display temperatures are within the correct zone.
- Food must be displayed at least 45cm off the ground.
- Food that is prepared/cooked at the market must be in accordance with an approved plan under the Food Act (2014).
- All stallholders selling eggs must have an RMP.

### Labelling and Signage

- All stallholders will be expected to comply with the Australia and New Zealand Food Standards Code, including the requirements to correctly package, label and describe added value goods. Further information is available at [www.foodstandards.govt.nz](http://www.foodstandards.govt.nz) and [www.foodsafety.govt.nz](http://www.foodsafety.govt.nz) or from the Health Protection Officer at the Waikato District Health Board on 07 838 2569.

- All organic produce must be certified by the relevant “accredited” certifying body (e.g. Assure-Quality Organic or OFNZ) and be labelled Certified Organic. Evidence of certification must be provided upon application and displayed at each market. Non-certified produce cannot be labelled and/or sold as organic.
- All prices (per kilo or per item) must be clearly visible. If selling per kilo, certified calibrated scales must be used and stallholders must comply with legal requirements [www.legislation.co.nz](http://www.legislation.co.nz).
- Stallholder details including name, address and phone number must be displayed in a manner visible to the public (business cards, signage).

## Site Safety

- All stall holders must comply with their obligations under the Health & Safety Act 2015. Stall holders must take steps to eliminate or minimise hazards.
- Stallholders must confine displays and signs to the stall site and keep pathways clear for shoppers.
- All stalls must be set up by 15 minutes prior to opening and all vehicles\* that are not necessary for the display or sale of food must be moved to the nominated off-site stallholders’ car park.
- Stallholders must not dismantle their stalls or begin packing up until the close of the market at 12pm.
- No vehicles\* are to be moved onto and off the market site until after the close of the market. Stallholders must take all due care when driving onto, around and off the market site.
- Stallholders are responsible for maintaining their site in a clean and tidy condition at all times and are encouraged to present an attractive site in keeping with the theme of a Farmers’ Market.

*\*As the market grows the site manager may at any time, order the removal of any vehicles from within the confines of the market.*

## Rules of Conduct

All stallholders are expected to conduct their business in a courteous and professional manner while trading at the market.

The site manager has the authority to immediately suspend the trade of any stallholder who disregards the rules of conduct, pending an investigation by the Trust.

### **The following behaviour will not be tolerated:**

- Publicly aired arguments with customers or stallholders or site managers
- Public swearing
- Intimidation or harassment of any kind
- Failure to comply with the site managers’ directions
- Carrying out any activity that is in serious breach of the Market Charter or Conditions of Entry and Continued Trade
- Carrying out any activity that threatens the markets conditions of resource consent therefore threatening its future viability

- Denigrating the market, the site manager or other stall holders to customers and stallholders at any time, in any way (verbally, on social media or written)

Please see the stallholder representative if you wish to put forward an official written complaint.

## Presentation

- Stallholders will be expected to be neat, suitably dressed and deal with the public in a courteous manner. It is recommended that covered in shoes are worn with in the market environment.
- Products should be displayed attractively, with due regard for consumers and other stallholders.
- Tastings of products are strongly encouraged. Produce or products prepared or opened for tastings cannot then be sold. Tasting may not be able to happen at times due to restrictions (eg Covid-19). The site manager will advise further on this.

## Quality of Produce

- Preference will be given to sustainable farming practices, either as primary produce or as an ingredient in value added food.
- Produce should be picked as close to market time as possible and stored and handled in such a manner as to preserve freshness until the market opens.
- Stallholders must guarantee against selling “unmarketable” produce. This includes a requirement to adhere to manufacturers’ instructions in relation to products used to grow produce or prepare processed goods. For example, the withholding period between use of crop sprays and consumption.
- Different grades of produce can be sold but these must be clearly labelled as such so consumers are making an informed choice.
- Genetically modified produce will not be permitted.
- Only free-range eggs and meat (sold as primary farm produce or as an ingredient in value added food) are allowed to be sold.

## Site Checks / Auditing

An initial physical audit of the business operation of any new prospective stallholder is required prior to their beginning trade at the market. This audit is to confirm that the product(s) proposed to be sold at the market are being genuinely grown or produced directly by the applicant and to ensure that the product and the conditions of production meet both local council and food safety regulations.

To continue trading at the Farmers’ Markets all **stallholders must consent to an annual site check/ audit of their operation and any additional site checks/audits that may be necessary** to ensure that authenticity / compliance is being maintained, should the Trust feel that this is required.

*(See Application Form - Conditions of Entry & Continued Trade)*

## Setting Prices

- The markets are pro-competition and pro-choice for our customers, as we believe it is the best way to help the market to grow. The market recognises that consumers maintain the right of choice whilst enabling each stallholder to determine their own price.

- Stallholders should ensure their measuring scales are accurately calibrated, as per standard trading regulations.

## Insurance

- The Farmers' Markets are covered by Public Liability insurance which covers injury to the public in the event of an accident.
- Stallholders are encouraged to seek appropriate insurance cover and to minimise risk to themselves, their employees and their customers. Stallholders trade at the Farmers' Market/s at their own risk.

## Who May Sell?

- Only the producer, his/her family or employees who are **directly involved** in production will be permitted to attend the market to sell the produce.
- If a stallholder is unable to attend a market due to special circumstances, then a representative may be nominated to sell items on the original stallholder's behalf for that period of time but only at the site managers approval. The site manager must be informed of the change no less than 24 hours prior to market day in writing by email, phone or text.

## Non-Attendance / Lateness

- Stallholders are required to give the site manager no less than 24 hours notice if they will not be attending the market, so that the manager may rearrange the market accordingly. **Stallholders will still incur site fees if timely notice is not given.**
- Stallholders who consistently arrive late to the market will be issued with an official warning. Any continuance may result in suspension of trade or expulsion from the market.

## Disclaimer of Liability

- The Hamilton and Cambridge Farmers' Market Trust will not be liable for any loss or damage to the property of the stallholders due to fire, robbery, accidents or any cause whatsoever that may arise from use and occupancy of the site.
- The Hamilton and Cambridge Farmers' Market Trust assumes no liability for any damages or losses resulting from or relating to the failure of the stallholder to comply with the provisions of this agreement.

## Complaints Process

- Please bring any initial concerns or suggestions to the attention of the stallholder representative.
- Official complaints must be submitted in writing to the Hamilton and Cambridge Farmers' Market Trust directly or can be handed to the site manager or stallholder representative.
- Written complaints will be tabled at the next Trust meeting, which are held each month. The Trust will determine what action (if any) is required in relation to the complaint. The Trust will respond to the complainant (in writing) regarding what actions will be undertaken.
- Stallholders who are the subject of a complaint are expected to fully cooperate with the Trust in relation to the investigation of a complaint or breach of the Market Charter or Conditions of Entry and Continued Trade.



- The Trust has full authority to revoke stallholders Trading Permit and membership of the market if they are found in serious breach of the Market Charter or Conditions of Entry and Continued Trade or if the stallholder concerned refuses to co-operate with the Trust during its investigation (e.g. refusing to allow a site check/audit).

Write to:

The Hamilton and Cambridge Farmers' Market Trust  
PO Box 10528  
Te Rapa  
Hamilton

OR Email the Trust Chairperson – wfmchair@gmail.com

## **Other Information**

- Resource consent requires that stallholders do not arrive on site and set up their stalls before 6.30am
- Stall layout will be at the discretion of the site manager and the Trust in line with the best interests of the markets. A market plan will be kept by the site manager and will be available for perusal at the market information stall on market days. The site manager reserves the right at any time to alter the size, shape and position of floor plans as may be necessary for the best interests and legal requirements of the market.
- Sharing of site space may be permitted with prior agreement of the site manager.
- The Trust is committed to ensuring that a broad range of produce is available and that the market is not dominated by one particular type and/or variety of product unless they have significant points of difference.
- The Hamilton & Cambridge Farmers' Market Trust encourages all producers to use natural / recycle-able materials to package food, within food safety guidelines, wherever possible.
- As a matter of governance, this Charter will be reviewed by the Hamilton & Cambridge Markets' Trust in April / May of each year, with any new alterations ratified by 30th June (renewal of application start date).

# Appendices

## Appendix A – Definitions

### **Authentic Farmers' Market**

An Authentic Farmers' Market is defined as one which is governed by accepted practices of farmers markets' as per the Farmers Market New Zealand (FMNZ) charter. That is, a Farmers' Market is full of locally grown and sourced food which is being sold by the producer, from a defined region.

### **Primary Producer**

The primary producer is the seller and is someone who works on the production of produce, and or family members who have knowledge of the produce.

### **Local**

Local is defined by each individual market. Generally, the catchment is 100 to 200 km radius and is not limited to the geographical boundaries of the country's regions.

### **Value Added**

A value added product is any product that is not in its original state. For example, a lemon is a primary product; lemon honey is a value-added product. Another example, pork is a primary product; bacon and sausages are value added. Milk is a primary product and yoghurt and cheese are value added. Bagging fresh vegetables such as chopped pumpkin is not considered sufficient processing to be considered value added and is still classified as primary produce which therefore must still be grown by the stall holder.

### **Other Local Produce**

Other local produce means that the value adder does not grow the produce themselves, but sources at least the most significant ingredient directly from a local grower.

### **Most Significant Ingredient**

That which makes up the highest percentage of the product, or an ingredient that defines the product, for example, strawberries in strawberry jam, or blueberries in blueberry pie.