

RULES FOR SALE OF SPECIFIC PRODUCTS

1. Raw Fruits and Vegetables:
 - a. Must be grown from cuttings grown by the vendor or from seeds or transplants, and the final product may not be purchased or bartered for. Perennial crops from leased or rented land must have been tended by the vendor for one growing season prior to the sale of the product.
 - b. Must not be processed or adulterated. Vendors may sell a mixed bag of produce or vegetables, but may not process, including chopping or shredding, the fruits or vegetables without a processing license and approved processing procedures.
 - c. If the vendor uses the term “organic,” the vendor must prominently post a copy of the certification by an accredited certification company.

2. Nuts and Grains:
 - a. If cultivated, must be grown from trees, seeds, transplants or cuttings taken by the vendor and cannot be purchased or bartered for.
 - b. If gathered wild, must conform to rules in Section 14.
 - c. Must not be processed or adulterated.

3. Bedding Plants, Houseplants and Herb Plants:
 - a. Must be grown by the vendor from seeds, cuttings or plugs.
 - b. Purchased plant materials must be grown on the vendor’s premises for at least 60 days before they can be offered for sale.
 - c. Purchased plugs size 32 or larger must be grown on the vendor’s premises for at least 60 days before they can be offered for sale.

4. Containers and Labels:
 - a. The intent of the container and label rule is to focus on the grower’s product, rather than on the container or promotion of a non-vendor’s brand.
 - b. Containers in which the plant will be sold must be utilitarian and not decorative. Decorative containers are allowed for display purposes only. If you are unsure, contact the Market Manager ahead of time. Examples of **acceptable** containers: a plastic container that has ribbing or rolled edges for structural integrity. A simple geometric shape – square, rectangular, round, oblong, etc. Examples of **unacceptable** containers: glazed clay pots, patterns on the container that are not required for structural integrity, sculptured containers or works of art, branded pots.
 - c. Purchased patented plant materials may be sold, but may carry no identification of the licensed patent holder or propagator other than that required by law.

5. Nursery Stock – Woody Stock and Perennials:

- a. Must be grown by the vendor from purchased seedlings, cuttings or stock; or from seeds, transplants or cuttings raised or taken by the vendor.
- b. Purchased stock must be grown on the vendor's premises for at least 60 days before it can be offered for sale.
- c. A Nursery License is required to sell woody stock and perennial plants in Wisconsin. (Bottom line is: if it's produced from cuttings, etc. and is not killed by frost in Wisconsin, it requires a nursery license.)
- d. Patented plant materials may be sold, but may carry no identification of the licensed patent holder or propagator other than that required by law.

6. Dried Flowers and Ornamentals:

- a. Must be grown or gathered (see Section 14) by the vendor.
- b. Must not be treated with any substance other than a clear lacquer spray. Dyes and paints are prohibited.
- c. The value of the arrangements must not be increased by the use of decorative fasteners, hangers, bows, ribbons or containers.
- d. Decorated circular wreaths that use mixed elements will be allowed. The support frame and all elements must be grown, formed and decorated by the vendor.
- e. Braids must be linear and edible. Vendors are allowed to include in the braid more than one material, as long as all of the materials are edible.
- f. Swags (upside down bouquets) must follow the same rules as those applying to arrangements. Bales, shocks and bundles may be sold under the same rules applying to arrangements.
- g. The use of glue is prohibited.
- h. Potpourris must be 100% of the vendor's production, including the oil and fixative.

7. Eggs:

Must be produced by hens which have been raised by the vendor for at least 75% of their production weight.

8. Honey:

- a. Must be produced by bees kept by the vendor in the state of Wisconsin.
- b. Must not be adulterated.
- c. Raw beeswax must not be adulterated with dyes, fragrances, etc.
- d. Raw beeswax may be formed into blocks, tapers, votive or cylindrical type candles only. Specialized molds, forms, honeycomb tapers, or otherwise decorative candles are strictly prohibited.
- e. Vendor/honey producer must manufacture the candles him/herself.

9. Maple Syrup:

Must be produced by the vendor from sap that he/she collects.

10. Sorghum:

May sell no more of the final product that can be processed from the amount of raw materials that the vendor grows and delivers to the processing plant.

11. Juices:

- a. Must be grown and processed by the vendor.
- b. Or, the vendor may sell no more juice than could be produced by the amount of fruit vendor has grown and delivered to the processing plant.
- c. All juices must be processed in a licensed plant.

12. Meat, Fish and Poultry:

- a. All stock held for sale shall have been raised by the vendor for at least 75% of the live-weight or for 18 months at slaughter.
- b. For meat products processed by others (i.e. sausage), the vendor must produce the meat ingredients.

13. Animal Products (non-edible):

- a. Must be in their natural state, except as specified below.
- b. Hides or pelts must be tanned to garment quality and must not be stored or transported in contact with food products.
- c. Products must be in sanitary condition. No manures or compost products may be sold.
- d. Products must be from domesticated animals and may not be wild-gathered. Products must come from animals held by the vendor for one year or from the offspring of those animals.
- e. Antlers, horns and skulls must be in their original state and may be bleached, but not dyed.
- f. Wool/mohair: 100% of the product must come from the vendor's own flock; the animals may be professionally sheared and the raw product may be sent out for processing; only clean wool/mohair rovings, yarns or batts may be sold; all wool displayed and/or sold must be in its natural color; and bleached wool, but not dyed wool, may be sold.
- g. Hand-milled soap will be allowed if:
 - (1) the soap is processed by the vendor
 - (2) the soap contains either an emollient or fat or both that is produced by the vendor

- (3) the vendor-produced ingredient must be at least fifty percent of the value
- (4) the soap must be sold in bar form
- (5) any ingredient must be FDA-approved
- (6) the label must include all ingredients

14. Prepared Food and Other Value-Added Products:

- a. The processing vendor must produce the major ingredients and must be actively and regularly involved in the production of the product. If the product is processed, other than by the vendor, the vendor must raise the first ingredient on the label and raise 51% of the product by weight. Exempt from the first major ingredient rule are alcohol, oil, sugar, vinegar and water.
- b. Vendor must have photo-copies of all necessary licenses for the production of the processed product and must have them filed with the Market Manager before offering any processed items for sale. Name and address must be part of the label used to identify the value-added product.
- c. Value-added products include, but are not limited to:
 - 1. pre-cut fruits and vegetables
 - 2. mustard
 - 3. flavored honey
 - 4. pickles
 - 5. relishes
 - 6. salsas
 - 7. sauces
 - 8. prepared horseradish
 - 9. jams and jellies
 - 10. herbal tinctures
 - 11. herbal ointments and lotions
 - 12. herbal mixtures
 - 13. flavored cooking oils
 - 14. flavored vinegars

15. Wild-Gathered (Non-Cultivated) Items Including Maple Syrup:

- a. Vendors selling wild-gathered items must have an application to sell filed with the Market Manager prior to arrival at the market and, either have proof of land ownership or show written permission from the land owner, to gather the items.
- b. Vendor must provide the location and amount of land items are gathered from.
- c. Items may not be purchased or bartered for.

16. Exempt Products: Because historically certain products contributed to the foundation of the market, they have been exempt from the general “vendor must grow or produce” rule. These include cheese, cured meat, smoked meat, cased sausage, flour and grain products, and candy. The following rules apply to these products:

- a. The vendor may sell no more of a processed product than can be produced from the raw materials he/she produces and delivers to the processor. The name and address of the processor must be on the product label.
- b. The vendor shall participate on a regular basis in the physical production of the product.
- c. The vendor may have only one retail outlet which shall be located at the processing plant. However, the vendor may participate at any and all farmers’ markets in addition to his one retail outlet.

17. For Bakeries the Following Additional Rules Apply:

- a. The vendor may not sell items made from purchased, pre-made doughs, batters, crusts or dry ingredient mixes. For example, the shortening (fats and oils), the leavening and the salt must be added by the vendor to comply with this rule.
- b. The vendor may use pre-made frostings and fillings, but if he/she does so, he/she must prominently post for the customer the fact that pre-made frostings and/or fillings have been used.
- c. The vendor must keep all recipes and receipts for ingredients on file and must be able to produce them at an inspection.

18. For Cheese Vendors the Following Rules Also Apply:

- a. If the vendor delivers milk that he/she produced to a licensed dairy plant, the vendor may sell no more cheese than can be produced from the milk he/she delivers to the plant.
- b. The vendor must use his/her own label on the product.
- c. The vendor must keep his/her milk separated from the general milk supply of the plant.
- d. The vendor must have input into the cheese-making process and be completely at risk for each stage of the cheese-making process.
- e. As long as the vendor meets these requirements for each plant, he/she may sell products produced by more than one plant. If a vendor sells milk (directly or through a company that purchases the vendor’s milk) to a cheese-making plant that mixes milk from its suppliers, then the vendor may sell product only from that one plant and that one plant must be named on the application to sell.
- f. A vendor who does not produce the milk for the cheese must operate the processing plant and must participate on a regular basis in the physical making of the cheese which he/she sells at the market. Such vendors may sell only cheese made from milk produced by contracted milk producers.

- g. The vendor must be a licensed cheesemaker, unless as with a farmstead cheesemaking operation, the State Dept. of Agriculture permits the vendor to make cheese just from his/her own milk in a licensed plant on the farm to sell directly to customers..

19. For Chocolate or Confection Vendors the Following Also Apply:

- a. All chocolate candy products sold must be made with chocolate tempered at the license location.
- b. Chocolate candies may contain other products such as nuts, fondant, fruit or nut-butters as long as the first condition is met.
- c. The use of coloring in the production is an acceptable practice.
- d. The use of compound coatings is acceptable as long as they are melted and molded or mixed with other ingredients at the license location.
- e. All compound coatings (chocolate containing other vegetable fats, not cocoa butter) must be clearly marked so customers will know the difference.
- f. Confections that are judged to be craft-like in nature, rather than products primarily intended for consumption, are not allowed.

20. Procedure for Effecting Rule Change to Allow a Product:

Request to sell a new product – request for new products which are not eligible for sale within the current guidelines of the City of Baraboo Farmers' Market must be submitted in writing to the City of Baraboo Business Improvement District (BID) for consideration. Such requests must be submitted sixty (60) days in advance of the expected sale of the new product. Requests for new products will be reviewed periodically by the BID Promotions Committee.