

# Eastside Sunday Market Vendor Handbook 2019

## 2019 Market Schedule

- Every Sunday from June 2 – August 25
- Location: Outdoors at Walter Hardy Park, 2020 MLK Jr. Avenue, Knoxville, TN 37915
- Market Hours: 1-4pm

## Vendor/Product Selection Criteria

The Eastside Sunday Market (ESM) is intended to showcase food, food products, and crafts, with an emphasis on locally-grown, locally-raised, and locally-produced products.

- No resale is allowed by any vendor at the ESM. If you did not make it, grow it or produce it, you cannot sell it.
- Remember, local, state, and federal laws trump any and all ESM rules.

## Agriculture Vendor Regulations

- Products include produce, plants, herbs, decorative gourds (unadorned), cut flowers, honey, sorghum molasses, maple syrup, eggs, cheeses, meat, milk, beeswax candles, and animal fibers. Products must be sold in compliance with all ESM, Tennessee Department of Agriculture (TDA), local Health Department regulation, and Federal regulations.
- Unprocessed fruits and vegetables in their raw or natural state with only a minimal amount of cutting or trimming necessary for harvesting are exempt from permitting and inspection in Tennessee. Products like jams, jellies, shelled beans/peas, sliced melon, shelled nuts, shucked corn, CBD oil, etc. are considered value-added products. For example, melons cannot be sold in slices or halves, they must be sold whole.
- **Eggs:** a producer may sell eggs from their own flock of less than 3,000 birds under the following conditions.
  - Eggs must be effectively cleaned and sanitized.
  - Eggs must be sold in new (unused), unclassified/ungraded containers that are labeled with the name, address, and contact information of the operation.
  - Eggs are stored at 41°F.
  - Eggs deemed adulterated may not be offered for sale.

For more information, visit the TDA [website](#).

- **Meat and Poultry:** These products fall under the jurisdiction of the USDA. The exception is farm-based retail meat that is permitted through the TDA. This is meat processed at a USDA inspected facility then provided refrigerated or frozen in original packaging (from USDA facility) with USDA seal readily visible and in compliance with all labeling requirements.
  - *A Retail Meat Sales Permit* is required to sell at the ESM. The permit must be posted at every market, and a copy must be provided with your application to the ESM. All meat products offered for sale must be refrigerated or frozen in the original packaging with the USDA seal readily visible and in compliance with all labeling requirements, unless exempt (outlined below).
  - *USDA Processing/Requirements:* Animals must be processed at a USDA inspected facility which is credentialed for the animal to be processed. Meat must be processed, packaged, and labeled at the USDA facility. Labels are approved by on-site USDA personnel and must include name of product, complete address of individuals offering meat for sale, and net weight. Lot or code numbers are recommended. Other information under TDA's weights and measures law, such as the price per pound, is required to be on the label.
  - *Transporting Meat and Meat Products:* Meat must be transported in a secure manner. A freezer or refrigerator operated by inverter is acceptable. The cooler, refrigerator, or freezer units used for storage or transportation of meats must be cleanable, kept clean, and in good repair. Thermometers are required in coolers/refrigerators to verify temperatures of storage. All poultry must be stored in a separate cooler, refrigerator, or freezer to prevent cross contamination with meats of other species unless all such stored meat is received and maintained hard frozen. Re-freezing of product is prohibited. If the product is acquired frozen from the processor, it must be maintained in a frozen state from the processing facility to the consumer. Refrigerated products must be maintained under 41°F from the processing facility to the consumer.
  - *Poultry:* These products fall under the jurisdiction of the Food Safety Inspection Service (FSIS) of the USDA. Producers may be exempt from compliance with federal authority in certain circumstances (Poultry Products Inspection Act). Exempt operations are exempt from continuous bird-by-bird inspection and the presence of FSIS inspectors during the slaughter of poultry and processing of poultry products. Exempt operations may sell birds they process to the public if the birds were raised, slaughtered, and processed on the producer's property in sanitary conditions suitable for human food. Poultry slaughtered under the exemption may not cross state lines. The TDA recognizes the USDA small poultry exemption guidelines and, therefore, does not require a permit to process and market poultry under this exemption. This recognition is based on the assumption that all applicable standards set forth in the USDA guidelines for exempt poultry processing are satisfied. The ESM requires all vendors utilizing this exemption to label their poultry with the processor's name, address, and the exemption statement: "Exempt P.L. 90-492", net weight, and safe handling instructions.

- Resources: [Basic Regulatory Considerations for Retail and Non-retail Meal Sales in Tennessee](#)
- **Dairy:** All dairy products, including ice cream and cheeses, must come from an inspected and permitted dairy or must be composed of pasteurized dairy products from an inspected and permitted dairy. Dairy products must be stored at 41°F or below at point of sale.
  - Raw milk cannot be offered for sale for human consumption and may only be sold at the ESM when labeled for pet consumption. Advertising of “raw milk” is not allowed. Vendors may advertise the sale of herd shares or pet food. Raw milk may be transferred through herd share programs as defined by TDA. If you are planning to offer a herd share pick-up at the ESM, a copy of your herd share agreement must be submitted with your application.
- **Honey:** Only honey from an applicant’s own hives is allowed for sale at the ESM. Honey must comply with composition and labeling requirements under [Tenn. Comp. R. & Regs. 0080-04-12](#). Infrequent casual sales of honey or the selling or packaging of less than 150 gallons of honey per year do not require the producer to be licensed and inspected. Essential composition and quality factors:
  - a. A product sold or offered for sale as honey shall not have any food additives included.
  - b. It shall not have begun to ferment or effervesce and no pollen or constituent unique to honey may be removed except where unavoidable in the removal of foreign matter.
  - c. Honey shall not be heated or processed to such an extent that its essential composition is changed, or its quality is impaired.
  - d. Chemical or biochemical treatments shall not be used to influence honey crystallization
- **Sorghum molasses:** All sorghum molasses sold or offered for sale in the state of Tennessee shall be prominently labeled as being either 100% pure sorghum molasses or not pure sorghum molasses. The label must also have the farm name, address, and net weight. All sorghum molasses offered for sale shall come from a permitted, licensed, and inspected facility. Contact the TDA for more info.
- **Live animals** are not permitted for sale at the ESM.
- **Rooted Plant Material:** All persons offering plants and plant material for sale must possess a Plant Dealer, Greenhouse, or Nursery Certificate from TDA. Vendors not primarily engaged in the business of producing and selling plants or seedlings (ie: farmers selling extra vegetable starts), shall have their license fee waived but are still required to fill out an application. For more information about this, contact TDA Plant Certification Section at 615-837-5137.

## Prepared Food Vendors

Prepared food includes processed foods and foods for immediate consumption. All prepared food must be made from scratch by the vendor. All foods must be labeled with vendor contact information and all ingredients in the food.

- **Processed foods:** All processed foods must be sold in compliance with TDA and/or local Health Department regulations. Processed foods include those that have been processed beyond their natural state such as: baked goods, shelled beans, halved melons, canned food, pet food/treats, etc.
  - *Non-hazardous foods:* TDA offers an exemption allowing the sale of non-potentially hazardous foods from an uninspected kitchen. The ESM honors this exemption and does not require permits for non-potentially hazardous food. Non-potentially hazardous foods include: baked goods that do not require refrigeration, jams, jellies, preserves, candy, and dried baking or spice blends. A copy of the Domestic Kitchen regulations and labeling requirements can be found on TDA's [website](#).
    - *Food must be properly labeled:* The following, at minimum, must be present on all food items.
      - The name, street address, city, state, and ZIP code of the business where the foods are manufactured.
      - An accurate statement of the net amount of food in the package in English and Metric units (e.g. ounces and grams).
      - The common or usual name of the food.
      - The ingredients in the food in order of predominance by weight.
      - Lot dates or numbers shall be evident on package or container of food for traceability purposes in the event an issue occurs that may require a market withdrawal of the food.
      - Special attention should be paid with respect to clear labeling of the eight major food allergens: milk, eggs, soy, wheat, peanuts, tree nut, fish, and crustacean shellfish.
  - *Potentially hazardous foods* must be manufactured in an inspected and permitted kitchen. Your facility must be registered, and you must file a process for each product you intend on selling with the U.S. FDA. A copy of your certification for each product you sell must be provided to The Market.
    - These products are defined as, “any food that consists in whole or in part of milk or milk products, eggs, meat, poultry, fish, or other ingredients in a form capable of supporting rapid and progressive growth of infectious or toxigenic microorganisms.” This also includes acidified foods such as pickled vegetables and salsa and formulated acid foods such as marinades, hot sauces, salad dressings, etc.
    - If you are manufacturing acidified foods, you must register your kitchen facility and file a process for each product you intend on selling with the U.S. FDA and be compliant with 21CFR part 114. Include a copy of your

certification for the acidified foods course with your application as well as the process for each product you intend to sell at the ESM. A complete list of steps and regulations can be found [here](#).

- *Pet Food*- Anyone manufacturing animal feed, pet food, pet treats, and raw milk (being sold as pet food) must be licensed by the TDA. Required labeling must accompany the product, including the manufacturer's name and address, net weight and guaranteed analysis. Additional information may be obtained by contacting the TDA Agricultural Inputs Section at 615-837-5135.

## Food Trucks

- Food trucks are under the jurisdiction of the local health department in each county. To participate in the ESM, you must submit a copy of your inspection document.
- The City of Knoxville requires all food trucks that participate in the ESM to also become a certified Mobile Food Unit. We require a copy of this permit when you submit your application as well as a copy to be on display at every market. More information from the City of Knoxville is available [here](#).

## On-Site Food Preparation

- a. Vendors selling food intended for immediate consumption at the ESM **aren't** required to operate out of an inspected and licensed food truck but are required to follow the rules listed below to sell at the ESM.
  - i. Vendors using an open flame of any kind must provide an operable fire extinguisher. If the Food Vendor is cooking with grease, an operable K Class fire extinguisher is required. If using a tent, the structure must be fire-retardant.
  - ii. Vendors will be required to have a [portable hand-washing station](#), hand sanitizer, a canopy (mesh sides may be required depending on product), a cooler/warmer to store all temperature-sensitive ingredients, food-grade thermometer to endure adequate cooking temperatures.
  - iii. Vendors must use single use disposable gloves, sanitized fork/tongs/scoops/spatulas, deli paper, or toothpicks to serve ready-to-eat food. More information from the TN Dept. of Health can be found [here](#).
  - iv. See this Knox County Health Department .pdf for additional helpful tips: <https://knoxcounty.org/health/pdfs/food/FiveRiskFactorsflyer.pdf>

**Unaccepted products:** alcohol and tobacco products

## Art & Craft Vendors

All art & craft products must be made by hand, by the applicant.

## **Vendor Conduct & Responsibilities**

### **Insurance**

Vendors are responsible for carrying their own insurance in the amount they deem appropriate. General market liability insurance is in place for each market but does not cover individual vendors, their vehicles, or their products.

### **Property Loss**

- Vendors assume all responsibilities for losses of property/money from the Market site.
- Booths should never be left unattended.

### **Market Responsibilities**

- Vendors need to bring plenty of change. We do not carry enough to supply vendors with change and there are no banks within walking distance of the market.
- Each vendor is responsible for maintaining their space in a clean and orderly manner, and space must be clean before departing.

### **Signage**

- The Market encourages all vendors to use signage to distinguish their business- and include the name of the business, city, and state they are located. In compliance with the Food Safety Modernization Act, all agriculture vendors must prominently display the name and business address of the farm where the food was grown.

### **Prohibited at Market**

- No pet or any live animal, other than service animals, may be in a vendor's stall at the Market.
- In the interest of health and cleanliness, smoking and the use of tobacco products is not allowed at vendor stalls.

## **Sales & Pricing**

Vendors must clearly post prices on all products being sold. Pricing of goods sold at market is the sole responsibility of the vendor. Dishonest merchandising or collusion to set prices is not allowed. All items for sale must be clearly marked with the retail price. Vendors are responsible for their own applicable sales tax.

Vendors who choose to sell by weight are required to use certified calibrated scales. Approval seals must be placed on all scales in compliances. Additional information may be obtained by contacting TDA Weights and Measure at 615-837-5109.

## Equipment

The vendor must provide all necessary equipment and displays. The ESM will not provide extension cords, signs, chairs, tables, tablecloths, scales, display containers, tents, weights, etc. All materials, including tables and signage should fit within each vendors space.

- If using a tent, the tent should be securely anchored at every market. We recommend 25lbs. of weight per tent leg. (cinder blocks, buckets full of concrete, etc. can be used).
- Containers of produce and other foods should not be placed directly on the ground. All containers containing food for sale should be at least 6 inches off the ground at all times. This includes baskets and coolers for holding food.
- Access to electricity is not available at every booth at the ESM. If you require electricity, indicate this in your application along with why you need access to electricity. The ESM will not be able to accommodate all requests for electricity. Those granted access to electricity will need to bring an extension cord (we recommend at least a 50' extension cord). The extension cords may not be stretched across walkways.

## Booth Fees

- Each vendor will receive a 10' x 10' booth space at the ESM. Food Trucks will have the option for a 23-25ft booth space if necessary.
- Each vendor will be charged a \$5 booth fee per market day. The payment is due before the Market closes at 4 pm on the day of attendance.

## Market Day Info

1. The Eastside Sunday Market is held in Walter Hardy Park, 2020 MLK Jr. Ave., Knoxville, TN 37915
2. Directions
  - a. From I-40 E: use the right lane to take exit 388A for James White Pkwy. (158 W). Use the second from the right lane to take the Summit Hill Dr. exit. Turn left onto E Summit Hill Dr. In 0.6 miles, turn left onto Martin Luther King Jr. Ave. In 0.6 miles, Walter Hardy Park will be on your right.
  - b. From I-40 W: Take exit 390 for Cherry St. Turn left onto Cherry St. In 0.5 miles turn right onto E. Magnolia Ave. In 0.5 miles turn left onto Olive St. Turn right onto Linden Ave. and then immediately turn left onto Olive St. In 0.1 miles turn right onto Martin Luther King Jr Avenue. In 0.3 miles, turn left into Walter Hardy Park.
3. Booth Assignments: booths will be marked and numbered. Vendors are not allowed to use more than their allotted booth space. Vendors participating every market day will be assigned a permanent booth space. All other vendors will be assigned to remaining booth spaces.

4. Set-Up: Vendors may set-up 1 hour before the market opening and must be set-up to sell before the market begins at 1pm.
5. Break Down: Break down will not begin until the close of the market at 4pm. If you sell out or need to leave early, please check-in with the ESM staff or volunteers present that day.

## **Contact Info**

### ***Eastside Sunday Market***

[eastsidesundaymarket@gmail.com](mailto:eastsidesundaymarket@gmail.com)

865-214-7870

### ***Tennessee Department of Agriculture***

615-837-5137

<https://www.tn.gov/agriculture.html>

### ***Tennessee Department of Agriculture State Farmers Markets State Compliance Guide 2019***

[https://www.tn.gov/content/dam/tn/agriculture/documents/foodsafety/AG%20Compliance%20Guide%202018\\_web.pdf](https://www.tn.gov/content/dam/tn/agriculture/documents/foodsafety/AG%20Compliance%20Guide%202018_web.pdf)

### ***Tennessee State Apiarist***

865-974-7138

<https://www.tn.gov/agriculture/businesses/bees/state-apidist.html>

### ***USDA***

404-532-5900 (Meat & Poultry)

<https://www.fsis.usda.gov/wps/portal/fsis/topics/food-safety-education/get-answers/food-safety-fact-sheets/production-and-inspection/inspection-and-grading-of-meat-and-poultry-what-are-the-differences/inspection-and-grading-differences>

800-647-2484 (Food Safety/Service)

<https://www.fsis.usda.gov/wps/portal/fsis/topics/regulatory-compliance>

### ***Tennessee Department of Health***

615-741-7206

### ***City of Knoxville Mobile Food Units***

865-215-3155

[http://knoxvilletn.gov/government/city\\_departments\\_offices/business\\_support/mobile\\_food\\_units](http://knoxvilletn.gov/government/city_departments_offices/business_support/mobile_food_units)

### ***Knox County Health Department***

865-215-5200

[https://www.knoxcounty.org/health/food\\_protection.php](https://www.knoxcounty.org/health/food_protection.php)