



# Western Loudoun Farmers Market Rules & Policies

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**It's simple! We love what we do, why not make something of it?**

Western Loudoun Farmers Market, Rules and Policies, details the rules, regulations, procedures, and other important information for current and potential farmers market vendors. Please read this document carefully before applying to become a vendor.

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The Western Loudoun Farmers Market (WLFM) provides a venue for the sale of:

- Locally grown and produced agricultural products (vegetables, fruit, flowers, honey, meats, eggs, dairy products, etc.),
- Locally made off-site prepared foods (bakeries, bottled/canned items, etc.),
- On-site prepared foods (food made or cooked at the market),
- Locally made arts and crafts, beauty and skincare products, and jewelry; and
- Specialty Products (coffee, tea)

## Market Dates and Times

WLFM operates each Saturday, 10AM – 1PM, from the first Saturday in April (weather permitting) until the Saturday before the Thanksgiving Holiday.

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## Applying to WLFM

### Required Paperwork

WLFM Application

Certificate of General Liability Insurance (Required)

Necessary Permits (If applicable)

Temporary Food Permit (On-site cooking)

Required paperwork may be emailed or submitted in person.

### Vendor Fee(s)

WLFM does NOT take a percentage of your sales!

**Full Season Vendor Fee:** \$200.00 per vendor space

**Seasonal Vendor Fee:** Variable

**Guest Fee:** \$20.00 per visit

**Non-Profits:** N/A

## General Vendor Information

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### Vendor Types

- **Agricultural Producers:** Locally grown and produced agricultural products (vegetables, fruit, flowers, honey, meats, eggs, dairy products, etc.),

- **Off-site Prepared Food:** Locally made off-site prepared foods made with a cottage food permit from the Virginia Department of Food and Agriculture.
- **On-Site Prepared Food:** Food made or cooked at the market with a temporary food permit from the Virginia County Department of Health;
- **Artisans, Crafts, and At-Home Producers:** Locally made arts, crafts, beauty and skincare products, jewelry
- **Specialty Products:** Coffee, tea
- **Non-profit, and Civic Organizations**

## Agricultural Producers

1. Agricultural producers sell locally grown fruits and vegetables, herbs, flowers, nursery crops from seeds or cuttings, seeds and bulbs, meat, honey, eggs, and non-value added dairy products.
  - a. **Meat, Dairy, and Honey:** Virginia Department of Agriculture and Consumer Services (VDAC) permit is required prior to selling at WLFM.
  - b. **Eggs:** Eggs can be sold at WLFM and are exempt from Virginia Egg Law. Eggs do not need inspection if selling less than 150 dozen of your own eggs per week or less than 60 dozen of another producer's eggs per week.
2. All agricultural products must be grown or produced by the vendor, or vendor's family, or business operation. Locally produced agricultural products bought for resale may be approved on a case-by-case basis (see *Selling Brokered Agricultural Products* below).
3. All products sold as organic must be grown, produced, and processed in accordance with the USDA.
4. National Organic Program. Certified organic growers must provide a copy of their organic certificate to WLFM. All vendors are required to advertise truthfully and to respond to customer's questions in a like manner. If you are a non-certified organic grower, please do not use the term organic. Terms such as "minimal chemicals", "no pesticide or herbicide" or "free-range" may be used as long as they accurately reflect farming practices.
5. Vendors found in violation of these rules shall be asked to remove the item(s) in question and/or relinquish their space and forfeit any fees paid to WLFM.

## Selling Brokered Agricultural Products

For the purposes of WLFM, a vendor that sells locally produced agricultural products purchased from or provided by another agricultural producer that has not directly applied to be a vendor at WLFM is a **broker**. Broker vendors are permitted under the following terms and conditions:

1. Broker vendors are responsible for obtaining copies of all licenses and/or permits required by the Virginia Department of Agriculture and Consumer Services (VDAC), including proof of warehouse inspection. Copies of all licenses/permits will be required to be submitted during the application process and must be had at WLFM upon request by WLFM, customers or VDAC.

2. Brokers are required by the State of Virginia to remit local and state sales taxes on resold agricultural products.
3. WLFM reserves the right to limit the number of these types of vendors.

### **Off-site Prepared Food Vendors**

Off-site food vendors - baked goods, jellies, jams, preserves, syrups, salsas, flavored oils, vinegars, pickles, fermented products, and dried food products at home with or without VDAC certification or in a commercial kitchen.

1. Certified or commercial kitchens
  - a. A copy of a valid VDAC permit must be submitted to WLFM at the time of application.
2. Uncertified home kitchens
  - a. [Section § 3.2 - 5130](#) of the Code of Virginia allows certain low risk foods to be made from a private home without VDACS inspection, with certain restrictions.
    - i. Vendors are required to comply with all applicable guidelines and regulations ([outlined here](#)).

### **On-Site Cooked Food Vendors**

On-site prepared food vendors are vendors that prepare food at the market for immediate consumption:

1. A limited number of on-site food vendors are allowed at WLFM. All on-site food vendors are evaluated before being approved to sell at WLFM. Priority on who may sell at WLFM may be based on seniority, attendance (seasonal), uniqueness, and a product that is desired at WLFM. On-site food vendors are encouraged to use produce that is sold at the market in the preparation of their food. On-site food vendors may not sell other products of any sort, except as noted below.
2. Store bought prepackaged food such as cookies, candies, cakes, etc. are prohibited for sale at WLFM. Bottled/canned drinks and small bags of chips type products (4 oz or smaller) are allowed. These types of products must compliment the main food being served from your booth or WLFM will ask you to no longer sell that product.
3. It is the responsibility of the on-site food vendor to read, understand, and comply with Loudoun County Health Department Guidelines. On-site food vendors must acquire all proper permits including a [Temporary Food Permit](#), required by the Loudoun County Health Department. Permit fees are the responsibility of the seller and must be paid to these organizations. All permits, both State and County, must be present and prominently displayed at the booth at all times.
4. Vendors found in violation of VDAC or Loudoun County Health Department Guidelines, by either the health inspector or WLFM, shall be asked to remove the item(s) in question or relinquish their space and forfeit any fees paid to WLFM.

5. Alcohol may not be sold at WLFM.
6. Vendors are responsible for cleaning their vending area and disposing of waste products in accordance with the Loudoun County Health codes. Any charges assessed by WLFM for items such as grease and food stains will be passed on to and become the responsibility of the vendor.

If you have questions regarding completing the [Temporary Food Application](#), contact the Health Department Temporary Food Coordinator, Tamara Shellenberger, (703) 777-0642, [tamara.shellenberger@loudoun.gov](mailto:tamara.shellenberger@loudoun.gov)

### **Artisans, Crafts, and At-Home Producers**

Guidelines for acceptance at WLFM include but are not limited to:

1. All arts, crafts, and at-home produced products must be handmade by the vendor or the vendor's immediate family members. Pre-manufactured, mass produced, imported or commercial products will not be sold at WLFM.
2. Products must be original and unique in work and/or design.
3. Once accepted, vendors may display and sell the type of work presented on their application. Any changes must be approved by the WLFM Manager.

### **Non-profit, Political, and Civic Organizations**

WLFM has allotted a limited number of spaces for non-profit, and civic organizations to distribute information and provide education to the community.

Nonprofits must have an EIN, a tax number or 501(c) 3 designations in order to apply. Copies of the documents must be provided to WLFM prior to acceptance. WLFM cannot be expected to accommodate non-profits that show up without prior written approval.

1. Groups must comply with the same rules as regular Market vendors.
2. Groups are not allowed to sell merchandise without prior permission from WLFM. The group may accept donations.
3. WLFM does not currently charge a fee for Non-Profit participation but does reserve the right to collect a weekly booth set up fee for full or seasonal Non-Profit participation.

### **Sponsors**

WLFM has allotted 10' x 10' booth spaces to support our Sponsors. Sponsors may use their booths to display company literature or provide services. If you would like to become a sponsor of WLFM please contact us at [westernloudounmarket@gmail.com](mailto:westernloudounmarket@gmail.com) for an application.

## Entertainment

Entertainment is a valued part of WLFM. We enjoy providing featured performers that add to the festive atmosphere. Please contact us to participate. Performances should always be appropriate for a family-based audience.

1. Please dress appropriately to face the public.
  2. Performers may put out a hat or bag to collect money but may not verbally ask the public for money. It is the responsibility of the performer to report all income, including tips, to the Virginia State Tax Commission.
  3. Market staff have the authority to move and reassign performer's locations to facilitate market operations or to resolve concerns.
  4. Knives, swords, torches, flames, axes, saws, or other objects that can cause bodily injury to any person are prohibited.
  5. Performers under 16 should be accompanied by a responsible adult.
  6. At all times, performers must conduct themselves in a manner that is courteous to other entertainers, vendors, and the public. Please remember you're a welcome guest and we appreciate your contribution to the Western Loudoun Farmers Market; but we must ensure the comfort and safety of our customers and vendors.
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## Vendor Booth Space

1. Spaces are approximately a 10' x 10' space. The size of each space may vary slightly depending on the location of trees, poles, sidewalks, or any other permanent fixtures.  
Please keep all items off sidewalks and walkways.
2. All booth spaces located on the side of the sidewalk must be set up 3-5 feet back from the edge of the sidewalk as designated by Market staff. No signage is allowed on the walkway.
3. WLFM will assign spaces based on vendor type, and special needs.
4. **WLFM may reassign a space if an unforeseen event or obstacle has occurred to avoid competing products.** If you arrive late and notice your space has been provided to another vendor, please do not approach the vendor. WLFM will assign you a temporary space for the day.
5. Vendors are expected to stay for the duration of WLFM, which ends at 1 p.m. Due to safety concerns; you may not disassemble your booth until WLFM closes. If you sell out of product you may cover your tables and come back at the end of WLFM to disassemble and remove your booth. Please leave a sign that indicates to patrons that you have run out of product.
6. **Any vendor missing two or more weeks without notification to WLFM may forfeit their seasonal reservation location and any paid booth reservation fees.**
7. Vendors wishing to share a booth may do so with another vendor who has applied and been accepted to WLFM. Each vendor is required to submit a separate application and be accepted to sell at WLFM.

8. Vendors may not sublet or transfer their space to another vendor. Only WLFM can assign spaces.
9. Vendors are responsible for keeping their space clean and attractive at all times. At the close of the market, vendors must clean up their space including sweeping up any debris and removing all trash. Please, leave your area better than you found it.
10. In case of inclement weather or low attendance markets the WLFM may consolidate spaces to reduce the markets footprint.

## Vendor Space Obligations

1. Vendors may begin setup of their booth one hour prior to Market opening.
2. No booth setup is allowed after WLFM is open. Vendors are expected to be ready for business by the start of WLFM opening.
3. Vendors are responsible for providing their own equipment. This includes canopies, tables, and chairs.
4. All canopies and umbrellas are required to be secured to the ground from the time the canopy is set up to the time it is taken down. WLFM will not be responsible for losses/claims due to unsecured tents, umbrellas, or canopies.
5. Table displays, temporary displays in front, and signs must not block accessibility to adjoining booths or impair another vendor's ability to sell his/her products(s). Vendors must keep all of their personal equipment in their assigned booth space.
6. Each booth will prominently display a sign clearly identifying the farm or business name.
7. Individual booths may not play music or generate loud noise during WLFM hours.
8. Vendors should be respectful of one another's space and their right to sell without distraction. Vendors are not allowed to sell outside of their assigned location. Please do not leave your booth to distribute products, samples, pamphlets or other information to patrons along the walkways.
9. Only family members or employees of vendors are allowed to sell at the booths. Anyone in the booth is required to be knowledgeable of and comply with WLFM Rules and Regulations. The person whose name is on WLFM application is responsible for any and all actions or liabilities of family members or employees.
10. All vendors that require State or County permits must prominently display those permits in the booth.

## Vendor Parking

1. As soon as you unload your vehicle, you must **immediately** move your car and park in the vendor parking lot.
2. Parking adjacent to Fireman's Field is reserved for guests. You are **required** to park off S 20th Street. [Parking Map](#)

3. Parking adjacent to Fireman's Field or before E G Street will limit your customer's ability to attend the market and spend money at your business.

*\*\*Parking rules and procedures are subject to change*

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## **Products**

Our vendor's products are the best and should reflect the highest quality the vendor can produce.

1. Vendors may only sell items that have been approved to sell.
2. If a vendor wants to add an item to their list, they must get approval from WLFM at least 48 hours prior to the market day.

## **Pricing**

Pricing of goods is solely the responsibility of the individual vendor.

1. All prices must be clearly marked by posting a sign or individually marking items.
2. WLFM, nor its affiliates make any warranty on sold or purchased goods, and any warranty implied is expressly denied.

## **Sales Tax**

Vendors are responsible for collecting and submitting state and local sales tax for items sold at the market.

WLFM and affiliates shall not be held liable for vendor violations.

## **Scales**

Vendors selling produce by weight must provide their own scales.

1. Scales must be "legal for trade" and are subject to inspection by the Virginia Department of Agriculture's (VDAC) "Weights and Measures" program.
  2. All scale displays must be readable and in easy sight to your customers during business transactions.
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## **Market Fees**

WLFM does NOT take a percentage of your sales but does collect a onetime vendor fee and a weekly booth fee.



## Vendor Fees

1. Vendor fees must be paid prior to setting up at WLFM. Vendor fees paid via credit card, PayPal or Venmo will be charged an additional 4% fee.
2. Vendor fees may be prorated to reflect the remaining Saturdays in the season from the date of the Vendor's first Market. Fee must be paid prior to the vendor's first Market.
3. If a vendor wishes to cancel their commitment for the remainder of the season, vendor fees are not refundable.
4. Returned checks for "Non-Payment" will be subject to a \$35.00 handling fee.

## Booth Fees

5. Weekly booth fees are collected weekly by the end of the market and is only collected on market days attended by the vendor. Booth fees paid via credit card, PayPal or Venmo are subject to an additional 4% fee.

## Guest Fees

1. Guest fees must be paid prior to setting up at WLFM.  
Guest fees paid via credit card, PayPal or Venmo will be charged an additional 4% fee.
2. If a Guest Vendor wishes to cancel their commitment, fees are not refundable.
3. Returned checks for "Non-Payment" will be subject to a \$35.00 handling fee.

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## Insurance Requirements

All vendors are required to have at least a \$1,000,000 General Liability policy or a \$1,000,000, Product Liability policy.

1. All policies must list the Western Loudoun Farmers' Market as an additional insured and the location address of the market in the description area.
2. Certificates of Insurance (COI) must be submitted on/before the vendor's first day at market.

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## Cancellations

When applying to the market, you are committing to specific dates. Rain or Shine.

1. All vendors are required to provide us notice as early as possible when they are unable to attend.
2. Vendors are not entitled to refunds for individual absences at the market.
3. **Any vendor missing two or more weeks without notification to WLFM, will be charged a \$25.00 NO CALL-NO SHOW fee. Vendor may not return until fees are paid.**

4. Multiple failures to provide notice will result in vendors being asked not to participate further with WLFM.

### **Inclement Weather Cancellations**

Under extreme weather conditions the Market may be canceled at the discretion of WLFM. If conditions are prohibitive to the operation of a safe and successful market.

A market cancellation will be made at the earliest possible time in order to avoid costs incurred by vendors related to preparation and travel to the market.

If weather conditions worsen during the market, WLFM will notify vendors and guests as soon as possible and market operations will cease. Vendors will break down in a safe, orderly manner and exit of the market.

The Market Manager has the final authority to cancel a market and will do so within the guidelines stated above. The Manager will take all and any necessary actions and precautions in order to ensure regular and safe operation of the market.

### **No Call-No Show Fee**

A No Call-No Show fee will be charged if a vendor is physically able to but chooses not to notify WLFM of a market day absence.

1. Fines and Cancellation Fees will be collected/processed via Credit Card or Debit Card. Vendors are required to supply and keep a valid credit card on file with WLFM. Please note, Per PCI Compliance Requirements, all credit cards will be kept in a locked cabinet.
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## **Misc. Vendor Information**

### **Vendor Pet/Animal**

We do not recommend vendors bring their pet/animals to the market because of food safety reasons.

1. In the event a vendor chooses to do so please protect your food/produce from coming in contact with the animal and wash hands after handling.
  2. Vendor agrees to [WLFM Pet Policy](#).
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### **Pandemic and Public Health Rules and Regulations**

WLFM and all vendors will adhere to any requirement made by local and/or state public health orders, rules, and regulations in force on the day of Market operation.

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# Policies and Legal Information

## Important Policies

1. No alcohol or drugs are permitted on the premises. If WLFM believes a vendor is intoxicated or under the influence of drugs, the vendor will be asked to leave the market immediately.
2. Smoking and vaping is not permitted in market areas.
3. WLFM is a family friendly market. Any vendor selling a product deemed to be non-family friendly will be asked to remove the product from his/her display. If the vendor refuses to remove the product, the vendor will be asked to leave WLFM.
4. Vendors with little children are responsible for keeping track of them. Please do not allow your children to interrupt, interfere, or impede other vendors. If your children become a nuisance, you will be asked to take them home.
5. Each vendor is responsible for fair business practices and setting their own prices. All prices must be clearly marked or posted. WLFM does not make any warranty on sold or purchased goods.
6. Solicitation or distribution of any marketing or advertising material is prohibited outside of a designated booth space by vendors or non-participating entities. This includes but is not limited to: flyers, handbills, stickers, and promotional items of any kind. Please notify WLFM if you see any violations.
7. The law prohibits smoking in any public park (Virginia Clean Air Act). This includes e-cigarettes (UT Admin Code R392-510).
8. Problems with other vendors should be discussed with WLFM.
9. WLFM is open in spite of rain, wind, or snow. No refunds are given for inclement weather.

## Legal Information

1. The Western Loudoun Farmers Market reserves the right to refuse participation to any vendor not in compliance with the Western Loudoun Farmers Market Rules and not meeting standards which include, but are not limited to, all local, city, state and federal laws and regulations. All required sales tax collection and remittances are the sole responsibility of the sellers.
2. The Western Loudoun Farmers Market welcomes all, regardless of race, creed, color, sex, religion, sexual orientation, age, nationality, or marital status.
3. All sellers assume full liability for the products they market and hereby agree to hold the Western Loudoun Farmers Market harmless against any claim of injury or damage by any buyer, seller, or other persons resulting from the use, consumption, disposition, display, or marketing of products.

4. The Western Loudoun Farmers Market is not liable for any injury, theft, or damage to either the buyer or seller, or their property, arising from or pertaining to preparation for or participation in the Western Loudoun Farmer Market. Regardless of whether such injury, theft, or damage occurred prior to, during, or after the Western Loudoun Farmers Market hours of operation. Vendors further agree to indemnify and hold the Western Loudoun Farmers Market harmless for and against any claims for such injury, theft, or damage.
5. Submitting an application to the Western Loudoun Farmers Market serves as a binding agreement between the Western Loudoun Farmers Market and the applicant. The Western Loudoun Farmers Market will hold anyone working at a vendor's booth responsible to follow Market Guidelines and Policies. Policies are subject to change at any time and updates will be sent to the email indicated on the vendor's application. It is the responsibility of the applicant to keep all profiles current. Any violation will be documented. Two violations warrant removal from WLFM for the duration of the year and fees are not refundable. Anyone who fails to comply with Market policies will be asked to leave WLFM.