

# Farmers Market Guide



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# LETTER FROM THE SECRETARY

Greetings!

Farmers markets in Oklahoma are a vital piece of our agriculture industry. Not only do they place the bountiful, fresh products directly from Oklahoman producers into the hands of consumers, they also serve an important social and economic role in many communities across the state.

Agriculture doesn't stop — neither in bad flooding or recessions or droughts or global pandemics. It feeds a nation hungry for fresh produce, meats, dairy and eggs. It is innovative and it perseveres.

When you have a program that connects rural to urban, farmer to consumer, and fresh ingredients to our diets, there is no doubt that it is a treasure to our Oklahoman communities. There are many steps to consider when opening a farmers market – this guide will be a useful tool to assist you as you begin your journey toward creating these opportunities for your own communities.

As always, #agdoesntstop.

Happy trails,



*Blayne Arthur*

Secretary Blayne Arthur



# What is a Farmers Market?

As defined in Oklahoma statute, a farmers market is a designated area where agricultural producers and value-added processors from a designated region gather on a regularly scheduled basis to sell approved farm food and value-added products from approved sources directly to the purchaser. But, a farmers market is so much more. It is a place for consumers to learn about how their food is grown, a place for community members to gather, a place to meet new people and a place to support small businesses.

A variety of products can be found at farmers markets. Oklahoma statute allows the following items to be sold:

- Raw, uncut produce
- Eggs, some ODAFF rules apply
- Meat, some ODAFF and Health Department rules apply
- Baked goods that qualify under the Home Baker Act of 2017 or follow Health Department Rules
- Processed foods and 'Time/Temperature Control for Safety' food that meet local, state and federal requirements and are made with at least a portion of ingredients grown or raised in Oklahoma or are processed in Oklahoma
- Non-food items, only if those items account for less than twenty-five percent (25%) of the overall sales at the farmers market.
- See Appendix (Bringing Farm to Market) for details on rules and licenses for food products.





## FARMERS MARKETS AND THE OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD AND FORESTRY

Helping farmers and ranchers be successful is one of the main goals of the Market Development Division at ODAFF. One significant way the division works toward this goal is administering the state's farmers market program and official registry. Coordinators provide technical assistance in an advisory capacity as well as serve as a connection to the state's network of producers and support organizations.

Farmers markets willing to attest that 100% of raw products at the market are grown or raised in Oklahoma qualify for the OK Grown designation in ODAFF promotional materials. For markets located in counties adjacent to a bordering state, the market is allowed 20% of products to be grown or raised in that bordering state.



### FARMERS HUB

Created as a solution to help farmers spend more time producing food and less time at the market, the Farmers Hub allows a designated representative to sell products for the producers on consignment. For a full list of rules for a Farmers Hub, please contact ODAFF.

# Registering your Farmers Market with ODAFF

## **Registering with ODAFF provides these benefits:**

- Protection under the Farmers Market Liability Limitation Act, see Appendix.
- Promotion through several ODAFF programs including Oklahoma Agritourism and Loklahoma, see Appendix.
- Direct access to ODAFF coordinators experienced in marketing and networking through Oklahoma agriculture channels.
- ODAFF promotional materials such as stickers, produce bags and grocery bags.

## **Registration is simple and free to any eligible market.**

Request an application from ODAFF coordinators through phone or email. In accordance with SB1785, the following items will be needed to complete the application:

- Location of market
- Contact information of manager or advisory board members
- Letters of intent to sell at the market from a minimum of four independent vendors of raw food products
- Proposed annual calendar of operation
- Defined geographic region of vendors
- Written acknowledgement of the Oklahoma State Department of Health rules, Oklahoma Public Health Code 310:257-1-2.
- A list of benefits accepted as payment, ie. SNAP, WIC, tribal aid programs.
- Promotion plan
- Market guidelines and/or bylaws

Submit application to ODAFF by email to: [micaela.danker@ag.ok.gov](mailto:micaela.danker@ag.ok.gov)  
OR [whitney.wilkinson@ag.ok.gov](mailto:whitney.wilkinson@ag.ok.gov) or by mail to:

Oklahoma Department of Agriculture, Food and Forestry  
2800 N Lincoln Blvd.  
Oklahoma City, OK 73105

\*It is not required by the state for a market to register with ODAFF in order to operate. However, some counties or municipalities may require this. Unregistered markets may be subject to additional event licensing and will not be eligible to receive assistance or promotional materials from ODAFF.

# BENEFITS OF A FARMERS MARKET

**FOR CONSUMERS** - Farmers markets give consumers easy and direct access to locally grown, farm-fresh food and food products, as well as the unique opportunity to hear from the producers that grow their food directly.

**FOR PRODUCERS** - Direct access to consumers provides an important source of income for growers.

**FOR COMMUNITIES** - Supporting small businesses in the community means a healthy local economy. Farmers markets also give citizens a place to gather and socialize.

## OK GROWN

If your Farmers Market sells 100% Oklahoma Grown products, you qualify for the OK Grown designation. For markets that are located in counties adjacent to a bordering state, the farmers market is allowed to have 20% of their products be grown in that bordering state and still be considered OK Grown.



# Tips for a successful Farmers Market

## 1. Determine the structure of the market

- Establish a governing body, committee or board of directors for the market with a clear leader that will:
  - Serve as the main contact for the market.
  - Ensure permits are in place if needed and regulations are followed.
  - Oversee day-to-day operations of the market.
  - Recruit vendors.
- Develop bylaws, rules or guidelines for vendors and customers which will:
  - Define responsibilities of members.
  - Determine vendor fees, if any.
  - Create guidelines for vendors such as set-up and tear-down, attendance, product offering, signage, price setting, etc
- Establish a budget with considerations for:
  - Venue
  - Portable restrooms if needed
  - Utilities
  - Parking
  - Permit Fees
  - Rental of tents, tables, chairs, etc.
  - Staff costs
  - Advertising
- Create a mission statement.
- Establish goals for the market.





## **2. Considerations for the location**

- Is the location easy to find?
- Is there ample space for customers to park?
- Is there room to expand when your vendors grow or increase?
- Does the property accommodate inclement weather?
- Are there public restrooms available or will portable toilets and handwashing stations need to be rented?
- Is long-term use of the property available?
- Does the property owner require liability insurance?

## **3. Timing is everything**

- Consider the customer demographics and possible peak shopping times.
- Coordinate with other community events.
- Do not overlap day and time of markets in close proximity.

## **4. Follow the rules**

- Obtain event permits with the local, city and county government if necessary.
- Ensure all vendors have the required licenses from ODAFF and the Oklahoma State Department of Health regarding sales of products and sampling products during the market.

## **5. Time to network**

- Communicate with other markets in order to offer their vendors another sales outlet.
- Find potential vendors through extension offices, local grocery stores, farm stores and garden centers.
- Reach out to community leaders for support.
- Use press releases and personal invites to encourage media coverage.
- Enlist local businesses to help advertise with signage and flyers.

# Appendix

**Agritourism** is where agriculture and tourism intersect – when farms and ranches invite the public onto their property to experience the produce, wildlife, trails and more that they have to offer. Agritourism is one of the fastest-growing segments of the travel industry. Agritourism destinations offer a huge variety of entertainment, education, relaxation, outdoor adventures, shopping and dining experiences.

**Bringing Farm to Market** - You can find this printed separately amongst your other materials or digitally via the web at: <http://ag.ok.gov/admin/Farm2MarketRegulations.pdf>

**Bags and stickers available** – Market managers, vendors and growers can purchase produce bags, grocery bags and stickers branded with the OK Grown logo from ODAFF while supplies last. To order, contact Ashley at [ashley.bender@ag.ok.gov](mailto:ashley.bender@ag.ok.gov) or 405-522-5509.

## LOKLAHOMA

Loklahoma is a local food campaign connecting consumers with producers. Producers who sell meat, produce, eggs, dairy and honey can be added to our state-wide list. You can email [micaela.danker@ag.ok.gov](mailto:micaela.danker@ag.ok.gov) to get your information listed on Loklahoma.



## **Farmers Market Liability Limitation Act, 2 O.S. Section 5-18 et seq.**

A summarized version of the act is as follows: Any participant assumes the inherent risk of attending, buying or selling goods at a farmers market registered with the Oklahoma Department of Agriculture, Food and Forestry. If a participant brings an action for damages arising from the operation of a registered farmers market, the registered farmers market operator may plead an affirmative defense of assumption of risk by the participant. Nothing in this act shall prevent or limit the liability of a registered farmers market operator if:

- 1) The registered farmers market operator injures the participant by intentional or willful misconduct; or
- 2) The registered farmers market operator has actual knowledge of a dangerous condition in the land, facilities or equipment used in the registered farmers market activity or the dangerous propensity of a particular animal used in such activity and does not make the dangerous condition known to the participant and the dangerous condition causes the participant to sustain injuries or death.

### **Serving the low-income community**

Supplemental Nutrition Assistance Program (SNAP) – markets are allowed to accept SNAP benefits for eligible purchases but some equipment is required.

- Markets must apply for a FNS Retailer ID number by calling 877-823-4369 or going to <https://www.fns.usda.gov/snap/reauthorization-application-sign>
- Oklahoma gives EBT machines to farmers markets for free. When applying with FNS, skip the EBT machine step and then contact Tom Pennington, 405-522-1262 to receive the machine.
- SNAP benefits may be used on a variety of items such as meat, eggs, dairy products, produce, baked goods and plants that grow food.

### **Senior Farmers Market Nutrition Program (SFMNP)**

- EBT machines also accept SFMNP cards. Senior citizens must apply for these benefits and can use them for items such as fresh produce, herbs and honey.

# Contact List and Resources

## **MICAELA DANKER**

Agritourism Coordinator

[micaela.danker@ag.ok.gov](mailto:micaela.danker@ag.ok.gov)

405-522-5560

## **WHITNEY WILKINSON**

Agritourism Coordinator

[whitney.wilkinson@ag.ok.gov](mailto:whitney.wilkinson@ag.ok.gov)

405-522-4676

## **ASHLEY BENDER**

Certified Procurement Officer

[ashley.bender@ag.ok.gov](mailto:ashley.bender@ag.ok.gov)

405-522-5509

Contact for stickers and bags only.

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## **OKLAHOMA AGRITOURISM**

[www.oklahomaagritourism.com](http://www.oklahomaagritourism.com)

## **FARMERS MARKET COALITION**

[www.farmersmarketcoalition.org](http://www.farmersmarketcoalition.org)

## **ODAFF WEBSITE**

[www.ag.ok.gov](http://www.ag.ok.gov)