

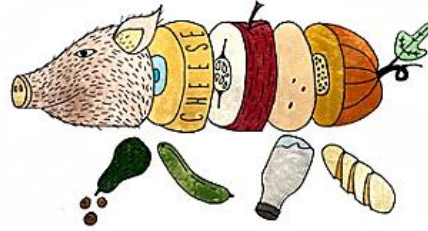


Est. 2001

Margaret River, Western Australia

Rules & Guidelines (2016)

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Welcome

The Margaret River Regional Producers Association (MRRPA) thanks you for your interest in applying for a stall at the Margaret River Farmers' Market (MRFM).

The MRFM is organised and run by the MRRPA. The MRFM has strict rules and guidelines that are based upon the aims of the MRRPA, which are set out in the MRRPA constitution. The main aims are to promote the growers and food producers of the Margaret River Region.

Stallholders are assessed against a set of criteria for their attendance at MRFM that are detailed in these Rules & Guidelines.

The MRFM is predominately a fresh food market. It is a genuine Farmers' Market where the farmer or producer must be working at the stall.

Farmers growing fresh produce have a higher priority at the MRFM than food producers which process and/or value-add produce they buy in. Furthermore, the degree to which product is processed is important. Minimal processing has lower priority than more complex processing of manufactured products. For example, cheese made from your own farm milk has higher priority than cheese made from milk bought in. Re-packaging, re-labelling, and re-selling of produce is not permitted.

The following questions will help you to assess your eligibility if you are thinking of applying for a stall at the MRFM:

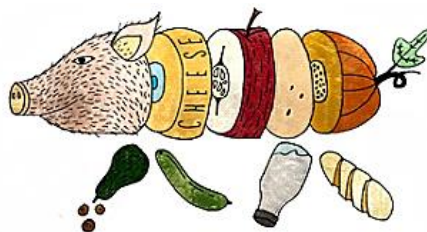
- Do you grow your own produce?
- If you don't grow anything: Which Farmers do you buy your raw ingredients off?
- How much local content is in your product?
- Is there a similar product already at the market?

Furthermore, the table PRODUCE ELIGIBILITY, which you can find on the webpage of the Margaret River Farmers' Market (<http://www.margaretriverfarmersmarket.com.au/>), allows you to self-asses your eligibility for the MRFM.

If you are uncertain about any of these issues please raise them with Market Manager, Katrina Lombardo.

Yours Sincerely,

MRRPA board



1. MISSION

- a) To provide a venue for local farmers and producers to sell their product directly to the Margaret River Community, and thereby support the economic viability of local farming and food industries.
- b) To provide the Margaret River community with regular access to local produce and thereby contribute to the social capital and health of the community.

2. OBJECTS

A Farmers' Market is predominantly a fresh food market that operates regularly within a community, at a focal public location that provides a suitable environment for Farmers and food producers to sell farm-origin and associated value-added processed food products directly to customers.

The Margaret River Farmers' Market (MRFM) was founded 2001, and is organised and run by the Margaret River Regional Producers Association (MRRPA), which is a not-for-profit organisation. The Margaret River Farmers' Market's activities are bound by the objects of the association, as defined in the MRRPA constitution. The purpose of the MRFM is to achieve some of these objects:

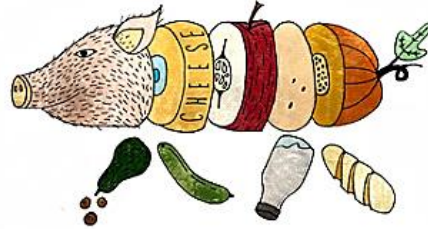
- a) To encourage and promote purity and freshness in the growing, breeding, production and/or manufacturing of produce in the Margaret River Region;
- b) To market Margaret River produce locally;
- c) To market a regional identity for the produce of the Margaret River Region;
- d) To safeguard and promote the interests of members of the MRRPA and generally to benefit them.

The Margaret River Region is defined as the area of the Shires of Busselton and Augusta – Margaret River.

The MRFM catchment is defined as an area extending from Margaret River town site to an outer boundary finishing at the towns of Capel, Donnybrook, Bridgetown, Manjimup and Pemberton.

3. MANAGEMENT OF THE FARMERS MARKET

- a) The Market Manager is responsible for the day to day management of the MRFM and reports to the MRRPA board. All queries or complaints should in the first instance be directed to the Market Manager.
- b) The MRRPA board is responsible for the direction and development of the MRFM.
- c) The MRRPA board acts as appeal body in case of complaints (see Section 12. DISPUTE RESOLUTION PROCEDURE).
- d) These Rules & Guidelines are by-law to the MRRPA constitution. They will be reviewed from time to time, and are approved by the MRRPA members at an AGM of SGM.



4. GENERAL RULES

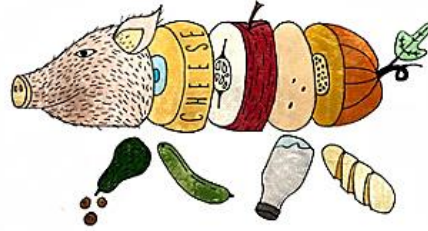
- a) Farmers and food producers from the MRFM catchment may attend the MRFM.
- b) Farmers and food producers from within the Margaret River Region have a higher priority than those from outside the Margaret River Region. The MRFM manager reserves the right to suspend stall holders from outside the Margaret River region from trading at the MRFM when a stall holder with the same produce from within the Margaret River region is available.
- c) Stallholders are the farmer, the grower, the producer, or employees which are substantially involved in the production process of the goods sold.
- d) Farmers' co-operatives will be permitted to attend the market at the discretion of the MRRPA board.
- e) All primary produce must be grown in the MRFM catchment area.
- f) Only food for human consumption, edible plants and cut flowers can be sold at the MRFM.
- g) Re-selling of produce is not permitted at the MRFM.
- h) One breakfast bar (operated by a charitable organisation) and as many coffee and/or food stalls/vans as needed, will be allowed to operate at the markets to cater for customers' needs.
- i) The board of the MRRPA has the authority to make decisions that deviate from this general rules and guidelines, if it is in the interest of the MRFM or the MRRPA.
- j) Any attempt to deceive the Market Manager or members of the MRRPA board over the origin of produce will result in immediate exclusion from the markets.
- k) Any stallholder that is deemed by the MRRPA committee to bring the market or the market location into public disrepute may be barred from further participation in the market.

5. ELIGIBILITY OF WINE PRODUCERS

- a) Must be located in the Margaret River Region.
- b) Must be a family owned and operated business.
- c) All grapes used to make the wine must have been grown by the producer on their own vineyard
- d) Must not crush more than 50 tons of fruit for own label.
- e) Wine is sold primarily through family owned and operated cellar door, mail order, Farmers' Markets and other registered stalls.
- f) Any persons selling alcohol at the market is required to hold a RSA certificate (responsible service of alcohol).

6. STALLHOLDER APPLICATION

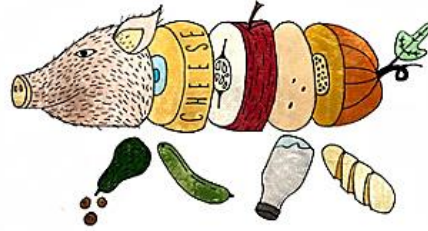
- a) Prospective stallholders must submit a MRFM Stall Application Form to the Market Manager. Forms are available on the MRFM website (<http://www.margaretriverfarmersmarket.com.au/>).



- b) Decisions about stall holder applications are made by the Market Manager, after consultation with the MRRPA board. An applicant who is not satisfied with the decision can appeal to the MRRPA board (see Chapter 12. DISPUTE RESOLUTION PROCEDURE).
- c) Prior to commencing trading at the market, stallholders must sign their application declaring that their public/product liability insurance is current, and that they comply with all legal requirements for food businesses (e.g. food safety, labelling, weights and measures). A copy of the document showing that they are registered as food business with their Shire must be submitted together with the completed and signed application form.
- d) Each new stallholder may be interviewed by the Market Manager prior to trading to ensure they meet their obligations under the laws relating to food production and the rules of the MRFM. An inspection of their property/operation can be carried out by the Market Manager and/or two MRRPA board members prior to or after them commencing at MRFM. As part of their application the stallholder agrees to allow inspections to take place.

7. STALL ALLOCATION PREFERENCE

- a) Acceptance of an application to attend the MRFM does not guarantee permanent and/or future placement.
- b) Primary Produce: Primary produce grown within the Margaret River Region has higher priority than primary produce grown within the MRFM catchment area, but outside the Margaret River Region.
- c) Value-added produce: The priority of value added produce decreases with the following sequence:
 - i) made by Farmers within the Margaret River Region from their own produce
 - ii) made by Farmers within the MRFM catchment area from their own produce
 - iii) made by residents of the Margaret River Region from produce grown predominantly within the Margaret River Region
 - iv) made by residents of the Margaret River Region from produce grown predominantly within the MRFM catchment area
 - v) made by residents of the MRFM catchment from produce grown predominantly within the MRFM catchment area
 - vi) made by residents of the Margaret River Region from produce grown predominantly outside the MRFM catchment area.
 - vii) made by residents of the MRFM catchment from produce grown predominantly outside the MRFM catchment area.



8. DUPLICATIONS

- a) The MRRPA recognises the importance of viability for individual stallholders as well as the importance of a healthy competition for the quality and vibrancy of the MRFM. Duplications are managed to achieve a balance between these two goals.
- b) Stallholder applicants may be refused for reasons of duplication despite qualifying under other eligibility criteria.
- c) Duplications are managed by the Market Manager at their discretion. The Market Manager can refer duplication decisions to the board to decide.
- d) New applicants may be able to attend occasional markets that are not attended by existing stallholders. (i.e. staggered introduction may be available at the discretion of the market manager)

9. STALLHOLDER RESPONSIBILITIES

9.1 LEGAL RESPONSIBILITIES

a) FOOD SAFETY

Stallholders must comply with the WA Food Act 2008 and the food safety regulations and Food Standard Codes that apply to their products.

b) LABELLING

All stallholders must comply with appropriate labelling regulations in accordance with the Food Act 2008 and the Australia New Zealand Food Standards Code. Further information on food labelling is available from Environmental Health Services at the Shire of Augusta-Margaret River and Food Standards Australia New Zealand www.foodstandards.gov.au.

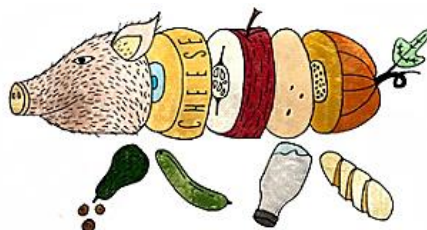
c) WEIGHTS & MEASURES

- i) Stallholders must meet requirements under the Weights & Measures Act 1915. Only trade-approved and certified scales must be used (for details see www.measurement.gov.au)
- ii) A copy of the certificate of the scale that is used at the market must be available for inspection at any time.

d) INSURANCE

- i) Stallholders must take out combined public/product liability insurance that states it is for trading and includes the MRFM as one of the trading places.
- ii) It is the responsibility of the stallholder to ensure upkeep and renewal of their insurance.
- iii) If insurance is not current, stallholders will not be allowed to trade.

e) SHIRE FOOD BUSINESS REGISTRATION



- i) A business that sells food is generally required to be registered as a food business with the local Council in which the place of manufacture or business is based.
 - ii) A copy of the Shire food business registration must be available for inspection at the market at any time.
 - iii) Stallholders are required to notify the Shire of Augusta-Margaret River of their intention to operate a food stall at the MRFM. Please contact the Shire of Augusta-Margaret River to determine requirements relevant to your stall (www.amrshire.wa.gov.au; phone 9780 5270).
 - iv) The Shire of Augusta Margaret River Environmental Health Services may conduct inspections of food stalls at the Farmers' Market to check compliance with relevant legal regulations.
- f) ELECTRICAL APPLIANCES, LEADS AND EXTENSION CORDS
- i) All electrical leads and appliances used onsite shall be tested and tagged by a suitable qualified person.

9.2 MRFM RESPONSIBILITIES

a) QUALITY CONTROL

- i) All stallholders are expected to maintain the Market's standards of freshness and high quality.
- ii) The Market Manager has the right to refuse the sale of goods considered, by the Market Manager, not to be of an acceptable standard.

b) SIGNAGE

- i) All stallholders must have signs clearly visible to the consumer that display their name and address, as supplied by the Market Manager.
- ii) All stallholders who make claims regarding Organic or Biodynamic produce must display the appropriate current certification on their stall to verify their claims.

c) NO PLASTIC BAGS

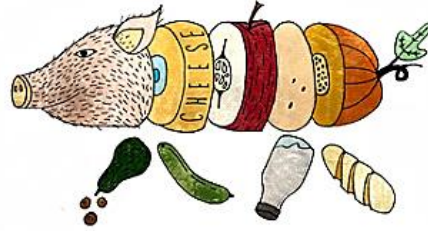
The use of environmentally friendly and paper packaging is encouraged. However, exceptions can be granted by the Market Manager if stallholders are selling wet products.

10. LOCATION & TIME

The MRFM is held at the Margaret River Education Campus, 272 Bussell Hwy, Margaret River, every Saturday from 8am to 12 noon in winter, and from 7:30am to 11:30am in summer.

10.1 BOOKINGS CANCELLATIONS

- a) All bookings must be confirmed with the Market Manager no later than 10am Thursday prior to Market.



- b) Cancellations: Site bookings can be cancelled up to 10.00am of the Thursday prior to the Market.

10.2 STALL ASSIGNMENT

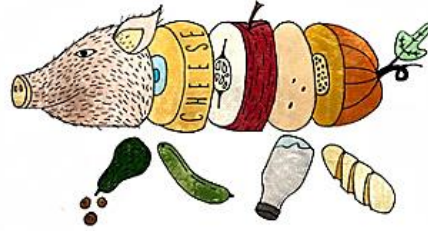
- a) Stall distribution is at the discretion of the Market Manager in line with the best interests of the MRFM. The Market Manager must be allowed to operate the markets without interference, argument or abuse. Any such incidents will be viewed seriously by the MRRPA board and serious or repeated incidents will result in exclusion from the markets. It is in the interests of all stallholders for the markets to run smoothly and all stallholders are expected to assist the Market Manager to achieve this.
- b) Assignment of stalls will be on a first served basis, however priority will be given as per allocation preference.
- c) The MRFM reserves the right at any time to alter the size, shape and position of floor plans as may be necessary for the best interests, risk management and legal requirements of the market.

10.3 ACCESS

- a) Stallholders are required to have their site set-up and ready to trade prior to opening hours of the market.
- b) The stall structure must not be dismantled before 11am. If a stallholder sells out of produce before closing time, a "Sorry, Sold Out!" sign must be displayed on the table until closing time.
- c) Those stallholders who park outside the market zone will park their vehicles in an area designated by the Market Manager.
- d) Stallholders' vehicles may be able to park in the market zone at the discretion of the Market Manager. No stallholder vehicles are allowed to drive into the market zone during operation time of the market.

10.4 FEES

- a) All approved traders who sell goods in the market are required to pay rent for the space which they use.
- b) Rent of a 3m x 3m stall space will be set by the MRRPA board from time to time as it sees fit.
- c) Tents are available for \$10 per market.
- d) Stallholders sharing a stall will each pay a stall fee.
- e) The fees will be reassessed at each AGM and can be changed by the MRRPA board at any time.



11. DISCLAIMER OF LIABILITY

- a) Stallholders will indemnify the organiser, MRFM and the MRRPA from any damage, expenses or liability arising from any injury or damages to any person, including the general public, the stallholder or others, occurring either in the space occupied by the participant or elsewhere arising out of its occupancy or anything connected with occupancy.
- b) The organiser will not be liable for any loss or damage to the property of the stallholder due to fire, robbery, accidents or any cause whatsoever that may arise from use and occupancy of the site.
- c) The organiser 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.

12. DISPUTE RESOLUTION PROCEDURE

Any person who has an issue with any aspect, person or process related to the MRFM must follow the following steps in order to attempt to resolve the dispute.

- STEP 1: All complaints must be addressed to the Market Manager in writing, covering all facts, using the form available on the MRFM website.
- STEP 2: The market manager and the MRRPA board will deal with the complaint within the rules and guidelines.
- STEP 3: The MRRPA board will write to the complainant within 5 working days of their next meeting. This reply will detail the MRRPA committee's decision on the complaint.
- STEP 4: If the decision is not considered satisfactory by the complainant they have the opportunity to supply further supporting documentation regarding their dispute to the board in person.
- STEP 5: The MRRPA board will then discuss the issue in regards to the newly presented information and will respond to the complainant in writing. After this stage no further correspondence will be entered into. The decision of the MRRPA board will be final.

13. DEFINITIONS

MRRPA - Margaret River Regional Producers Association.

MRFM - Margaret River Farmers' Market.

Primary Produce - Fresh produce grown or bred (including frozen, unprocessed meat).

Value Added Produce - Produce that has been processed.

Flowers - Fresh cut flowers.

Margaret River Region - Area of the Shires of Busselton and Augusta – Margaret River.

MRFM catchment - Area extending from Margaret River town site to an outer boundary finishing at the towns of Capel, Donnybrook, Bridgetown, Manjimup and Pemberton.