

2023 Cape Riverfront Market
Old Town Cape, Inc.
338 Broadway St, Suite 401
Cape Girardeau, MO 63701



Tori Holmes, Market Manager
O: 573-334-8085 | C: 573-382-0539
Market Lot: 35 S. Spanish Street
caperiverfrontmarket@gmail.com

VENDOR INFORMATION PACKET: RULES & REGULATIONS

What is the Cape Riverfront Market:

A farmer's market featuring local produce & farm goods, value-added products, prepared foods, and artisan crafts. The Cape Riverfront Market is run by Old Town Cape, Inc., a 501(c) 3 non-profit organization that seeks to revitalize downtown Cape Girardeau. The Cape Riverfront Market takes place every Saturday, May 6 through October 28, 8 A.M. – Noon at 35 S. Spanish Street.

Mission Statement:

The Cape Riverfront Market is a farmer's market that (1) provides access to local, high-quality goods from farmers, artists, craftspeople, and food producers; (2) creates a gathering space downtown that offers educational opportunities and family-friendly activities; and (3) fosters a healthy community by promoting nutritious food choices and sustainable practices.

Contact Information:

Market Manager: Tori Holmes | Market Managers E-mail: caperiverfrontmarket@gmail.com
Market Managers Market Cell: 573-382-0539 | Personal Cell: 303-949-4104 (emergency only)

*Preferred method of communication during the work week is email or text message on the MARKET CELL. The Old Town Cape office is open Monday-Thursday, 8 a.m. – 4 p.m. and Friday 8 a.m. – 3 p.m. On weekends and outside of office hours preferred communication is via text message or phone call to the market cell phone. Response times may be slower during this time. For emergencies, or a necessary timely response please call my personal cell phone.

Cape Riverfront Market Social Media:

Facebook: facebook.com/CapeRiverfrontMarket/

Instagram: [@cape.riverfront.market](https://www.instagram.com/cape.riverfront.market)

Old Town Cape, Inc. Website: www.downtowncapegirardeau.com

Vendor Categories:

Farm Products: Any fresh fruits, vegetables, mushrooms, nuts, shell eggs, honey or other bee products, maple syrup or maple sugar, flowers, nursery stock and other horticultural commodities, livestock food products, including meat, milk, cheese, and other dairy products, food products of "aquaculture", products from any tree, vine, or plant and other flowers, or any of the products listed in this subsection that have been processed by the participating farmer, including, but not limited to, baked goods made with farm products.

Value-added Products: Jams, jellies, cracked nuts, baked goods, and other edible goods (not grown by vendor) individually labeled as stated by the Health Department and made for off-site consumption.

Prepared Foods: Foods or beverages made for consumption at the market. (Prepared foods must be cooked in a commercial kitchen inspected and approved by the local Health Department.)

Artisan Crafts: Art, crafts, jewelry, homemade soaps, lotions, etc.

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Types of Vendors:

- Seasonal: Vendors that agree to participate for the duration of the Cape Riverfront Market season qualify for seasonal status. Vendors that pay the seasonal fee and that are approved are assigned a permanent stall location for the market season.
- Bi-weekly: Vendors that agree to participate in every other market for the duration of the Cape Riverfront Market season (2-3 Saturdays depending on month) qualify for bi-weekly status. Bi-weekly vendors will not be guaranteed a permanent stall location.
- Daily: Vendors that agree to participate in one market a month, or on a fill-in basis.

Application Process:

- Vendors may begin applying for the market beginning at the vendor meeting on February 8, 2023 at Port Cape in the Yacht Club from 6pm to 8pm.
- Vendors applying for seasonal and bi-weekly status should submit applications no later than Friday, March 3, 2023, and will be notified of vendor status no later than Friday, March 24, 2023.
- Vendors applying for daily status may submit an application at any time throughout the market season. New applications submitted during the market season (May – Oct) may take up to 7 days to process. Please keep this in mind if trying to submit less than a week before desired market date.
- Some vendor applications or specific items listed on a vendor application may be denied or placed on a waiting list to avoid product conflict at the market.

Waiting List:

- Once the Cape Riverfront Market vendor schedule is set, all other applicants will be placed on a vendor waiting list. Vendors are pulled from the waiting list based on the products they are selling, rather than their placement on the list. This allows for balance among the vendor products at the market. For example: if a scheduled soap vendor cancels their stall for a market, the market manager would first look at the waiting list to see if there were a replacement soap vendor available, then the manager would look for other items that may be missing that day.

Stalls:

Each vendor is allotted one type of stall:

- a) Single stall – 10 ft. wide (along the walking aisle) and 20 ft. deep.
- b) Double stall – 20 ft. wide (along the walking aisle) and 20 ft. deep.

-Please be considerate of your neighbors and stay within your allotted stall space. Stall spaces will be clearly marked. All signs, goods, canopies, displays, vehicles, etc. must be within your allotted stall space and may not occupy walkways/aisles. An exception is made to this for objects that provide shade for perishable farm goods. Awnings, goods, or other things may overhang the vertical space of your stall but must be higher than 7ft and not create a safety hazard.

-No sub-leasing or sharing of stalls is allowed.

Market Set-up and Tear Down:

- Vendors may not enter the market lot before 6:00 A.M., as the market manager will be cleaning the parking lot and towing cars. In the rare case that cars are still being towed at 7 A.M., we ask for your patience so that the towing company can operate freely.
- Vendors must arrive by 7:00 A.M if they wish to drive onto the lot. If vendors are not keeping their vehicle in their stall space, the vehicle must be unloaded and off the lot no later than 7:30 A.M. Driving a vehicle on the lot after this time is not permitted.

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- Stalls must be completely set up and vendors ready to sell by 8 A.M.
- No goods or money should be exchanged with the public before 8 A.M. If a customer comes to your booth and wishes to purchase an item before the market opens, you may bag that item and have it ready when the market opens at 8 A.M.
- Vendors may sell to one another, the market managers, or market volunteers prior to 8 A.M.

Protective Covers:

- Protective covers such as canopies, tents, and umbrellas are encouraged, but not required to participate in the market **(unless required by the Cape Girardeau County Health Dept. for your specific items)**. All protective covers must be securely weighted down regardless of wind conditions. The weights must be attached in a way such that the wind cannot dislodge the canopy from the weight and render it ineffective. Any protective cover not following these guidelines may be asked to be taken down.

Tear Down:

- Vendors shall not begin breaking down before the market closes at 12 P.M., unless approved by the market manager.
- As products dwindle or the market nears the end, vendors may simplify displays, as long as their booth remains attractive.
- If all products are sold out booths must remain set up until the market ends, but the vendor may place a sign indicating such and return to their booth when the market ends for tear down.
- Vendors must leave their stall area free of debris prior to leaving. Significant amounts of trash or large items must be taken with the vendor, and not placed in the market trash bins or the neighbor's dumpsters.

General Market Information & Rules:

Products:

- All products sold at the market, apart from approved specialty items and food prepared on site, must be grown or produced within 100 miles of the market; from market address to vendor location/production site as determined by Google Maps.
- If a vendor is selling produce that is not homegrown by him/her, it must be labeled and separated accordingly and display the name of the farm or persons where grown. You must also notify the market manager before the market of your intent to sell produce belonging to someone else and get approval.
- Artisan crafts need not be solely comprised of items produced within 100 miles (paints, beads, etc.), but must be created by the vendor and be significantly altered from their raw or purchased state.
- All fruits and vegetables should be fresh and of high quality.
- Products must be sold at fair market prices. Absolutely no "dumping," or deep discounting, is allowed.
- No live animals may be sold, advertised for sale, or given away at the market.
- Selling of products not listed on the vendor's application is prohibited. New products types must be approved by Market Manager before the market begins.
- Vendors must comply with all local, state, and federal laws. Sales tax is required and must be paid to the Missouri Department of Revenue unless exempt under RSMo. 144.527.1 for selling eligible "farm products" and grossing less than \$25,000 per year.
- Products/goods may be sold directly at the market during market hours but may also be ordered ahead of time by verbal agreement, written agreement, or online purchase, and exchanged during market hours.

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-The market supports community between fellow vendors and customers, so if someone wishes to purchase a personal item from you (such as craft supplies, farm equipment, or a cup of sugar), this is acceptable provided it is not a regular occurrence and takes place after market hours to remove any illusion of selling products at the market that do not fit the rules.

Booths:

- Vendors must display a sign indicating the name or farm/business name, as well as the city and state. Any other displayed information must be directly related to the vendor's farm/business.
- Vendors may not fundraise for other organizations.
- Prices must be clearly and legibly posted for all items.
- Use of electricity must be pre-approved by the market manager. Please avoid requesting electric if it is not absolutely needed for selling/food preparation purposes.

Vendor Conduct:

Vendors must:

- Maintain clean and safe conditions within their stalls.
- Wear appropriate attire that is family friendly for all.
- Be courteous to customers, other vendors, and market staff/volunteers.
- Keep the volume level of their booth from interfering with their neighbors.
- Keep their booth staffed for the entire market unless vendor sells out.

Vendors may not:

- Walk around themselves or send associates around the market handing out cards, information, or samples.
- Make disparaging comments about other individuals or the market (see grievance policy).
- Smoke on the market lot.
- No firearms or weapons are allowed at the market.
- Wear offensive or revealing clothing while vending

Parking:

Vendors may park their vehicles on the parking lot, but they must utilize and fit in only their allotted space. Vehicles may not be driven on or off the lot from 7:30 A.M – 12 P.M.

Weather:

The market will happen rain or shine and will only be canceled for severe weather including tornadoes, lightning near the market lot, extreme winds, and extreme heat. In the event of cancellation during the market the market manager will inform the vendors. If the market does get canceled, the market manager will post on the Cape Riverfront Market Facebook page and share to the Old Town Cape Facebook page as soon as the call is made and no later than 6:30 A.M. the morning of the market.

Attendance:

- Vendors are expected to attend all market days for which they are scheduled.
- Vendors not able to attend should notify the market manager as far in advance as possible, preferably by Tuesday or Wednesday of market week.
- Three absences with less than 24 hours' notice, frequent non-attendance, or leaving the market early, may result in the forfeiture of stall and fees. Such absences may be excused due to emergencies and unforeseen circumstances.

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- Vendors must notify the market manager of any cancellation through email, text, or voicemail to the market cell phone if they are cancelling their stall space, especially if cancellation is occurring on a Friday afternoon or evening.
- Seasonal vendors canceling the remainder of their season for any reason will not be reimbursed for missed markets.

**Seasonal, Bi-Weekly, or Daily vendors will not be refunded vendor fees for inability to attend the market*

Vendor-Specific Information, Rules & Regulations:

Farm Product Vendors:

- Questions regarding vendor-specific information should be directed to Rachel Heimericks with the Missouri Department of Agriculture; (573) 751-7794, Rachel.Heimericks@mda.mo.gov
- All scales must be approved and meet state regulations by Missouri Department of Agriculture.
- Selling live, perennial plants, not vegetable plants, or annuals, requires registration as a Nursery Grower or Dealer.
- Eggs shall be received clean and sound and may not exceed the restricted egg tolerances for U.S. Consumer Grade B as specified in United States Standards, Grades, and Weight Classes for Shell Eggs, AMS 56.200 et seq., administered by the Agricultural Marketing Service of USDA.
 - (A) Selling eggs requires Missouri's Retailer's License or Missouri's Limited Retailer's Egg License from Missouri Department of Agriculture.
 - (B) Fluid and dry milk and milk products shall: (1) Be obtained pasteurized; and (2) Comply with Grade A Standards as specified in law.
 - (C) Frozen milk products, such as ice cream, shall be obtained pasteurized as specified in 21 CFR 135 – Frozen desserts.
 - (D) Cheese shall be obtained pasteurized unless alternative procedures to pasteurization are specified in the CFR, such as 21 CFR 133 – Cheeses and related cheese products, for curing certain cheese varieties. P 3-202.15 Package Integrity. Food packages shall be in good condition and protect the integrity of the contents so that the food is not exposed to adulteration or potential contaminants.
- Meat or poultry must be processed in an inspected facility. Poultry operations containing less than 1,000 birds are exempt.

Meat & Poultry Product Labeling Instructions:

- Establishments are responsible for ensuring that labeling used for meat and poultry products is not false or misleading. Labels must be submitted to the Missouri Meat and Poultry Inspection Program for approval prior to use. MANDATORY FEATURES ON FINISHED PRODUCT LABEL:
 - (A) Name of the product
 - (B) Ingredients statement, if needed
 - (C) Inspection legend and establishment number
 - (D) Handling statements, e.g., keep refrigerated, keep frozen, etc., if needed
 - (E) Safe handling instructions
 - (F) Net quantity of contents statement, if needed
 - (G) Signature line (manufacturer's or distributor's name and address)
 - (H) Nutrition labeling, if needed

Sale of Raw Milk and Raw Milk Products



- The sale of uninspected raw milk or cream in Missouri is permitted only when the purchase point of origin is at the farm or it is delivered directly to the purchasing individual for their own use. 196.935 RSMo 2000
- Producers and processors wishing to sell SMB permitted and inspected raw milk or cream at a farmers' market must first contact the Missouri State Milk Board to obtain a permit and comply with regulations pertaining to proper bottling, capping and labeling of raw milk products.

Value-added Products & Prepared Food Vendors:

Processing Jams & Jellies, Acidified Foods and Low Acid Foods for Sale- Before selling any food at a farmers' market, consult with your local health agency about the requirements that may need to be met in order to prepare, serve and sell that food.

Jams and Jellies

The Missouri Food Code allows individuals to manufacture jams and jellies and process these products in their home kitchens under certain conditions. Jams and jellies may be sold without inspection if the vendor sells less than \$30,000 of the product per year and the manufacturer sells ONLY directly to the end consumer. These products must meet the following labeling requirements found in the Missouri Food Code:

- Name and address of the person manufacturing the product
- Common name of the product
- Name of all the ingredients
- Net weight of the product measured in metric and English units
- Statement: "This product has not been inspected by the Department of Health and Senior Services."

Acidified Foods

- Acidified foods are foods that have a natural pH value 4.6 or below. 21CFR114 defines acidified foods to mean low-acid foods to which acids or acid foods are added; these foods include, but are not limited to, beans, cucumbers, cabbage, artichokes, cauliflower, puddings, peppers, tropical fruits, and fish. Salsas and other foods to which an acid (commonly lemon juice or vinegar) has been added to lower the acidity of the finished product fall into this category. Sometimes these are called "pickled" foods. A person who cans acidified foods must follow the requirements of [21CFR 114 Acidified Foods](#) in addition to [21CFR117 Current Good Manufacturing Practice, Hazard Analysis, and Risk-Based Preventative Controls for Human Food](#).
- Facilities must obtain a [Food Canning Establishment \(FCE\)](#) registration from the U.S. Food and Drug Administration (FDA).
- [The Missouri Department of Health and Senior Services \(DHSS\)](#) states that acidified food manufacturers must:
 - (A) Have their process reviewed by a process authority
 - (B) Complete a Better Process Control School
 - (C) Operate in a facility that meets requirements of all applicable regulations; and
 - (D) contact the [DHSS Manufactured Foods Program](#) at (573)751-6095 for more detailed information on inspections.

Low Acid Foods

- The second type of canning operation is for the processing of low acid canned food. These foods have a pH value above 4.6. A common food in this category would be canned green beans. To begin canning low-acid foods producers need to follow [21CFR 113: "Thermally Processed Low Acid Foods, Packaged in Hermetically Sealed Containers"](#) in addition to [21 CFR 117](#).
- Facilities must obtain a [Food Canning Establishment \(FCE\)](#) registration from the U.S. Food and Drug Administration (FDA).
- The [Missouri Department of Health and Senior Services \(DHSS\)](#) states that low acid food manufactures must:
 - (A) Have their process reviewed by a process authority;



- (B) Complete a Better Process Control School;
- (C) Operate in a facility that meets requirements of all applicable regulations; and
- (D) Contact the DHSS Manufactured Foods Program at (573) 751-6095 for more detailed information on inspections.
- The Better Process Control School is offered annually around the country at temporary locations in different states as well as online. You can visit gmaonline.org/sef for a complete listing.
- [Facilities in which processed foods](#) are prepared and the labeling of them may also be regulated at the local and county level. To determine a local jurisdiction and the related guidelines visit the Missouri Department of Health & Senior Services' [Directory of Public Health Agencies](#).

Honey Facilities Exemption

Producers of honey selling less than \$50,000 per year are exempt from constructing and maintaining a separate facility for bottling of honey and may produce such products in their place of residence as long as all other safety, labeling and certification requirements are met. -If the foods are not pre-wrapped or packaged, there must be a placard clearly visible at the sale or service location that states that the product is prepared in a kitchen that is not subject to inspection by the Department of Health and Senior Services. Your product must have labeling that reads: "This product was prepared in a kitchen that is not subject to inspection by the Department of Health and Senior Services," unless it was.

****Sale of prepared foods/beverages requires a Farmer's Market permit, or a Food and Beverage Permit from the Cape Girardeau County Health Dept.**

****Vendors must follow all health codes and post a copy of your permit in your booth.**

****All food stands are subject to a walk through by the Cape Girardeau County Public Health Center.**

All prepared food products should abide by the Missouri Food Code:

Food Labeling Resources:

- Food packaged in a food establishment, shall be labeled as specified in law, including:
21 CFR 101 – Food labeling:
<https://www.ecfr.gov/current/title-9/chapter-III/subchapter-A/part-317>
9 CFR 317 Labeling, marking devices, and containers:
<https://www.ecfr.gov/current/title-21/chapter-I/subchapter-B/part-101?toc=1>

All products should abide Missouri Food Law:

<https://health.mo.gov/safety/foodsafety/pdf/missourifoodcode.pdf>

Selling Dairy Products at the Market:

- Producers must submit farm and plant plans for approval to the State Milk Board.
- After plan approval, the milking parlor and plant are inspected at intervals to ensure that they meet the regulatory requirements and are constructed according to the approved plans. 3. After final inspection of the milking parlor and plant facilities, the producer must make a request for a farm certification and apply for a plant license.
- After obtaining farm certification and a plant license, another inspection is made of the production process, including label review and pasteurizer testing, if pasteurized milk is used. If final inspection and label review are satisfactory then the plant may be allowed to produce and sell product.



Special Processes: A food establishment shall obtain approval for a special process from the department as specified in § 8-103.10 and under § 8-103.11 before:

- Smoking food as a method of food preservation rather than as a method of flavor enhancement
- Curing food
- Using food additives or adding components, such as vinegar as a method of food preservation rather than as a method of flavor enhancement or to render a food so that it is not potentially hazardous
- Packaging food using a reduced oxygen packaging method except where the growth of and toxin formation by *Clostridium botulinum* and the growth of *Listeria monocytogenes* are controlled as specified under § 3-502.12 **Reduced Oxygen Packaging Without a Special Process, Criteria**
- Custom processing animals
- Sprouting seeds or beans
- Preparing food by another method that is determined by the department to require approval.

Sampling:

- Samples must be pre-packaged for sampling before the market.
- Prepared samples of cut fruit or vegetables: Cutting should be done at an approved and inspected location. If cutting on site, the vendor must have a Farmer's Market Permit from the Cape Girardeau County Health Department. (573-335-7846) with proper set-up and permit posted.
- Prepared samples of meat products: The vendor must adhere to all applicable rules as listed by the Cape Girardeau County Health Department. (573-335-7846). It is the vendor's responsibility to contact the county health department.

Alcohol: *Please contact Kristina Johnson (573-339-6327) with the City of Cape Girardeau for any and all info on permits for serving alcohol.*

Artisan Crafts Vendors:

Artisan craft vendors are required to submit photographs of their products with their application to be juried by the market manager. Digital photographs are preferred and can be submitted by email to caperiverfrontmarket@gmail.com. They may also be printed and attached to the application. Applications without photographs are not complete and will not be considered until completed.

Rule Compliance and Grievance Procedure:

Old Town Cape, Inc. strives to make the atmosphere of the Cape Riverfront Market enjoyable, relaxing, and an overall unique experience that will draw in continued foot traffic and consumer interest. Verbal negativity from vendors at the CRM has the potential to deter customers from returning each week, and negatively affects the Market as a whole. We respect your right to complain, but please do so in writing. If you feel that a vendor or any market participant has acted in a way that compromises the CRM mission or violates the vendor guidelines and rules, please fill out a Grievance Form, Product Challenge Form, Vendor Concern Form from the Market Manager.