



A Producer/Consumer Cooperative

---

Market address: 116 Main St., Philmont, NY 12565 • 518-672-7673 • [philmontcooperative.com](http://philmontcooperative.com)

Mailing address: P.O. Box 32 Philmont, NY 12565  
[info@philmontcooperative.com](mailto:info@philmontcooperative.com)

## PRODUCER GUIDELINES & POLICIES

### MISSION

*Philmont Market & Café Cooperative is a producer/consumer, cooperatively owned market and café, which cultivates a community-based food system and provides equitable access to affordable, nutritious foods; strengthens our local economy; and fosters sustainable living.*

Anyone interested in selling through the Philmont Market & Café Cooperative, Inc. [PMCC] should read and understand these Producer Guidelines and policies prior to submitting the Producer Application to apply as a Producer Member-Owner. The guidelines were put in place to support our goal of creating a local community-based food system.

If your product does not meet our guidelines, but you feel it still supports the PMCC Mission, you may petition the PMCC management for a waiver for specifically listed items. These requests will be reviewed on a case-by-case basis.

### **Guideline Review**

The PMCC Board reserves the right to review the Producer Guidelines on a regular basis and to make changes as needed. Revised Guidelines will be announced and made available to Producer Member-Owners. Producer Member-Owners [Producers] are expected to remain current with the revised Guidelines.

The Market Management reserves the right to make exceptions to these rules and Guidelines at its discretion.

### **General Producer Guidelines**

#### Members Only

All Producers are required to be Member-Owners of PMCC. Membership dues must be current in order for Producers to continue to sell.

#### Locally Sourced

Producers of all products sold through PMCC must be based in New York.

#### Compliance with Health, Safety, and Related Laws

All products must comply with federal, state, and local health regulations, licensing, and labeling requirements. Producers are expected to inform themselves on issues governing the production, display, distribution, sampling, and sale of their products. People wishing to sell through PMCC should research the rules and regulations regarding their products prior to applying as Producers.

April 22, 2014

### Disclosure of Growing Practices

All Producers are required to disclose their growing practices. Organic certification is welcome, but we will not exclude Producers without this certification. Producers must submit a written statement of any changes in production practices or products each year.

## **Product-Related Guidelines**

### Animal Products

These include locally raised meat, poultry, dairy (milk, butter, cheese), and eggs, and may be sold through PMCC. Products from concentrated animal feeding operations (CAFO), as defined by the New York Department of Agriculture & Markets, and products from animals treated with growth hormones, such as rBGH, may not be sold through PMCC..

Routine use of antibiotics is discouraged. Pasture production when seasonally available is encouraged. Organic certification is welcome, but we will not exclude Producers without this certification.

### Produce

Vegetables and fruits from New York farms may be sold through PMCC. Produce grown from genetically engineered (GE) seeds may not be sold at the market.

Organic growing practices are encouraged. Organic certification is welcome, but we will not exclude Producers without this certification.

If not certified as organic growers, all Producers are required to employ sustainable practices, defined as an integrated system of plant and/or animal production practices having a site-specific application that will over the long term:

- Enhance environmental quality and the natural resource base upon which the agricultural economy depends;
- Make the most efficient use of nonrenewable resources and on-farm resources, and integrate, where appropriate, natural biological cycles and controls;
- Sustain the economic viability of farm operations; and
- Enhance the quality of life for farmers and society as a whole.

### Value-added Products

These are processed or prepared products that the Producers have cooked, canned, dried, baked, preserved, or packaged themselves. Value-added products may be sold through PMCC only if the Producer has supplied PMCC with the appropriate licenses and/or permits. These include baked goods, spreads, condiments, viticulture, dried fruits and vegetables, juices, and jellies/jams.

### Home-processed Food Products

These can be sold only at PMCC outdoor farmers' markets.

### **A NYS Home-Processing Exemption Inspection Report is required to sell these items:**

- Bakery products, i.e., bread, rolls, cookies, cakes, brownies, fudge, and double-crust fruit pies
- Traditional jams, jellies, and marmalades made with high-acid/low-pH fruits
- Repacking/blending of dried spices or herbs
- Snack items such as popcorn, caramel corn, and peanut brittle
- Candy (excluding chocolate): Tempering chocolate or using candy melts for molding or dipping is not allowed.

Any finished food product that requires refrigeration is **not** allowed to be produced by a Home Processor to be sold through PMCC. Refer to [www.agriculture.ny.gov/FS/consumer/processor.html](http://www.agriculture.ny.gov/FS/consumer/processor.html) for more detailed information.

The majority of/main ingredients (by weight) in any product must be local (sourced from a PMCC Producer or directly from another New York source). Exceptions include: grains (including flour, oats, rice), sugar, coffee/tea, spices, real chocolate, oils, and nuts.

All products should be “made from scratch” using basic raw materials as ingredients. Commercial baking mixes, prepackaged cookies, crackers, pretzels, and canned fillings may not be used as ingredients.

Mixing store-bought ingredients is not considered adding value and will be considered repackaging. Repackaged items may not be sold through PMCC.

Meat products used as ingredients should be sourced locally and the origin (farm) identified on the Producer’s application and label. Meats from unidentified origins may not be sold through PMCC.

Dairy products used as the primary ingredients of valued-added products (such as ice cream, cheese, cheesecakes) should be sourced from New York-based dairies.

The use of highly processed ingredients such as high fructose corn syrup (HFCS), hydrogenated oils, artificial flavors, colors and preservatives, and added MSG is strongly discouraged.

Use of local ingredients is encouraged. All ingredients originating in New York should be noted on the label by the use of an asterisk\*.

#### Wild-crafted/Foraged Products

These include wild berries, ramps, fiddlehead ferns, and flowers gathered by the seller, and may be sold through PMCC. These also include fish and seafood caught by the Producer in New York waters.

These should be collected in a way that does not deplete or endanger any species and that ensures a sustainable harvest for future generations.

#### Non-food Agricultural Products

Items the Producer has grown/produced that are not edible, have not been altered from their raw state, and are handcrafted or processed by the Producer may be sold at PMCC. These items include milk-based soaps, beeswax candles, pelts, and fiber.

#### Nursery Products

These include freshly cut or potted flowers, bedding plants, seeds, perennials, annuals, trees, or shrubs that are propagated from seed, cuttings, bulbs, plugs, or plant divisions and may be sold through PMCC.

Producers are required to disclose growing practices for these products. Organic certification is welcome, but we will not exclude Producers without this certification.

#### Artisan Products

Those that Producers have made themselves may be sold through PMCC either on Artisan Days, Farmers’ Market Days, or at Special Events.

#### Displays and Signs

Producers are encouraged to display information about their operations. Signs and displays should not block other Producers’ areas. Producers must clearly display their prices either on signs or on individual labels. Producers must oversee their displays themselves unless prior arrangements have been made with the market organizers.

### **Market Prioritization & Exclusivity**

Retail space is limited. The amount of space given to each Producer is at the discretion of the market staff. Allotment of space will be based on product mix to make the best overall experience for the shopper.

If at any time the market becomes too crowded (overall or with any one type of product), the market staff may assign priority to

certain Producers based on the following criteria:

- Geographical proximity
- Additional sustainable practices, including but not limited to small-scale family operations, limited use of chemical inputs (pesticides, fertilizers), and use of pasture production when seasonally available
- Years as a Producer Member-Owner
- Local content of processed products (homegrown or otherwise sourced locally)

These criteria will be applied objectively, based on the information provided in the Producer membership application, and priority will be assigned without compromising quality or safety of products. Food will have priority over non-food products.

While PMCC does not offer exclusive rights to any one Producer to sell any one product, if the management believes that the number of Producers offering the same or similar products within the physical market is excessive, duplicate products may be denied entry.

PMCC welcomes all Producers with the understanding that space availability in the market building may vary.

### **Other PMCC Policies**

#### Submitting an Application

Prospective Producers must submit completed Producer Applications for review by Market Management to ensure that their products are eligible for sale through PMCC.

*We will consider false statements on a Producer's application about the origin or production standards of products listed to constitute fraud. To protect the integrity of our marketing system, PMCC reserves the right to verify the claims of everything sold through our marketplace.*

PMCC reserves the right to visit and inspect the farm or business of any Producer and to request any documents verifying business or employee status. Visits will be made with prior notification when possible, and inspections will be conducted only with the Producer(s) present.

#### Selling through a "Producer's Representative"

Producers have the option to sell directly or through a representative. If the Producer chooses to sell through a representative, the representative is responsible for following all market rules and procedures, including reserving and paying for shelf space in the market. The representative must also be a Member-Owner of PMCC. All payments for the product sold will be made payable to the representative, not the Producer. Producers must indicate their decision to sell directly or through a representative on their application form.

Products sold through a representative are subject to the Market Prioritization and Exclusivity criteria previously explained.

If multiple parties are interested in selling the same item, preference will be given to current Producers over new Member-Owners. Only approved products may be sold. Any new product must be approved by PMCC management prior to bringing it to market. Producers may contact the Market Manager for assistance in finding a representative.

#### Documentation

All Producers must provide the Market Manager with copies of all relevant documents, such as resale certificates to collect sales tax, licenses, certifications, permits, or certified kitchen permits. Other required documents are nursery licenses for bedding plants, organic certification, mobile retail-food-establishment licenses, and home-processed food exemption reports.

#### Use of the Term "Organic"

Producers wishing to use the term "organic" must submit copies of their certification with their applications.

#### Insurance Requirement

PMCC is not responsible for any product loss or damage incurred by Producers. In the event of a lawsuit, PMCC's insurance will cover the co-op. However, individuals are not covered under this policy. It is up to all Producers to insure themselves to the level

April 22, 2014

they feel appropriate.

#### Compliance with Market Rules

Producers are responsible for informing themselves and their employees about, and are expected to comply with, all market rules. *These Guidelines are part of the "Market Rules & Procedures".*

All rules of the market are enforced by the Market Manager or his/her designee, who has ultimate on-site authority. Any instance of physical violence will result in immediate suspension from the market.

#### Grievances and Complaints

Complaints or problems should be directed to the Market Management in a timely manner that is not disruptive to the market. Additional concerns may be submitted in writing. Each submission will be reviewed by the Market Manager and/or the PMCC Board when appropriate.

Customer complaints about specific products will be forwarded to the Producer and kept on file. Complaints may result in a Producer's removal from the market.

Producers who have concerns regarding product representation should inform Market Management.

#### Appeal

A Producer may appeal any decision of the Market Manager within 30 days. An appeal must be presented in writing to the PMCC Board. A decision by the Board will be issued within 30 days of receipt and will constitute a final and binding decision prohibiting any further appeal.

Rev 7: 04/17/14

Rev 8: 04/22/14

Rev. 9: 04/23/14 FB and INY

Rev. 10: 04/24/14 FB and INY