

# Palace City Farmer's Market

## Vendor Information & Market Rules

1. The Palace City Farmers Market is a seasonal open air market offering local fresh garden produce, eggs, meats, canned goods, jellies, jams, baked goods, handcrafted items and more. The Palace City Farmers Market promotes the arts and offers arts and craft activities for children of all ages. Enjoy live music, and featured local artists, supported by Corn Palace Saff and others.
2. The Market will run on Wednesdays. June 14 - September 13, 2023, if bad weather is expected the market can be moved into the Corn Palace Lobby or cancelled.
3. Location: **Corn Palace Plaza** - 6<sup>th</sup> & Main, Mitchell, SD.
4. Hours of Operation: **5:30 pm to 7:30 pm.**
5. Vendors can arrive at 5 pm and should be set up by 5:30pm. The market schedule and hours of operation is publicly advertised so please refrain from early sales. Begin sales at 5:30pm. This allows vendors time to set up and provides fair service to our customers. Vendors can unload and cart/walk-in supplies from the Scoreboard parking lot on the south side of Corn Palace. **Please do not drive on the sidewalks or grassy area.** Once vendors are set up vehicles **MUST BE MOVED** to the street or South Corn Palace parking lot, to ensure parking for the Scoreboard and Market patrons.
6. Fees are **\$10 for each 10'X10' vendor space.**
7. Vendor fees may be paid by Cash or Check. Make checks payable to the Corn Palace. Prepayment by credit card can be made at the Corn Palace Box Office. **All vendor fees are non-refundable.**
8. Vendors must provide their own tables, equipment, supplies and materials. Suggested items include tables, supply sacks or containers, sunshade/canopy/tent, cashbox, extension cord, etc. **Electricity is available to only a limited number of stalls and needs to be prearranged with the Market Manager prior to start of Market.**
9. All items sold at MFM **must have been raised, prepared, produced, or created by the vendor.** All items must be in accordance with state regulations. All items must be visibly labeled with prices.
10. **Selling Produce:** Please be sure that **produce is clean and clumps of mud/dirt is removed.** If selling by weight, a certified scale is necessary. South Dakota Codified Law requires any device used in a commercial transaction to be an approved NTEP (National Type Evaluation Program) device, meet the requirements of the NIST (National Institute of Standards and Technology) Handbook 44, and to be certified and sealed ( inspected) by the State of South Dakota Department of Weights and Measures. This includes countertop scales, typically found at farmers markets. **The scale must have proper state permit sticker and needs to face the public.** The South Dakota Department of Public Safety – Office of Weights & Measures is the agency that conducts inspections and seals the device for legal use within the State of South Dakota. The Office of Weights and Measures does not sell scales, but inspects the scales that the vendor purchases; this office can be contacted at 605-773-3697. <https://extension.sdstate.edu/decisions-farmers-market-setup-and-operation>



11. The marketing of **farm fresh eggs** to the general public at farmers markets requires egg producers to obtain a **Class A - Egg-Dealer Candling/Grader license from the SD Department of Agriculture (DOA)**.  
<https://sdda.sd.gov/ag-services/dairy-and-eggs/eggs/>  
[http://sdlegislature.gov/Statutes/Codified\\_Laws/DisplayStatute.aspx?Type=Statute&Statute=39-11](http://sdlegislature.gov/Statutes/Codified_Laws/DisplayStatute.aspx?Type=Statute&Statute=39-11)
12. **Baked goods** may be sold **provided that they are labeled with product name, ingredients, producers name and phone number, date prepared and disclaimer**.  
<https://extension.sdstate.edu/south-dakota-requirements-sale-baked-goods-made-within-your-house>

**Product Name:** \_\_\_\_\_ **Date Prepared:** \_\_\_\_\_

**Ingredients:** \_\_\_\_\_

**Producers Name:** \_\_\_\_\_ **Phone Number:** \_\_\_\_\_

***“This product was not produced in a commercial kitchen. It has been home-processed in a kitchen that may also process common food allergens such as tree nuts, peanuts, eggs, soy, wheat, milk, fish, and crustacean shellfish.”***

#### **Home-baked Foods Allowed to be Sold**

Baked goods that do not require refrigeration may include but are not limited to lefse, bread, rolls, fruit pies, candies and confectioneries, cakes and cookies.

#### **Home-baked Foods Not Allowed to be Sold**

Baked foods that require refrigeration for safety may include cream or custard filled pastries such as kuchen, pumpkin pie, and flan. This pertains to custards or cream fillings that commonly contain dairy products, eggs or certain soy products.

13. **Home-Canned Foods may be sold provided that they are in compliance with the “Home-processed Foods Law”.**
- Home-canned foods having an equilibrium pH value below 4.6 and meeting standards that destroy clostridium botulinum [34-18-36 Canned Goods Requirement - Verification](#). Examples may include but are not limited to:
    - Acid foods – jams, jellies, fruit syrups and most fruits
    - Acidified foods (pickled/fermented) that also have a water activity greater than 0.85 – pickled/fermented vegetables, salsas, chutneys, flavored vinegars, Tomatoes having a pH that borderlines between low-acid and acid due to growing conditions and variety; therefore, acidification would be necessary
    - Fermented foods-sauerkraut and pickles
  - All products must have official verification from a third-party processing authority in writing.
  - All products must be properly labeled [34-18-37 Labeling of Baked and Canned Goods](#)



- Dried herbs, fruits and some vegetables are allowed for sale. They do not require approval from a third party processor. <https://extension.sdstate.edu/south-dakota-requirements-selling-home-canned-processed-foods-farmers-markets>
14. **Honey and Bee-Keeping.** For information on the [State Apiary Inspection Program](#), visit the SD Department of Agriculture website. The [state beekeeping/apiary resources page](#) includes links to program information, online and print forms, laws and production reports.  
<https://sdda.sd.gov/ag-services/beekeeping-apiary-resources/apiary-inspection-program/default.aspx>  
<https://sdda.sd.gov/ag-services/beekeeping-apiary-resources/>
  15. When providing food samples, vendors must follow the South Dakota Department of Health safe food handling requirements and also provide a handwashing station.  
(See enclosed **Sampling Requirements & Guidelines for Serving Samples at the Farmers Market**)
  16. Each vendor is responsible to comply with any state or federal licenses required for selling their product. **Documentation of any license or form should be with you at the market.** For example: Egg Candling License, Acid Food Verification from etc. **Vendors must provide and maintain any temperature control devices required for perishable food products.**
  17. Sales Tax– All vendors are responsible for their sales tax to the South Dakota Department of Revenue. Vendors are responsible for claiming their earnings made regardless of the amount. If the vendor is planning to do numerous markets/shows, getting a Sales Tax License is highly recommended. Report earnings on the Special Events Form. Please report to SD Department of Revenue by October due date. If you have questions or need help completing the return and/or worksheet, please call (605) 995-8080 or email [tena.block@state.sd.us](mailto:tena.block@state.sd.us)
  18. Liabilities–The City of Mitchell will not be held responsible or liable for any damages caused to or by any vendors as a result of adverse weather conditions or situations that may arise. The City of Mitchell provides no insurance. **All vendors must provide their own insurance.**
  19. All vendors are required to conduct themselves properly, displaying courtesy toward patrons, other vendors and market volunteers/manager. Vendors **please do not smoke or vape at your booth.** Please keep a close eye on your children and pets. Vendors should direct complaints or problems to Market Manager in a timely manner that is not disruptive to the conducting of business at MFM.
  20. Have questions? Please call Doug Greenway, Corn Palace Director, 605-995-8427 or email at [dgreenway@cornpalace.com](mailto:dgreenway@cornpalace.com)

