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# Farmers' market manager training

Level 1



Farmers' Market Manager Training Level 1

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## Module 1: The Alberta Approved Farmers' Market Program

### Learning Objectives:

After completing this section, you will:

- Know the Alberta Approved Farmers' Market Program is managed and administered by Alberta Agriculture and Irrigation, a ministry of the provincial government
- Understand the benefits of being an Alberta approved farmers' market
- Understand the minimum requirements that must be maintained for your market to attain and retain approval status



# The Alberta Approved Farmers' Market Program

## Background

Farmers' markets are the most common form of farm direct marketing channel and have existed in many countries around the world for hundreds of years. They reflect the local culture and provide a community gathering place. Following the post-war years, it became more common to purchase food through large supermarkets that source food from around the country and the world. Farmers' markets existed in Alberta prior to 1973 but there was a lack of coordination and consistency with regards to how they were set up and operated. To support the development of markets in the province, Alberta Agriculture and Irrigation (AGI) introduced the Alberta Approved Farmers' Market Program (the Program). The Program ensures minimum standards are followed by those markets choosing to be part of the Program. Approved farmers' markets provide a preferential outlet for Alberta entrepreneurs to sell the products they make, bake or grow directly to consumers.

In 1985, Alberta Health amended the Alberta *Public Health Act* Food Regulation for those markets approved by the Minister of Agriculture and Irrigation. Alberta Health Services (AHS) issues a farmers' market permit, i.e., food permit, to approved farmers' markets. This permit acts as an umbrella permit under which all food vendors fall, allowing them to produce their food products in uninspected home kitchens and offer those products for sale at approved farmers' markets. Approved farmers' markets are the only venues in Alberta where both low and high-risk home-prepared foods can be sold.

The Sunnygirl Mark was developed by AGI as the official image of farmers' markets recognized under the Program. The image is registered as an Official Mark owned by the province of Alberta and can be used by all approved farmers' markets in their advertising and promotions. See Appendix 6 for information relating to use of the Sunnygirl Mark.



In addition, AGI and Alberta Transportation worked together to develop the farmers' market highway sign. The symbol on this road sign, similar to the registered mark, identifies those towns and communities with Alberta approved farmers' markets. See Section 4 for information about purchasing one of these signs.



The Program began in 1973 with four markets following the "Make It, Bake It, Grow It" philosophy. There are currently over 145 approved farmers' markets in Alberta supporting thousands of Alberta businesses across more than 110 Alberta communities.

## The Program

The Alberta Approved Farmers' Market Program creates an operational framework that provides direction and guidance to approved farmers' markets in Alberta. The Program requirements ensure that Alberta approved farmers' markets are meeting minimum operational standards. Individual markets are encouraged to set standards over and above the minimums set out in the Guidelines by striving to incorporate industry best practices and in keeping with their established values.

Staff within Alberta Agriculture and Irrigation, a provincial government ministry, manage and administer the Program.

## Benefits of Being an Alberta Approved Farmers' Market

As defined in the Guidelines, an Alberta approved farmers' market is a market meeting minimum operational requirements that brings together multiple vendors in-person on a regular basis, creating an opportunity for Alberta entrepreneurs to sell their Alberta products directly to consumers. A minimum of 80% of the vendors are Albertans who make, bake, or grow the products they sell in accordance with the 80/20 Rule. Benefits of being an approved farmers' market:

- All markets follow the same guidelines and, therefore, meet the same minimum standards. This increases consistency and strengthens the markets.

- Under Part 3 of the [Food Regulation](#) (Appendix 8), approved farmers' markets are granted an "umbrella" food permit that covers all food vendors in the market. Food vendors at Alberta approved farmers' markets are allowed to produce their food products, both low and high-risk, in their uninspected home kitchens.
- Alberta producers and processors have preferential access to approved farmers' markets through the 80/20 Rule where at least 80 per cent of vendors must be Albertans who make, bake, or grow the products they are selling. (See page 9 for a more complete definition of the Rule.)
- Alberta approved farmers' markets are business incubators where new entrepreneurs can learn valuable business skills and test their product ideas while keeping their costs low.
- Approved markets are connected to a province-wide communication and administration network.
- Alberta approved farmers' markets are allowed to use the Sunnygirl Mark in their advertising and promotions. The Sunnygirl is an Official Mark held by the Government of Alberta. This image distinguishes approved markets from all other markets, helping consumers identify markets offering Alberta-produced products that consumers can trust.
- Sponsors, managers, and vendors can contact the AGI Farmers' Market Specialist and other staff who provide Guideline interpretation, marketing expertise and links to other government departments and agencies.
- Alberta Agriculture and Irrigation promotes Alberta approved farmers' markets on the [website](#) as well as on the mobile app that is available free of charge from the App Store or Google Play.
- Approved markets and their vendors are entitled to become members of the [Alberta Farmers' Market Association](#) (AFMA), a supporting non-profit organization operating at arm's length from government.

## Becoming an Approved Market

The Alberta Approved Farmers' Market Program is a voluntary program, available to those markets choosing to become approved. In order to become an Alberta approved farmers' market, market organizers submit the completed [application form](#) (Appendix 1) to the AGI Farmers' Market Specialist indicating how the proposed market will meet the minimum standards described in the Guidelines. Allow at least four weeks before the planned opening date to ensure all approvals and inspections can be completed.

Applications are evaluated on the following points:

- Proof of non-profit status: either sponsored by a non-profit community group such as an agricultural society, church organization, Chamber of Commerce, municipality, etc. and set up as a committee of their organization **OR** attain non-profit society status under the *Societies Act* **OR** attain new generation co-operative status under the *Cooperatives Act*
- Manager or "point" person is identified who is committed to enforcing the requirements as well as taking the required training
- A minimum average of five committed vendors who will attend the market every week, 80 per cent of whom are Albertans selling Alberta products, which they, an immediate family member, staff member or member of a producer-owned cooperative or their staff knowledgeable of the production process have made, baked or grown
- Proof of liability insurance for the market. Note: market insurance **does not extend to vendors**. Approximately one-third of approved farmers' markets require proof of insurance from their vendors before being allowed to sell.
- Satisfactory business case which outlines the organization's vision for the market, how it will impact the community, type of support from the community, how the market will succeed in the event of competing markets, etc.
- Satisfactory business case from the sponsoring organization, if applicable, outlining how sponsoring a market fits their mandate and how they will support the market



- Three letters of support from the community

For approval to be granted, two conditions must be met:

1. Approval by AGI because the market has met the minimum requirements described in the Guidelines
2. A food permit issued by AHS.
  - AGI provides written confirmation to AHS of a market's approval status before AHS inspects the new market in preparation for issuing the food permit.

If AHS revokes the food permit for any reason, AGI will suspend/remove approval status. In most cases, status is reinstated once the requirements of the AHS Order have been satisfied.

If the food permit is revoked by AHS for any reason, approval status is automatically suspended and vice versa.

For additional information about starting an Alberta approved farmers' market, refer to the factsheet entitled [Starting an Alberta Approved Farmers' Market](#) (Appendix 1).

## Guidelines

The [Guidelines](#) (Appendix 2) are the guiding principles directing administration of the Program. The Guidelines provide direction to prospective and approved markets regarding approval criteria, market organizational requirements, vendor and product mix, and responsibilities of stakeholders.

The Minister of Agriculture and Irrigation approved changes to the Guidelines in April 2021 following industry and stakeholder engagement. The changes support three policy objectives:

- Red tape reduction
- Opportunity for economic growth
- Maintain integrity of the Alberta Approved Farmers' Market Program

It is critical that all approved farmers' market managers clearly understand the minimum requirements set out in the Guidelines, their responsibilities for ensuring compliance with the Guidelines and repercussions for non-compliance.

## Requirements of Alberta Approved Farmers' Markets

Some operational requirements are critical to the success of a farmers' market and maintain the integrity of approved farmers' markets throughout the province.

Markets must comply with the Guideline requirements to receive and retain approval status.

Failure to achieve any of these requirements will result in the market losing its approval status along with all the benefits that approval status brings.

Requirement	Description
80/20 Rule	<ul style="list-style-type: none"> <li>Markets must maintain a minimum annual average vendor ratio of 80/20 where 80 per cent of the vendors are Albertans selling Alberta products, which they, an immediate family member, staff member or member of a producer-owned cooperative or their staff knowledgeable of the production process have made, baked or grown.</li> <li>A maximum of 20 per cent of the vendors may be resellers of Alberta products, sell products from out-of-province or sell commercially available products that supplement the market mix with those products not available in Alberta.</li> <li>Markets operating outside the 80/20 requirement will be granted conditional approval.</li> <li>Approval status will be revoked for any markets that have been conditional for two years <b>without improvement</b>.</li> </ul>
Annual Paperwork	<ul style="list-style-type: none"> <li>Program staff must receive all annual paperwork by <b>January 15</b>.</li> <li>Validated complaints of falsifying information will result in loss of approval status.</li> <li>All forms are in an electronic fillable format. Notification will be sent in the fall via email with paper copies being sent to managers who do not have email access. Forms can also be accessed online at <a href="http://sunnygirl.ca">sunnygirl.ca</a>.</li> </ul>
Conditional Approval	<ul style="list-style-type: none"> <li>All NEW markets are granted conditional approval for the first two market seasons.</li> <li>Following the annual calculation on the vendor list, any markets that do not meet the 80/20 Rule and/or the Minimum Vendor Rule are granted conditional approval.</li> <li>Markets that have been conditional for <b>two years without improvement</b> will have their approval status revoked.</li> </ul>
Date, Time & Location	<ul style="list-style-type: none"> <li>Markets must operate for a minimum of five (5) market days per season.</li> <li>Market approval is granted to a market based on specific dates, time of operation and location.</li> <li>Changes can be made during the market season upon request. AGI <b>must</b> grant approval to make changes to date, time or location.</li> <li>Depending upon the changes, AHS may need to conduct a site inspection and issue a new farmers' market permit.</li> <li>A minimum of 2 weeks' notice is required for change approval.</li> </ul>
Discrimination	<ul style="list-style-type: none"> <li>Alberta approved farmers' markets are venues where discrimination of any kind is not tolerated. Validated complaints will result in the immediate loss of market approval status.</li> </ul>
Farmers' Market Permit	<ul style="list-style-type: none"> <li>Securing a farmers' market permit from AHS is a condition of approval.</li> <li>Continued approval status is dependent upon maintaining a valid farmers' market permit. If the permit is revoked by AHS for any reason, approval status is immediately withdrawn until the conditions stipulated by AHS are met and the permit is reissued.</li> <li>If AGI withdraws or suspends approval status for any reason, AHS is notified and the farmers' market permit will be revoked.</li> </ul>
Food Safety Training – Market Managers	<ul style="list-style-type: none"> <li>Market managers who have not already completed an approved Alberta food sanitation and hygiene training program <b>must</b> complete the <i>Alberta Food Safety Basics for Farmers' Markets</i> online course available through AHS.</li> <li><b>COMPULSORY</b> within <b>one year of becoming a manager</b> for new managers and <b>renewable every three years</b>.</li> <li>Available online at: <a href="http://albertahealthservices.ca/eph/page3151.aspx">albertahealthservices.ca/eph/page3151.aspx</a></li> <li>Proof of course completion must be submitted to the Farmers' Market Specialist.</li> </ul>
Food Safety Training - Vendors	<ul style="list-style-type: none"> <li>Vendors selling food and/or agricultural products who have not already completed an approved Alberta food sanitation and hygiene training program <u>or</u> who are not required to complete the food safety training described under Section 31 of the Food Regulation <b>must</b> complete the <i>Alberta Food Safety Basics for Farmers' Markets</i> online available through AHS.</li> <li><b>COMPULSORY</b> within <b>one year of becoming a new vendor</b> and <b>renewable every three years</b>.</li> </ul>

	<ul style="list-style-type: none"> <li>• Available online at: <a href="http://albertahealthservices.ca/eph/page3151.aspx">albertahealthservices.ca/eph/page3151.aspx</a></li> <li>• Managers <b>must</b> keep proof of course completion for all food and agricultural vendors.</li> </ul>
Market Manager Training - General	<ul style="list-style-type: none"> <li>• Market managers must complete Farmers' Market Manager Training Level 1 within <b>one year</b> of becoming a manager.</li> <li>• Available online at: <a href="http://open.alberta.ca/publications/farmers-market-manager-training-level-1">open.alberta.ca/publications/farmers-market-manager-training-level-1</a></li> </ul>
Insurance	<ul style="list-style-type: none"> <li>• Markets must secure market liability insurance and provide a certificate of insurance to Program staff annually.</li> </ul>
Legislation	<ul style="list-style-type: none"> <li>• Market managers, vendors and sponsors must be compliant with all applicable municipal bylaws and provincial and federal legislation.</li> <li>• Under Part 3 Section 36(4) of the Food Regulation, the farmers' market permit holder, i.e., market manager, is required to ensure the stallholders are in compliance with Sections 36(1), 36(2) and 36(3). Failure to do so could result in loss of the farmers' market permit for the market and/or fines.</li> </ul>
Market Rules	<ul style="list-style-type: none"> <li>• Market rules must be submitted to AGI for review upon request.</li> </ul>
Minimum Vendor Rule	<ul style="list-style-type: none"> <li>• Approved farmers' markets must operate with a minimum of five (5) vendors averaged throughout the course of the market season.</li> <li>• Markets operating with an average of less than five vendors per market season are granted conditional approval.</li> <li>• Markets that have been conditional for <b>two years without improvement</b> will have their approval status revoked.</li> </ul>
Operational Decision Making	<ul style="list-style-type: none"> <li>• Markets have the authority and responsibility to make operational decisions at the local market level to balance vendor needs with customer demands, while ensuring compliance with these Guidelines.</li> </ul>
Prohibited and Discouraged Products	<ul style="list-style-type: none"> <li>• Prohibited vendor products (products not allowed at <b>ANY</b> time): <ul style="list-style-type: none"> <li>○ Used, antique or flea market items</li> <li>○ Uninspected meat or meat products for human <b>AND/OR</b> animal consumption</li> <li>○ Raw milk or raw milk products for human <b>AND/OR</b> animal consumption except for cheese made from unpasteurized milk that meets federal standards</li> <li>○ Live animals, whether for sale or customer interaction</li> <li>○ Hatching eggs</li> </ul> </li> <li>• Discouraged products: <ul style="list-style-type: none"> <li>○ Out of country products; <ul style="list-style-type: none"> <li>– Franchises, distributorships, and home-based businesses that vend products not made, baked or grown in Alberta.</li> </ul> </li> </ul> </li> </ul>

## 80/20 Rule

The 80/20 Rule is one of the cornerstone guidelines for the Alberta Approved Farmers' Market Program. As noted above, it states:

*Markets must maintain a minimum annual average vendor ratio of 80/20 where 80 per cent of the vendors are Albertans selling Alberta products, which they, an immediate family member, staff member or member of a producer-owned cooperative or their staff knowledgeable of the production process have made, baked or grown.*

*A maximum of 20 per cent of the vendors may be resellers of Alberta products, sell products from out-of-province or sell commercially available products that supplement the market mix with those products not available in Alberta.*

Compliance with the 80/20 Rule is based on an **annual** average. No decisions are made about a market's approval status based on a single market day as it is understood that sometimes vendors are unable to attend the market for a variety of reasons.

To determine compliance with the 80/20 Rule, the vendor ratio is calculated by using the vendor information submitted on the annual Vendor List. It is critical to list all products each vendor is selling as well as the number of times they attended that market season.

Community/non-profit vendors are not considered vendors when determining the vendor ratio. They are generally non-profit community groups who are attending the market to fundraise for their organization or provide information to market shoppers about their organization. Although the number of these vendors are reported, they are **not included in the 80/20 calculation**.

**80 per cent calculation:** For those vendors selling in one or more of the make it-bake it-grow it categories (food, agricultural, craft and other – make it bake it grow it), add the number of times each vendor has attended the market that season and then divide by the number of market weeks for that season. Also known as MBG vendors.

**20 per cent calculation:** For those vendors selling in the Other category (out-of-province product, resellers, franchise owners, etc.), add the number of times each vendor has attended the market that season and then divide by the number of market weeks for that season. Also known as the OTHER vendors.

**Average Total Vendors:** Add the MBG vendor number to the OTHER vendor number.

**Percentage of MBG Vendors:** MBG vendors divided by Average Total Vendors

**Percentage of Other Vendors:** OTHER vendors divided by Average Total Vendors

Some vendors sell products that fall into both the MBG category and the OTHER category. In those instances, their vendor weeks are divided between both the MBG and the OTHER categories. If the manager indicates when the vendor has other than a 50/50 ratio in each category, a more accurate calculation can be performed.

**NOTE:** If the vendor is an **Albertan** who makes, bakes or grows **AND** sells his/her own products, he/she falls into the 80 per cent "MBG" category.

If they are selling a product someone else made, baked or grew **OR** if they are an out-of-province vendor, they fall into the 20 per cent "OTHER" category. This is true of out-of-province vendors even if the products are made, baked or grown by the vendor in their home province.

**EXAMPLE:** Market operating for 18 weeks in the season

Vendor Name (i.e. business name)	Food Products	Agricultural Products	Craft Products	Other – Make It, Bake It, Grow It	Other	Community/ Non-Profit	# of Markets Attended
Vendor 1		Vegetables					17
Vendor 2	Pies						7
Vendor 3	Canning	Strawberries					18
Vendor 4					Watkins		5
Vendor 5		Honey			Avon		18
Vendor 6			Knitted sweaters				4
Vendor 7		Frozen meat		Homemade soap			14
Vendor 8	Frozen Ukrainian food						18
Vendor 9			Garden ornaments (25%)		BC fruit (75%)		5
Vendor 10			Homemade jewelry		Silpada jewelry		9
Vendor 11						Senior's Club Raffle	5

- **Make it-Bake it-Grow it (MBG) Vendors or 80 per cent calculation:**

((number of weeks attended + (partial vendor weeks split between MBG & OTHER))

weeks open

$$= (17+7+18+(18*.5)+4+14+18+(5*.25)+(9*.5))/18 \text{ weeks}$$

$$= 5.15 \text{ average vendors}$$

- **OTHER Vendors or 20 per cent calculation:**

((number of weeks attended + (partial vendor weeks split between MBG & OTHER))

weeks open

$$= (5+(18*.5)+(5*.75)+(9*.5))/18 \text{ weeks}$$

$$= 1.24 \text{ average vendors}$$

- **Total Average Vendors:**  $5.15 + 1.24 = 6.39$  vendors

- **Percentage MBG Vendors:**  $5.15 \div 6.39 = 80.65\%$

- **Percentage OTHER Vendors:**  $1.36 \div 6.39 = 19.35\%$

- **Community/Non-profit:** These vendors are not included in the 80/20 calculation but rather are reported as a service offered by the market to the community.

## Annual Paperwork

Submitting annual paperwork (Appendix 3) to AGI is a requirement of the Program.

Analysis of the paperwork is the primary indicator as to whether the market is complying with the minimum requirements of the Program. Accuracy and completeness of the paperwork is paramount. The required forms include:

- **Website/Mobile App Information:** Information on the market operations for the upcoming season provided for publishing on the [website](#) and on the mobile app which is available at no charge from the App store or Google Play. Information includes dates, times and location for the upcoming season, special market dates, times and locations, phone number and email available for public distribution, website, and Facebook accounts if applicable. This information is shared with Alberta Health Services and is one of the pieces of information used to issue the food permit for the market. As this information is published on the website/mobile app, it is recommended that a generic email specific to the market is established so that personal contact information is not being published. This will also help with a smooth transition if managers change.
- **Market Information form:** Provides “at-a-glance” contact information for the upcoming season about the manager, board of directors/advisory committee and sponsor. This form also collects statistical information about the market for the year just completed. Information from all markets is compiled and available [online](#) for markets to use when making decisions.
- **Vendor List:** A list of all vendors who attended the market during the past season, their contact information, products they sold, number of market days attended by each vendor, and if they are a new or returning vendor for that market. The information on this form is used to calculate the average number of vendors and the 80/20 vendor ratio for the market.
- **Sponsor Approval form:** When signed by the sponsor, this form indicates the sponsoring organization agrees to continue to be a sponsor for the upcoming year.
- **Email Consent form:** From time to time, courses or other information of interest to market management and the vendors is shared by Program staff. As this information is outside the Program, it requires specific consent from the recipients. Only those markets who have expressly consented will receive this additional information.

All forms are available in an electronic fillable format. Markets are notified in the fall via email with paper copies sent to managers who do not have email access. Forms are available online at [sunnygirl.ca](http://sunnygirl.ca).

**NOTE:** Annual paperwork is due no later than **January 15** each year.





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## Module 2: Roles

### Learning Objectives:

After completing this section, you will understand:

- The role of the market manager:
  - Who the market manager is **accountable** to
  - Who **supports** the market manager
- The role of the sponsor
- The role of a board of directors vs advisory committee and how the two differ
- The role of the vendor
- The role of the Farmers' Market Specialist and other Alberta Approved Farmers' Market Program staff
- The role of the Public Health Inspector with Alberta Health Services
- The role of the Alberta Farmers' Market Association



# Roles

## Market Manager

The market manager is an employee of the market hired or appointed by the board of directors to:

- Enforce all policies and market rules set by the board of directors/advisory committee
- Be aware of legislation affecting vendors and ensure they are complying before being allowed to sell their products. See Section 3: Legislative and Regulatory Requirements for a list of some of the pieces of legislation affecting your vendors.
- Be actively involved with recruiting vendors to ensure a diverse product mix that is appealing for consumers. A sample vendor application is available online at [sunnygirl.ca](http://sunnygirl.ca) under *Resources for Managers and Vendors*. Use this document as a starting point when developing an application for your market.
- Be the liaison/first point of contact with the farmers' market specialist, public health inspector, other regulatory agencies, vendors, and the board of directors
- Be the first point of contact with the public

The market manager is an **employee** of the market.

A [sample market manager job description](#) is available in Appendix 4 or online at [sunnygirl.ca](http://sunnygirl.ca) under *Resources for Managers and Vendors*. Use this job description as a starting point when developing a job description specific for your market. Customize it to suit your needs.

The manager can be a volunteer (unpaid) or paid. Whether paid or not, the manager's role is the same; responsibilities and accountabilities don't change.

The Board of Directors in a non-profit society or Advisory Committee in a sponsored market develops market policies and rules. The market manager provides **INPUT** into policy development but **does not SET policy**. The manager should not be a member of the board of directors/advisory committee as it is a conflict of interest. There are some markets, however, run entirely by the board of directors. In these markets, board members collectively make decisions about the day-to-day operations of the market.

Along with providing input, the manager's role is **ENFORCEMENT**.

Being a market manager while also a vendor is **strongly discouraged** as it is a conflict of interest. The manager's primary responsibilities during the market hours are to ensure vendor compliance with legislation and the market rules, interacting with customers, handling complaints and ensuring the market is running smoothly. This is difficult to do when also managing a stall at the market. There may also be a perception among the vendors of unfairness when enforcing the market rules, personal stall placement, etc.

Whenever possible, the manager should be paid to show value for the position and to offset any lost revenue from potential sales they would have received if still a vendor. The Board of Directors could investigate if there are grants available, increase table rents to cover a wage or pursue other outside fundraising/sponsorship options.

Managers are paid in a few ways: per hour, per market, monthly salary, honorarium at the end of the year, free table rent or a combination of these. To see the most common methods of manager remuneration, see the annual statistics posted [online](#).

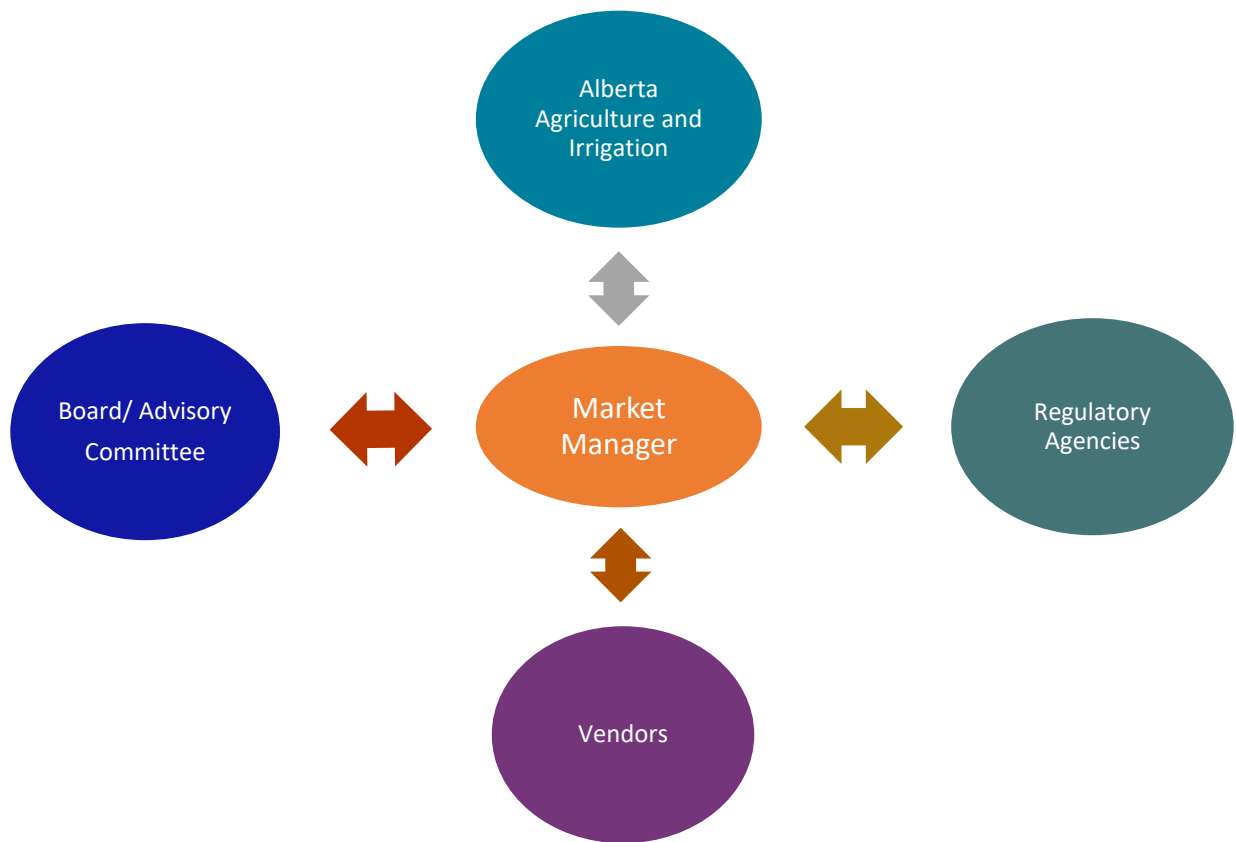
To attract non-vendor managers, the Board of Directors could approach other markets to discuss the feasibility of sharing a market manager. Each market could pay the manager and turn it into a more substantial job where they wouldn't feel compelled to also vend at the market(s) they manage.

The amount of time a market manager spends on market business each week varies significantly from market to market. The more vendors there are, the more complex the role and the increased need to adequately compensate the market manager and even hire additional staff. Research on the farmers' market sector has shown that in markets with:

- **Fewer than 65 vendors** → a manager should spend 1 – 1¼ hours per vendor per week on market business.
- **Greater than 65 vendors** → a manager should spend 1¼ - 1½ hours per vendor per week on market business.

### Accountabilities and Support

The market manager has an extremely challenging job because he/she is **accountable** to so many different groups. At the same time, those groups also **support** the market manager in multiple ways.



### Managers are accountable to:

#### 1. Farmers' Market Specialist - Alberta Agriculture and Irrigation (AGI)

With respect to accountabilities to AGI and the Program, the market manager is:

- Responsible for adhering to the Program Guidelines throughout the market season
- Responsible for ensuring accurate records are maintained and submitted on time

#### 2. Regulatory Agencies

The market manager is the “eyes and ears on the ground” for the regulatory agencies and is expected to ensure compliance by vendors and the market. The market manager needs to understand the basic requirements of the

legislation affecting vendors to know if they are compliant. The manager has the responsibility and authority to prevent a vendor from selling a product that is in violation of legislation, e.g., selling canned salsa that hasn't been pH tested in a lab, selling raw meat products that are not kept at 4 degrees C or cooler, etc. Contact the appropriate regulatory agency when this occurs to discuss and receive guidance on next steps with that vendor/product. Section 3: Legislative and Regulatory Requirements provides a brief description of some of the applicable legislation.

The regulatory agencies include but aren't limited to:

- **Federal:** Health Canada, Canadian Food Inspection Agency, Industry Canada, etc.
- **Provincial:** Alberta Health Services, Alberta Agriculture and Irrigation, Alberta Gaming, Liquor and Cannabis, etc.

It is the market manager's responsibility to ensure vendors don't sell their products if they are contravening legislation, i.e., breaking the law.

### 3. Vendors

The vendor is one of the market's primary customers because they are renting space from the market and, without them, there isn't a market. The manager's positive relationships with the vendors are key to the success of a market.

The market manager is the link between the vendors and the board of directors/advisory committee and often between the vendors and the public health inspector.

The market manager is responsible for enforcing rules consistently and fairly with the vendors. The rules may be strict provided they are consistently enforced.

Vendors are responsible for adhering to the rules set by the board of directors/advisory committee and enforced by the manager.

### 4. Board of Directors/Advisory Committee

As an employee of the market, the market manager is accountable to the board of directors/advisory committee.

As the market employee, the market manager should **NOT** be a voting member of the board/committee because it is a conflict of interest. Typically, the market manager attends all board/committee meetings and has input into policies and market rules. The market manager is often the most familiar with the issues in the market and can provide a global perspective of what is good for the market.

#### Managers are supported by:

##### 1. Farmers' Market Specialist - Alberta Agriculture and Irrigation

Monitors compliance with the Guidelines and provides written confirmation to the manager and board annually

Clarifies the Guidelines, what is a "must do" and what is the market's decision

Develops and provides resource material and information found on [sunnygirl.ca](http://sunnygirl.ca)

Clarifies the requirements for the annual paperwork

Provides advice on market mix, vendor issues, working with a board/committee, etc.

Legislation and regulations – connect the manager with the appropriate agency representatives for additional clarification

Attends market meetings as requested (vendor meetings, AGMs, board/committee meetings)

Provides information to markets on upcoming training events – those offered by AGI as well as other industry and government groups

## 2. Regulatory Agencies

The regulatory agencies are ALWAYS willing to interpret the legislation they are responsible for enforcing. Education is in their mandates along with enforcement. Start developing a list of who to call for specific types of questions. Some contact information has been included in Section 4; other information is available on the internet and the Farmers' Market Specialist will provide additional contact information if requested.

Public health inspectors enforce the *Public Health Act* Food Regulation and generally inspect the market at least once per season. They are often the only inspectors that visit a market, so managers are most familiar with their role. Rather than inspecting each individual vendor, public health inspectors work with the market managers, educating them on expectations for enforcement of the Food Regulation and discussing the processes the managers follow to inspect the vendors. They may be able to attend vendor meetings to educate vendors on the Regulation and answer questions.

## 3. Alberta Farmers' Market Association (AFMA)

While AFMA does not play a role in approving markets, they work very closely with the Farmers' Market Specialist and support markets in other ways:

Advocacy – Speak on their members' behalf to government and other agencies

Group insurance – For markets, vendors, and boards

Information, education, and networking opportunities

Verification of vendors who choose to participate in their Vendor Verification Program

Promotion of member markets and vendors via their website ([albertafarmersmarket.com](http://albertafarmersmarket.com)) and social media

## Sponsor

Market sponsors are not-for-profit community organizations or municipalities committed to the development and long-term success of an approved farmers' market in their community. Sponsoring a market helps the organization achieve its mandate and organizational aims. The sponsoring organization is a legal entity and has an elected board of directors. They are the "owners" of the market they are sponsoring.

The farmers' market is a **committee** of the sponsoring organization and is not a legal entity. The sponsor's board of directors often delegates authority for market operations to the market committee that is often comprised of vendors. This could include developing market policies, market rules and making decisions about the day-to-day operation of the market.

With respect to market finances, the bank account for a sponsored farmers' market may be set up in two ways depending on the requirements placed on the sponsor by the legislation they are accountable to:

1. In some cases, the sponsor is required to have designated board members with full signing authority. For example, this is true of agricultural societies under the *Agricultural Societies Act* and may also be true of other sponsors. In this situation, the sponsor may or may not set up a separate bank account for the market.

OR

2. The market has its own bank account with signing authority given to the advisory committee executive. This situation is becoming less common as sponsors become more involved in the operation of the market and recognize the committee is not a legal entity.

All funds raised by a sponsored farmers' market belong to the sponsoring organization, often used to support their other community initiatives.

Sponsors should be actively involved in providing direction to the overall operation of the market. Some suggestions for how to achieve this include:

- Helping the market form an advisory committee to direct and advise on day-to-day operations
- Providing a board member to be the liaison between the advisory committee and the sponsor's board of directors
- Overseeing the operation of the approved farmers' market
- Helping establish the rules and processes of the approved farmers' market, ensuring vendors have meaningful input into the creation of the operating rules and processes
- The recruitment, selection, performance review and discipline of the market manager
- Determining and/or advising on the remuneration of the market manager
- Encouraging and/or financially supporting yearly educational opportunities for the market manager to further his/her professional development
- Encouraging vendor participation on the advisory committee
- Ensuring records required by the Program to keep the market in good standing are maintained and submitted to AGI
- Ensuring the approved farmers' market and its vendors adhere to all legislation and regulations
- Ensuring the approved farmers' market is either insured or indemnified against liability

The sponsor is responsible and accountable for all the activities of the approved farmers' market.

#### **Responsibilities of the Board of Directors:**

- Required by law in a not-for-profit society/new generation co-operative/agricultural society, i.e., only exists when the organization/market is its own **legal entity**
- All sponsoring organizations and not-for-profit societies will have a board of directors
- Develops bylaws as well as all operational policies and rules for the market
- Voted in by the members at an annual general meeting
- Recruits, compensates, directs, evaluates, and terminates the market manager
- Submits annual paperwork to Corporate Registries to maintain not-for-profit/co-operative status
- May delegate responsibilities to the advisory committee

- May or may not accept members from outside the market

**Responsibilities of the Advisory Committee:**

- May exist in a sponsored market as a **committee** of the sponsoring organization
- Not a legal entity
- Accountable to the sponsor's board of directors
- Follows the bylaws developed by the sponsor's board of directors
- May be delegated responsibilities by the board of directors
- Often develops operational policies and rules for the market
- Rolls up all market activities to the sponsor, including financial statements
- Often voted in by the vendors at an annual meeting but may be appointed by the sponsor
- May or may not contain members from outside the market



## Comparative Chart: Not-for-Profit Board, Market Sponsor and Advisory Committee

Responsibilities	Not-for-Profit Board of Directors <small>(with respect to a non-profit society established under the <i>Societies Act</i> specifically for the purpose of operating an approved farmers' market)</small>	Market Sponsor	Advisory Committee
Accountable to the vendors and community for the long-term success of the market	•	•	•
Responsible for establishing an advisory committee and providing a liaison to the board.		•	
Responsible for developing and regularly reviewing bylaws.	•	•	
Responsible for setting the vision for the market.	•	•	May be delegated by sponsor. Should align with sponsor's overall vision
Responsible for creating a business plan that will guide the market including setting annual goals, action plans and yearly evaluations.	•	•	May be delegated by sponsor
Responsible for creating and reviewing market policies, procedures, and operational rules.	•	•	May be delegated by sponsor
Responsible for developing the manager's job description, recruiting a qualified market manager, ensuring adequate compensation, approving, and paying for professional development activities and conducting annual performance reviews with the market manager.	•	•	May be delegated by sponsor
Responsible for all finances of the market, including receiving money and ensuring all bills are paid.	•	•	May be delegated by sponsor
Responsible for ensuring the market finances are reviewed annually with results sent to the government as part of the not-for-profit reporting.	•	•	Any books kept by the market should "roll-up" to the sponsor's books
Promotion of the farmers' market to the public and to the community.	•	•	•
Ensuring the approved farmers' market is either insured or indemnified against liability.	•	•	
Ensuring the approved farmers' market complies with all legislation and vendors are monitored to ensure their products are also in compliance.	•	•	•
Responsible for all actions of the market, including managing staff and volunteers.	•	•	May be delegated by sponsor

## Vendors

Responsible for adhering to the market rules.

Responsible for researching and complying with all applicable legislation - municipal, provincial, and federal.

Responsible for ensuring the safe production of their products, whether food or non-food. For some food products, especially high-risk foods prepared in an uninspected home kitchen, it is recommended the vendor contact a public health inspector prior to producing the product to ensure compliance with the Food Regulation. In these situations, the health inspector will provide guidance with respect to ingredients, the process the vendor uses to produce the product, package it for market and ensure temperature control at home, on the way to market and at the market. They will also recommend any testing which should be done to ensure the safety and shelf stability of the product.

## Farmers' Market Specialist and other Program staff – AGI

Manage and administer the Alberta Approved Farmers' Market Program:

- Update the Guidelines with any Minister-approved changes and ensure all sponsors and markets have copies of the Guidelines
- Clarify the Guidelines for sponsors, managers, and vendors
- Approve new markets and renew market approvals every year
- Enforce the Guidelines, acting when markets operate outside the Guidelines
- Develop and deliver the mandatory training materials for market managers
- Update the [online interactive map](#) and mobile app.
- Enforce the use of the Sunnygirl Mark. See Appendix 6 for information relating to use of the Sunnygirl image.

Confidentially consult with and advise market boards/committees, sponsors, managers, vendors.

Liaise with other government agencies – AGI Meat and Dairy Inspection Section and Inspection and Investigation Section, Alberta Health, Alberta Health Services, Canadian Food Inspection Agency, Health Canada, Industry Canada, Alberta Gaming, Liquor and Cannabis, etc.

Develop resources for sponsors, markets, and vendors.

## Public Health Inspector – Alberta Health Services

Also known as an Environmental Public Health Officer, this is the inspector seen most often in a farmers' market. Their mandate is to inspect markets and its food vendors at least once per year and more often if they discover problems during an inspection or if they receive complaints. They are responsible for issuing the food permit to the farmers' market.

With respect to approved farmers' markets, they enforce the Alberta *Public Health Act* and all related regulations including the Food Regulation:

- Work with the market manager to ensure the market manager knows the expectations of the permit holder for a farmers' market
- During farmers' market inspections, randomly inspect food vendors for compliance with the Regulation
- Educate vendors and answer questions

Liaise with the AGI Farmers' Market Specialist.

## Alberta Farmers' Market Association

The Alberta Farmers' Market Association (AFMA) is a membership-driven, non-profit organization:

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- Fostering partnerships to stimulate farmers' market initiatives
- Working collaboratively to assess, develop and implement policies and guidelines that will strengthen the quality of farmers' markets in Alberta
- Cultivates continued growth of the industry by providing support to member markets, vendors, managers, boards and sponsors through advocacy, education, promotion, and innovation

AFMA is **not** responsible for administering the Program, interpreting the Guidelines, or approving markets. However, as an industry stakeholder speaking collectively for their members, they are consulted when changes to the Guidelines are considered.

Membership in AFMA is voluntary.  
 Membership does not affect receiving or retaining farmers' market approval status.

### Conflict Resolution

With all the different stakeholders, it is no wonder that a big part of a market manager's job involves managing conflict. Excellent listening skills, fairness and consistency are key to successfully handling conflicts. The market manager will deal with:

- Complaints from vendors who don't agree with specific rules and/or how they are being enforced AND
- Conflict between vendors AND
- Conflict between vendors and customers, etc.

For additional resources specific to conflict resolution, see Appendix 5.

One of the ways to help minimize conflict is to have policies and procedures and **enforceable** market rules.

AGI does not have authority to resolve disputes in a farmers' market. As independent organizations, dispute resolution is the responsibility of each market.

The Alberta Farmers' Market Association has developed two **SAMPLE** policies and procedures that can be used as templates for your market in the following situations. Please adjust the wording to meet the needs of your market.

#### 1. **SAMPLE: Failure to Comply Policy**

Failure to comply with Market Rules and Regulations / Policies and Procedures will result in the manager proceeding with the following:

- Written warning for a first-time infraction
- One market day suspension for a second infraction
- A third infraction will result in the termination of your contract, cancellation of your stall and removal from the Market. No refund will be provided for loss of stall(s)

Appeals of the expulsion must be made in writing to the Farmers' Market Board of Directors within thirty days and shall be considered by the Board of Directors at their next scheduled meeting.

The management, in conjunction with the Board of Directors, reserves the right to bypass verbal and written warnings and suspensions.

## **2. SAMPLE: Cancellation Policy**

Each vendor must provide a cash deposit OR two cheques (\$50 and \$100).

Vendors must provide 48 hours' notice to cancel pre-booked dates by sending notice in writing/via email to the Market Manager.

Failure to provide 48 hours' notice will result in a charge of \$50 for the first infraction, \$100 for the second and the third will result in dismissal from the market.

Refunds of fees will not be given for cancellation of pre-booked dates.

## Complaint Form

As much as you strive to have everything run smoothly in a market, there are times that conflict arises and complaints result. To ensure you are dealing with complaints in a consistent, fair manner, all complaints should be in writing. This ensures that the complainant can articulate the issue and that the manager and/or board of directors/committee members can have a good understanding of the issue before making decisions that could impact a vendor's standing in the market. The following form can be used as a template; please customize to meet the needs of your market.

### **TEMPLATE: Farmers' Market Complaint Form**

For any complaint to be handled appropriately, it is important that all pertinent information is recorded. Please complete the following form and submit it to the Market Manager. All complaints will be handled within one week.

<b>Your Name:</b>	
<b>Phone Number:</b>	<b>Email:</b>
<b>Name of Individual Dealing With:</b>	
<b>Phone Number:</b>	<b>Email:</b>
<b>Your Relationship to the Individual (market manager, fellow vendor, board member, etc.)</b>	
<b>Nature of the Complaint:</b>	
<ul style="list-style-type: none"><li>• <b>Non-compliance with Alberta Approved Farmers' Market Guidelines:</b> <a href="https://open.alberta.ca/publications/alberta-approved-farmers-markets-program-guidelines-2021">open.alberta.ca/publications/alberta-approved-farmers-markets-program-guidelines-2021</a></li><li>• <b>Non-compliance with Societies Act:</b> <a href="https://alberta.ca/incorporate-a-society.aspx">alberta.ca/incorporate-a-society.aspx</a></li><li>• <b>Non-compliance with AHS requirements:</b> <a href="https://albertahealthservices.ca/assets/wf/eph/wf-eh-farmers-market-information-package.pdf">https://albertahealthservices.ca/assets/wf/eph/wf-eh-farmers-market-information-package.pdf</a></li><li>• <b>Unfair treatment or discrimination:</b> <a href="https://www.albertahumanrights.ab.ca/Pages/default.aspx">https://www.albertahumanrights.ab.ca/Pages/default.aspx</a></li><li>• <b>Fraud, misrepresentation, unethical behaviour, etc.</b></li></ul>	
<b>Describe the nature of the complaint.</b>	
<b>Provide proof of your complaint – witness accounts, photos, etc.</b>	
<hr/> <b>Signature</b>	<hr/> <b>Date</b>

## Incident Management

It is advisable to keep detailed records of any incidents that occur in the farmers' market. Incidents can include:

- Conflicts with vendors
- Complaints
- Weather incidents that result in damage to market, vendor and/or customer property or selves
- Medical incidents no matter how trivial, e.g., someone falling, someone having a heart attack on site, etc.

You want to be sure to include as much information as soon after the incident as possible so that you can remember what occurred. In the unlikely event of a lawsuit, you need to be able to show you did your due diligence with the issue itself and that you recorded what occurred. The following form is one template you could use for your market. Customize as appropriate.

<b>Incident Name:</b>	<b>Date:</b>
<b>Your Relationship to the Individual (market manager, fellow vendor, board member, etc.)</b>	
<b>Describe the nature of the Incident in detail:</b> <ul style="list-style-type: none"><li>• Who was involved?</li><li>• What happened?</li><li>• Where did it happen?</li><li>• When did it happen?</li><li>• How did it happen?</li><li>• What you (market manager) did to resolve the issue.</li></ul>	
<b>Provide any additional information – witness accounts, photos, etc.</b>	
_____	_____
<b>Signature</b>	<b>Date</b>



## Module 3: Legislative and Regulatory Requirements

### Learning Objectives:

After completing this section, you will:

- Understand there are federal and provincial laws which govern products sold at farmers' markets
- Understand the manager's role in enforcement
- Know which agency to contact when you have questions about any of the legislation or regulations





## Legislative and Regulatory Requirements

Following is a brief description of **some** of the legislation that affects farmers' market vendors. The market manager should be **familiar** with all these pieces of legislation as it is the **manager's responsibility** to follow up with vendors to ensure compliance. Vendors are responsible for knowing and complying with all the legislation that affects their business and products.

**Vendors** are responsible for knowing and complying with legislation that affects their businesses.

**Market managers** are responsible for prohibiting vendors from selling at their market if they are not complying with legislation.

All federal legislation is available online on the [Justice Laws website](#).

All provincial legislation is available online through [Open Alberta](#) or directly through [Alberta King's Printer](#).

### SUMMARY

Legislation Name/Topic Area	Jurisdiction
1. <i>Food and Drugs Act</i> and Regulations	Federal
2. <i>Safe Food for Canadians Act</i> and Regulations a. <i>Allergen and Precautionary Labelling</i> b. <i>Nutrition Labelling</i> c. <i>Food Claims</i>	Federal
3. <i>Alberta Public Health Act</i> and Food Regulation	Provincial
4. Organic Certification	Federal and Provincial
5. Cosmetic Regulations	Federal
6. <i>Weights and Measures Act</i>	Federal
7. <i>Textile Labelling Act</i>	Federal
8. Meat Inspection acts and related regulations	Federal and Provincial
9. Dairy acts and related regulations	Federal and Provincial
10. Purchase and Sale of Eggs and Processed Egg Regulation	Provincial
11. <i>Alberta Bee Act</i> and Honey Grading Regulation	Provincial
12. <i>Gaming, Liquor and Cannabis Regulation</i> a. Cottage wines, craft beers and spirits b. Cannabis and Cannabis Products	Provincial
13. Interprovincial Sales	Federal
14. Taber Corn	N/A

## 1. **Food and Drugs Act and Regulations**

The [Food and Drugs Act](#) is the primary legislation for **all food sold in Canada**, regardless of venue. Its purpose is to protect the public against health hazards and fraud in the sale of foods, drugs, cosmetics, and medical devices, whether domestic or imported.

The Act prohibits the labelling, packaging, treating, processing, selling, or advertising of any food in a manner that is false or misleading to consumers or is likely to create an erroneous message regarding the character, value, quantity, composition, merit, or safety of the product. The Act ensures Canadians can make informed food decisions based on truthful and not misleading information.

The *Food and Drugs Act* regulates the production, import, export, transport across provincial boundaries and sale of food, drugs, contraceptive devices, and cosmetics in Canada. The Act prohibits the use of claims that might suggest that a food is a treatment, preventative or cure for specified diseases or health conditions, unless specified in the regulations. Nutrition and health claims must be scientifically validated and constructed to provide the consumer with meaningful information.

### **Labelling of Food Products**

The Regulations, as they apply to food, prescribe the labelling of all prepackaged foods, including requirements for an ingredient list for products with more than one ingredient, nutrition labelling, durable life dates, nutrient content claims, health claims and foods for special dietary use as well as bilingual labelling requirements.

Some vendors may choose to sell their products in bulk such as fresh vegetables, cookies, cupcakes, etc. Since these products are not pre-packaged, a label is not required. However, to ensure customers are fully informed, the vendor is required to have the ingredient list available for customers.

**Ingredients must be part of the product label if the product is prepackaged and has more than one ingredient.**

**It is not sufficient to have only an ingredient list available at the vendor's table unless that food is being packaged on-site by the vendor at the point of sale.**

Many foods at farmers' markets are exempt from nutritional labelling. However, that exemption can be lost under specific circumstances such as when making a nutritional claim. See below for more information.

Bilingual labelling is not required for "local foods" defined as foods that are sold only in the local government unit in which it is manufactured, processed, or packaged and/or one or more local government units that are immediately adjacent to the one in which it is manufactured, processed or packaged.

**Enforcement Agency: Canadian Food Inspection Agency**

## 2. **Safe Food for Canadians Act and Regulations**

The [Safe Food for Canadians Act](#) draws together food inspection regulations previously administered in several different federal Acts. With the modernized regulations, the Canadian Food Inspection Agency (CFIA) is able to identify food safety risks to target inspections and take enforcement actions when industry does not meet regulatory requirements.

The [Safe Food for Canadians Regulations](#), which came into force January 15, 2019, applies to businesses that import or prepare food for export or interprovincial trade (food that crosses a provincial border). Some of the traceability, labelling and advertising provisions also apply to intra-provincially traded foods (food sold within the province where it was made).

The Regulations prescribe requirements for bilingual labelling, type size, the manner of declaring the net quantity, the common name, the name and principal place of business, the pictorial representations, standardization of container sizes, and information that must appear on the labels of specific foods.

The regulations include requirements related to licensing, traceability, and preventive controls, which apply to businesses that import or prepare food for export or to be sent across provincial or territorial boundaries.

To ensure food labels comply with federal laws, vendors should be directed to the [Industry Labelling Tool](#), an interactive resource providing guidance for the labelling of all food products in Canada.

#### a. Allergen and Precautionary Labelling

If a food allergen, gluten source or sulphite is present in a prepackaged product, it must be shown on the label in the list of ingredients OR in a “Contains” statement immediately following the list of ingredients. If a contains statement is used on the label, all allergen, gluten and added sulphite information must appear in the statement at least once, even if that information is already shown in the list of ingredients for the product.

A “May Contain” statement is a precautionary statement that alerts consumers of the possible presence of an allergen in the food despite all reasonable measures taken by the vendor. It must be truthful and not misleading.

Priority Food Allergens	
<ul style="list-style-type: none"> <li>Tree nuts: almonds, Brazil nuts, cashews, hazelnuts, macadamia nuts, pecans, pine nuts, pistachios, walnuts</li> </ul>	<ul style="list-style-type: none"> <li>Wheat and triticale</li> </ul>
<ul style="list-style-type: none"> <li>Sesame seeds</li> </ul>	<ul style="list-style-type: none"> <li>Peanuts</li> </ul>
<ul style="list-style-type: none"> <li>Eggs</li> </ul>	<ul style="list-style-type: none"> <li>Milk</li> </ul>
<ul style="list-style-type: none"> <li>Soybeans</li> </ul>	<ul style="list-style-type: none"> <li>Crustaceans and molluscs</li> </ul>
<ul style="list-style-type: none"> <li>Fish (name of the species)</li> </ul>	<ul style="list-style-type: none"> <li>Mustard</li> </ul>
<ul style="list-style-type: none"> <li>Sulphites</li> </ul>	
Gluten Proteins	
<ul style="list-style-type: none"> <li>Barley</li> </ul>	<ul style="list-style-type: none"> <li>Oats</li> </ul>
<ul style="list-style-type: none"> <li>Rye</li> </ul>	<ul style="list-style-type: none"> <li>Triticale</li> </ul>
<ul style="list-style-type: none"> <li>Wheat (all species, including spelt and kamut)</li> </ul>	

#### b. Nutritional Labelling

The nutrition facts table provides information on calories (energy content) and 13 core nutrients in a standardized format based on a stated serving size. The format and layout of the facts table is stipulated within the legislation and **must** appear as prescribed. Refer to the CFIA [Industry Labelling Tool](#) for up-to-date information.

The following products are **exempt** from displaying a nutrition facts table:

- Foods sold **only** at a roadside stand, craft show, flea market, fair, farmers' market and sugar bush **by the individual who prepared and processed the product**. The exemption is lost when selling someone else's product, even when the sale occurs at one of the above noted locations.
- Unprocessed fresh vegetables and fruits or those that are minimally processed (washed, peeled, cut up, shredded, etc.)
- Raw, single ingredient meat, meat by-product, poultry meat and poultry meat by-product.
- Food sold only at the retail establishment where the product is prepared and processed

The exemption is lost, and a nutrition facts table is required when:

- The product is ground meat, ground meat by-product, ground poultry meat or ground poultry meat by-product
- A vitamin or mineral nutrient is added to the product or is declared as a component of an ingredient
- Aspartame, sucralose, or acesulfame-potassium is added to the product
- Labels or advertisements carry a nutritional reference or nutrient content claim, a biological role claim, a health claim, or the phrase "nutrition facts"

### c. Claims

A claim is any statement, image or advertising that states, suggests or implies that a food product has qualities relating to its origin, nutritional properties, composition, processing, nature or any other quality.

For example, if a vendor states, either **verbally or in writing**, that his/her products are "organic," "natural," "fresh" or "gluten free" he/she is making a claim. There are very specific conditions that must be met if claims are being made about an agrifood product.

A health claim is any representation in labelling or advertising that states, suggests, or implies that a relationship exists between the consumption of a food and health.

Federal regulations specify what wording can be used when making a claim statement, so consumers are not deceived or misled.

**Enforcement Agency: Canadian Food Inspection Agency;  
Health Canada**

### 3. *Alberta Public Health Act and Food Regulation*

This **provincial** legislation is paramount over all other provincial statutes except the Alberta *Bill of Rights*. Alberta Health Services enforces the Act and its regulations on behalf of Alberta Health who sets health policy for the province.

Alberta approved farmers' markets are identified in this legislation and are the **only** venues in Alberta where vendors can sell both low and high-risk home-prepared foods. i.e., food prepared in an uninspected home kitchen. Part 3 of the Food Regulation – Farmers' Markets – describes the duties of both the permit holder, i.e., the approved farmers' market, and the stallholder (vendor). See Appendix 8 for a copy of the [Food Regulation](#).

Public health inspectors use provincially developed standard operating procedures (SOPs) to inspect and enforce the Regulation at Alberta approved farmers' markets. Alberta approved farmers' markets are inspected at least once per season and more often if there are food safety concerns identified or reported.

Section 36 of the Food Regulation outlines requirements for stallholders (vendors). Section 36(4) states: “(4) The farmers’ market permit holder must ensure that stallholders comply with this section.” This means that the market manager is required **UNDER LAW** to ensure vendors comply with Section 36. Failure to do so can result in the market losing its food permit and subsequently, their approval status, which will affect ALL vendors in the market. In extreme situations, fines can be levied.

Effective June 2022, changes were made to the provincial SOPs and what is allowed at approved farmers’ markets:

- As the permit holder, the farmers’ market, i.e., the manager by proxy, is responsible for ensuring food vendors comply with Section 36. This has not changed but how routine inspections are carried out by AHS has changed. Market managers are responsible for inspecting each food vendor to ensure proper transportation, packaging, temperature control, sampling, labelling, shelf stability testing, etc. The public health inspector will work with the manager to ensure their processes for conducting these inspections are thorough. They will work with the market manager to inspect a few of the vendors on site but not all. AHS has developed a checklist for the managers to use in their inspections. If the manager fails to ensure vendor compliance, the market is at risk of losing its food permit and approval status.
- Fully cooked, home-prepared high-risk foods can be brought to market, reheated, and sold from the vendor’s stall as a ready-to-eat item. Foods must be brought to market either at 4 degrees C or cooler or at 60 degrees C or higher and then heated to an internal temperature of at least 74 degrees C prior to sale. Hot foods must be held at 60 degrees C until sold. Absolutely no food preparation (mixing, assembly, modifying or cooking) can occur in an unpermitted vendor stall.
  - Vendors wanting to conduct on-site food preparation must work with AHS to secure their own food permit in compliance with Part 2 of the Food Regulation.
- When accepting new vendors or new high risk, home prepared food products for existing vendors, it is recommended that managers review all food preparation procedures with the vendors PRIOR to acceptance into the market and for requesting any product testing, e.g., pH or water activity. Always keep in mind that vendor acceptance is at the market’s discretion.

The Food Regulation was amended June 1, 2020. The amendment allows for the sale of low-risk home-prepared foods direct to the end consumer at venues outside Alberta approved farmers’ markets and prescribes additional labelling requirements for approved farmers’ market vendors selling foods made in their uninspected home kitchens.

See Appendix 9 for the following AHS fact sheets:

- [Information for Farmers’ Market Managers and Stallholders](#) or go to:
  - <https://www.albertahealthservices.ca/eph/Page8302.aspx>
    - ↳ Food Facilities
    - ↳ Information for Specific Food Facilities
    - ↳ Farmers’ Market Information Package
- [Low-risk home prepared food: fact sheet for operators](#)

**Enforcement Agency: Alberta Health Services**

## Mandatory Label Information for All Prepackaged Foods

Federal requirements*	Provincial requirements*
*applies to <b>all</b> food sold in Canada, regardless of production facility or sales venue	*additional labelling requirements applicable to food made in an <b>uninspected home kitchen</b> and sold at an approved farmers' market
*See Appendix 7 for a Labelling Infographic covering federal legislation	
common name of the product	name of the food
dealer name and address (complete enough for postal delivery)	vendor name, business name, email and/or phone number
list of ingredients in descending order if the product has more than one ingredient	words similar to: Prepared in a home kitchen that is not subject to inspection
net quantity in metric	words similar to: Not for resale
durable life date if product has a shelf life of 90 days or less	date the food was made or prepared
allergen labelling	
nutritional labelling unless exempt	
bilingual labelling unless exempt	

#### 4. Organic Certification

The Safe Food for Canadians Regulations requires that products making an organic claim and sold between provinces or territories, imported or that display the Canada Organic Logo must be certified as organic according to the Canadian Organic Standards.

Under the provincial [Supporting Alberta's Local Food Sector Act](#), products produced and sold **only** in Alberta, i.e., intra-provincially, are also required to meet federal certification standards. Vendors selling their products as organic must be certified as organic according to the Canadian Organic Standards to make this claim or be subject to investigation and potential punitive action.

Complaints regarding organic claims should be directed to Alberta Agriculture and Irrigation (310-3276) or the Canadian Food Inspection Agency.

**Enforcement Agency: Canadian Food Inspection Agency;  
Alberta Agriculture and Irrigation**

## 5. Cosmetic Regulations

Under the *Food and Drugs Act*, a cosmetic includes "any substance or mixture of substances, manufactured, sold or represented for use in cleansing, improving or altering the complexion, skin, hair or teeth and includes deodorants and perfumes." This includes "handmade" cosmetics sold at farmers' markets or craft sales, e.g., face creams, lip balms, deodorants, perfumes, etc.

All cosmetics sold in Canada must be safe to use and must not pose a health risk. They must meet the requirements of the *Food and Drugs Act* and the Cosmetic Regulations. The manufacturer and importer must notify Health Canada within 10 days of the first sale of the product in Canada that it is selling the product and provide a list of the product's ingredients. Complete the [Cosmetic Notification Form](#) found on the Health Canada website. There is no charge to register the cosmetic "recipe" with the federal government; it is required to ensure that all ingredients and their quantities within the product are safe for customers.

The labelling of cosmetics is governed by two Acts and their associated Regulations:

- the [Food and Drugs Act](#) and the [Cosmetic Regulations](#), and
  - the [Consumer Packaging and Labelling Act](#) and the [Consumer Packaging and Labelling Regulations](#)
- Manufacturers and importers should review and understand the Acts and Regulations to ensure that they comply with all requirements.

Requirements for cosmetic labels:

- product identity,
- net quantity,
- name and address of the manufacturer,
- avoidable hazards and cautions, and
- ingredients.

Refer to the [Industry Guide for the labelling of cosmetics](#).

**Enforcement Agency: Health Canada**

## 6. Weights and Measures Act

Under the [Weights and Measures Act](#), weighing and measuring devices such as scales used for trade in Canada, must meet stringent standards.

Vendors selling products by weight are responsible for the accuracy of the scales.

**Enforcement Agency: Measurement Canada**

## 7. Textile Labelling Act

The [Textile Labelling Act](#) requires that consumer textile articles, i.e., products made from cloth or woven fabric, bear accurate and meaningful labelling information to help consumers make informed purchasing decisions. The Act prohibits the making of false or misleading representations and sets out specifications for mandatory label information such as:

- Fibre content: generic name of each fibre present, amount of each fibre

- Dealer's full name and postal address or a CA identification number

For more information, refer to the [Guide to Textile Labelling and Advertising Regulations](#) or contact the Competition Bureau directly at 1-800-348-5358.

**Enforcement Agency: Competition Bureau**

## 8. Meat Inspection Acts and Regulations

The Food Regulation requires that food products sold in retail or in food establishments have been subject to appropriate inspection. To achieve this requirement, meat offered for sale within Alberta must have been inspected ante- and post-mortem to ensure fit for human consumption:

- Provincial inspection requirements are found in the [Meat Inspection Act](#):
  - acceptable for meat processed and sold **within Alberta only (intra-provincially)**.
- Federal inspection requirements are found in the [Safe Food for Canadians Act](#):
  - acceptable for meat processed and sold **inter-provincially**.

Any meat such as beef, pork, lamb, bison, deer, elk, or poultry being offered for sale in Alberta must be government-inspected and approved fit for human consumption.

Meat vendors from outside Alberta cannot sell meat slaughtered in their home province at provincially inspected plants. The vendor needs to provide proof of federal inspection at slaughter if bringing meat for sale into Alberta from another province. However, it is acceptable for a vendor to bring his/her animals to Alberta to be slaughtered and then store the meat in an AHS-permitted facility in Alberta until it is sold.

Meat or meat products from **wild game cannot be sold**. It is for personal use only.

The market manager can and should ask for proof of inspected slaughter before accepting a vendor selling meat products.

**Enforcement Agency:**

**Federal meat inspection: Canadian Food Inspection Agency**

**Provincial meat inspection: Alberta Agriculture and Irrigation**

## 9. Dairy Acts and Regulations

The provincial [Dairy Industry Act](#) and its related regulations stipulate the type of dairy licensing required in Alberta. Alberta Agriculture and Irrigation enforces this legislation.

If a vendor wants to sell dairy products (milk, cream, cheese, yogurt, etc.) at the farmers' market, it is important to note that the vendor must have met specific requirements before allowing the sale of the product. As a bare minimum, the



vendor must be able to provide proof of pasteurization. Vendors should display their food permit issued by Alberta Health Services at every market. If you are unsure about a vendor selling a dairy product, contact your local public health inspector PRIOR to approving the vendor.

It is unlawful to sell or give away unpasteurized milk or milk products **anywhere** in Canada.

**Exception:** Cheese made from unpasteurized milk can be sold at Alberta approved farmers' markets provided the cheese has been made in a commercial facility that has met all the federal regulatory requirements.

**Enforcement Agencies:**  
**Alberta Agriculture and Irrigation; Alberta Health Services**

## 10. Purchase and Sale of Eggs and Processed Egg Regulation

This **provincial** legislation affects the sale of uninspected, farm fresh eggs and is enforced by Alberta Agriculture and Irrigation.

Uninspected, ungraded whole eggs can be sold **directly to end consumers** for their own personal use provided that:

- The eggs are produced on the producer's own farm
  - Vendors using eggs in baking or pickles must use graded eggs. They cannot purchase their eggs from another vendor at the market who is selling uninspected eggs, nor can they use uninspected eggs from their own farms. In this situation, a baking vendor is a processor and not the end consumer using the eggs for his/her own personal use. In addition, all ingredients in a food product destined for sale must have come from an approved source. If the eggs are uninspected, they do not satisfy those criteria.
- The eggs are clean, have no visible cracks and are not leaking
  - Cracked eggs cannot be sold because research has shown that cracked eggs can become contaminated very quickly, especially if laid in dirty egg boxes. Once contaminated, the egg can't be sterilized by normal practices such as washing.
- The eggs are kept at an ambient temperature of 7 degrees C or less
  - Unrefrigerated eggs **must not** be sitting on a vendor's table because the ambient air temperature is too warm. They must be held in a cooler that can maintain the proper temperatures. Suggest vendors display an empty carton to attract customers' attention. Eggs in an open refrigeration unit can be displayed provided the air temperature around the eggs is less than 7 degrees C.
- The eggs are packed in clean containers that are conspicuously labelled with the word "**UNINSPECTED**" in letters that are at least two centimetres high
  - If uninspected eggs are being sold in recycled cartons, the grade must be covered up.

It is illegal for vendors to sell uninspected and ungraded eggs produced on someone else's farm.

It is illegal for vendors to use uninspected and ungraded eggs in their baking or pickling that is destined for sale.

Refer to the AF factsheet titled: [Farm Direct Marketing Eggs: What You Need to Know](#) for more information on this topic

**Enforcement Agency: Alberta Agriculture and Irrigation**

## 11. **Bee Act and Honey Grading Regulation**

According to the Alberta [Bee Act](#) and [Regulation](#), all beekeepers must register with the [Office of the Provincial Apiculturist](#) each year even if they are small operations selling strictly to end consumers. The beekeeper registration is used for monitoring diseases and pests to ensure healthy bees and for keeping industry statistics up to date.

Producers can sell their ungraded honey from their farm or at a farmers' market **directly to end consumers** for their own personal use.

**Enforcement Agency: Alberta Agriculture and Irrigation**

## 12. **Gaming, Liquor and Cannabis Regulation**

### a) **Small manufacturers of wine, beer, and spirits:**

Small manufacturers of wine, beer and spirits are allowed to sell at approved farmers' markets through the provincial [Gaming, Liquor and Cannabis Regulation](#). These businesses are licensed as Class E Small Manufacturers through Alberta Gaming, Liquor and Cannabis (AGLC) and are permitted to sell at approved farmers' markets as an extension of their license. This license **must** be posted at the market.

Sampling of beer, wine and spirits is allowed at the markets but must follow the guidelines stipulated by the AGLC in the [Liquor Manufacturers Handbook](#).

### b) **Cannabis and Cannabis Products**

Cannabis and cannabis-infused products or products containing THC are not allowed for sale at any venues that have not been licensed for sale by the AGLC.

In Alberta, [CBD](#) and products containing CBD such as cannabis oil, can only be sold to adults (individuals 18+) by an AGLC licensed cannabis retailer or federally licensed seller of cannabis for medical purposes.

### 13. Interprovincial Sales

Any out-of-province food vendors wishing to sell at an Alberta approved farmers' market **MUST** be in full compliance with all **federal** legislation. As soon as a provincial boundary is crossed, the product is deemed to be imported into the province and federal legislation applies regardless of where the product is sold.

Example: A vendor coming from out-of-province with meat products processed in their home province must be able to provide proof of **federal** slaughter.

### 14. Taber Corn

Taber corn is a very popular branded item available at farmers' markets and other roadside outlets. As this is a much sought after product, authenticity is important to customers and the growers. Authentic Taber corn will have a certificate listing the farm's name and the phone number. This certificate should be displayed at the market. If the vendor is not willing to display the certificate or doesn't have one, then the corn is most likely not authentic Taber corn and should not be labeled as such.





## **Module 4: Additional Resources**



## Additional Resources

### Websites

[sunnygirl.ca](http://sunnygirl.ca)

This website provides information for Alberta approved farmers' market managers and vendors.

Links to training materials (market manager training and food safety) can be found here along with links to the annual paperwork, the Guidelines, etc.

[agriculture.alberta.ca/farmersmarkets](http://agriculture.alberta.ca/farmersmarkets)

Alberta approved farmers' market interactive map. The information found here mirrors the information on the mobile app.

<https://www.alberta.ca/agriculture-and-irrigation.aspx>

Agriculture and Irrigation resources from across the department.

For publications specific to Local Food and Farm Direct Marketing, go to:

<https://www.alberta.ca/agri-processing-business-resources.aspx>.

<https://www.youtube.com/playlist?list=PLOUwfF01x2YUZHxWxWCQ04y0hNVggmbN>

Three YouTube videos for Market Manager Training Modules 1 – 3

[albertahealthservices.ca/eph/eph.aspx](http://albertahealthservices.ca/eph/eph.aspx)

Environmental Public Health website containing links to many useful factsheets, resources, upcoming food safety training and contact information for environmental public health offices across Alberta.

[albertahealthservices.ca/eph/Page3151.aspx](http://albertahealthservices.ca/eph/Page3151.aspx)

AHS *Take a Course* page. Scroll down to *Online Courses* and select *Alberta Food Safety Basics for Farmers' Markets*. Upon successful completion of the course, the participant will be able to print the course completion certificate. This certificate is valid for three years and needs to be renewed upon expiry.

[inspection.gc.ca](http://inspection.gc.ca)

Canadian Food Inspection Agency website

For access to the Industry Labelling Tool: Scroll down to *Services and Information* and select *Food labels*.

[laws-lois.justice.gc.ca/eng/index.html](http://laws-lois.justice.gc.ca/eng/index.html)

Justice Laws website for copies of all federal legislation

[open.alberta.ca/publications](http://open.alberta.ca/publications)

Open Alberta website to view all Alberta legislation and other publications

<https://www.alberta.ca/alberta-kings-printer.aspx>

Alberta King's Printer for all Alberta government laws, materials and other publications

[albertafarmersmarket.com](http://albertafarmersmarket.com)

Alberta Farmers' Market Association website

[albertafarmfresh.com/](http://albertafarmfresh.com/)

Alberta Farm Fresh Producers Association website

## Program Contacts

Eileen Kotowich  
Farmers' Market Specialist  
Alberta Agriculture and Irrigation  
Box 24, 4701 52 Street  
Vermilion, AB 9X 1J9  
[eileen.kotowich@gov.ab.ca](mailto:eileen.kotowich@gov.ab.ca)  
Office: 780-853-8223 Cell: 780-581-4107

Delores Serafin  
Program Administrator  
Alberta Agriculture and Irrigation  
300, 7000 113 Street  
Edmonton, AB T6H 5T6  
[delores.serafin@gov.ab.ca](mailto:delores.serafin@gov.ab.ca)  
780-427-4611

Shared email address accessed by both Program staff members: [ab.approvedfarmersmarket@gov.ab.ca](mailto:ab.approvedfarmersmarket@gov.ab.ca)

## Alberta Health Services

General numbers for all Environmental Public Health services including accessing a public health inspector: 1-833-476-4743

## Other

**Alberta Culture, Multiculturalism and Status of Women:** The Community Development Unit of this Alberta government ministry will provide services, often free of charge, to not-for-profit organizations to help them more effectively run their organizations and better serve their clients. This includes board development and leadership development programming as well as some grants.

[alberta.ca/community-development-unit.aspx](http://alberta.ca/community-development-unit.aspx)

**Alberta Non-profit Learning Centre:** The Alberta non-profit learning centre provides resources on important concepts in governance of non-profits to support their role in the delivery of their programs and services in their communities.

### Farmers' Market Road Signs:

Available for purchase through ATS Traffic

Contact toll-free: 1 866 560 SIGN (7446)  
Edmonton Office:  
9015 - 14 Street NW  
Edmonton, AB T6P 0C9  
Email: [thsp@atstraffic.ca](mailto:thsp@atstraffic.ca)  
Website: [atstraffic.ca/solutions/tourism-highway-signage/](http://atstraffic.ca/solutions/tourism-highway-signage/)