



Market Rules and Regulations Handbook for 2026-2027

Application/Insurance:

- Vendors must submit a completed and signed application (including licenses/permits/inspections that are required based on the product being sold), must abide by market rules, and receive approval from management prior to market day in order to participate.
- Vendors must carry a minimum \$1,000,000 liability policy as stated in the application.
- With your signature on the attestation in the application (required for participation), you agreed to adhere to required steps to be taken (wear a mask, socially distance, etc.) should the county determine that these protections are put in place as a public safety measure.

Product Guidelines:

- Minimum 50% of all items must be raised, baked, prepared and/or made by the vendor.
- If the item is NOT self-grown, the product and its source must be identified and labeled as such.
- Signage must include pricing, products and any promotions.
- Labeling for all food product must adhere to USDA and NYS Ag & Markets requirements.
- Products must be licensed in accordance with (where applicable): Article 14 of the Agriculture and Markets Law of the NYS Dept. of Ag & Markets; the NYS Department of Taxation; Oneida County Department of Health; City of Utica ordinances and regulations. Any applicable costs are the responsibility of the vendor.
- Management reserves the right to determine the appropriateness of products sold.

Set-Up:

- Vendors are responsible for all apparatus they deem necessary for booth set up (table, chairs, tent/canopy, extension cords, etc.). Pop-up tents or canopies must be weighted with at least 15lbs per leg for stability and safety.
- Vendors must display business name, sales tax certificate, and FMNP/WIC certificates (if applicable).
- Market management will assign vendors to booths, which will be clearly marked.
- All vendors must be on-site by 8:45 am. Failure to do so may result in loss of assigned booth, and will result in vendor having to hand-carry all items into market space.
- Vehicles must be removed from market space no later than 9:00 am (EXCEPTION: those using their vehicle for displaying/selling product but must be turned off - outdoor booths only). Vehicle movement is prohibited in the market space during the hours of market operation as a safety precaution.
- Summer market vendors are to park vehicles outside the market space around REA wing and Union Station.
- Vendors are required to stay the duration of the market, 1:00 pm, in their designated booth space, unless otherwise discussed with market management.
- Leave the booth space clean and litter free at the end of market.

Behavior:

- Vendors must be respectful and courteous to customers, market staff, volunteers, and fellow vendors at all times. Behavior such as shouting, hawking, offensive language or gestures will NOT be tolerated. Behavioral issues that arise will be addressed by market management at the conclusion of the market. The vendor will be aware of and review the Conflict Resolution and Harassment policies. Any vendor found in violation of these will be addressed directly by market management and may be dismissed from further participation with the market, thus forfeiting any paid fees.
- Weather - use best judgement if dangerous weather conditions threaten, including ceasing operations, packing up loose items if possible and seeking shelter. Management will make final call if weather conditions are too dangerous to continue safe operations and end the market.
- Illness - use best judgement if feeling unwell. Notify management if unable to come to market, or need to leave during the market.
- Consumption of alcohol, smoking, and amplified music is prohibited.
- All pets must be leashed and controlled at all times. Any messes left by pets must be cleaned up in a timely manner by the owners. Pets not controlled by owners have the right to be removed by management.
- Advocating on behalf of another market while participating in this market will not be tolerated.

Permits/Licenses/Certificates

The following is a checklist that will help you to understand the permits, licenses and certificates that are required of sellers of various products commonly found in farmers' markets. This checklist is not exhaustive, but is a general guideline. Each vendor is solely responsible for determining what permits, licenses and certificates are required for each of their products. Please consult the inspection agencies listed at the end for further assistance.

All food items offered for sale (excluding whole fruits and vegetables) MUST be pre-packaged.

Fresh Produce:

- No permits, licenses or certificates required, if raw, uncut, and unprocessed.

Plant Sales:

- Only one nursery license is required and must be posted in public view at the time of sale.
- NYS Department of Agriculture & Markets Nursery Growers License, if engaged in the production of plant material intended for sale. A nursery grower is also permitted to purchase and resell plant material under this same license.
- NYS Department of Agriculture & Markets Nursery Dealers License, if purchasing and reselling plant material only and the vendor is not involved in any growing of potted plant material
- Valid NYS Sales Tax Certificate

Eggs:

- No permits, licenses or certificates required, for cleaned shell eggs maintained at 45 degrees F or less. Eggs must be from farm owned hens (not purchased eggs).

Honey, Maple Syrup:

- No permits, licenses or certificates required, if single ingredient products.
- Article 20C License from NYS Dept. of Agriculture & Markets, if additional ingredients are added to the products; i.e. maple mustard, maple cotton candy, etc.

Baked Goods:

- 20C Exemption from NYS Dept. of Agriculture & Markets if home baked, non-hazardous; i.e.. Bread (no breads containing fruits or vegetables), rolls, cookies, cakes, brownies, fudge & double crust fruit pies. Quick breads are considered potentially hazardous and cannot be done under 20C Exemptions.
- Article 20C License from NYS Dept. of Agriculture & Markets on all other baked products provided the business does 51% of its sales at wholesale. (Requires a separate, commercial kitchen.)
- All other baked goods must come from a licensed NYS Department of Health facility.
- For more information to go agriculture.ny.gov/food-safety/home-processing

Cider/Fruit Juice:

- Article 20C License from NYS Dept. of Agriculture & Markets for manufacturers/bottlers.
- All cider and fruit juices must be pasteurized, UV treated or high pressure treated.

Mushrooms:

- Cultivated mushrooms, sold whole or otherwise processed, require no license
- Cultivated mushrooms, sliced, chopped, washed and identified as ready to eat or any other processing requires a 20C license

Mushroom species picked in the wild shall be obtained from a source where each mushroom is individually inspected and found to be safe by an approved mushroom identification expert prior to sale. At this time (2022), there are no approved mushrooms experts in NYS. NYS Ag & Markets, while not being able to approve an individual as a mushroom identification expert, will accept certification given through Mushroom Mountain, LLC only. This jurisdiction over wild foraged mushrooms by NYS Ag & Markets is limited to retail sales only. NYS Department of Health is responsible for sales to institutional food vendors (restaurants, schools, etc.).

New York State Micro-breweries:

- Must obtain a no-fee permit from NYS Liquor Authority.
- If offering sampling prior to purchase of a bottle, must have a tasting permit from the State Liquor Authority (SLA) on site
- Specially licensed New York State "farm breweries" that source 20% or more of their brewing ingredients (e.g. hops and grains for malt) from New York State farms do not require an SLA permit to sell their "NYS-labeled beer"
- Available at <http://www.sla.ny.gov/system/files/BrewerOffPremisesPermit.pdf>

New York State Wines:

- Farm Winery Permit, issued by the NYS Liquor Authority
- If offering sampling prior to purchase of a bottle, must have a tasting permit from the State Liquor Authority (SLA) on site
- Valid NYS Sales Tax Certificate

New York State Distilleries:

- New York State "farm distilleries" producing distilled spirits from New York State grown ingredients can sell by the bottle at designated farmers' markets with a permit from the SLA.

Processed Foods:

- 20C Home Exemption from NYS Dept. of Agriculture & Markets, for non-hazardous foods only, including traditional high-acid fruit jams, jellies and marmalades; candy (excluding chocolate); spices and herbs (repackaging only); and snack items such as popcorn, caramel corn and peanut brittle. To register as a Home Processor in New York, go to <http://www.agriculture.ny.gov/FS/consumer/processor.html>.
- Home processing of canned fruits and vegetables is not permitted. All canned fruits and vegetables must be done under 20C License and registered with the Federal government as a food processor.
- Article 20C License from NYS Dept. of Agriculture & Markets, prepackaged and labeled in accordance with NYS Food Labeling Law: Identity of food in package form; name of manufacturer, packer or distributor; place of business; ingredient declaration in descending order of predominance by weight; and net quantity of contents.
- County Board of Health Permit if processing is on-site; i.e. cutting of baked goods to be sold by the piece, slicing of cheese to be sold by the pound; cooking and selling ready-to-eat foods.
- Article 20C License from NYS Dept. of Agriculture & Markets is required for dehydrating herbs and spices or for the blending of any spices for repackaging.

Meats:

- License is required if grinding or processing. License is not required for cutting.

Red Meat (Beef, lamb, goat):

- USDA slaughtered and/or processed must have USDA legend
- Article 28D License required if warehousing for wholesale
- Must be maintained at 0°F or below and sold frozen.

Poultry (MUST be frozen):

- License not required to sell 250 turkeys or 1000 birds of other species (quail, guinea, chicken.)
- No license required if USDA slaughtered.
- Article 28 License if warehousing for wholesale accounts.
- Article 5A license required if selling over 250 turkeys or 1000 birds of other species processed annually.

Exotic Meat (MUST be frozen):

- Must be slaughtered at an Article 5A licensed establishment.
- Must be labeled “Processed at an NYSDAM facility”.
- Article 28 License required if warehousing for wholesale accounts, if not licensed under Article 5A.

Processed Meats (Shelf stable processed meats (dry, fermented sausage) only)

- Article 20C license from the NYS Dept. of Agriculture & Markets

Fish (if processed (fileted, etc.) MUST be frozen)

- No permit, license or certificate is required if a freshwater fisherman is selling only whole, non-protected species.
- Article 20C License from NYS Dept. of Agriculture & Market if fish is pan-ready.
- NYS DEC hatchery permit required if selling protected freshwater species.
- NYS DEC permit required if re-selling any protected freshwater species.
- NYS DEC Food Fish License to catch and sell marine fish.
- NYS DEC Food Fish and Crustacean Dealers & Shippers License to resell marine fish purchased from a licensed fisherman

DAIRY**Cheese & Other Dairy Products (such as yogurt, butter, sour cream)**

- For producers, Part II Permit, issued by the NYS Dept. of Agriculture & Markets Division of Milk Control and Dairy Services.
- If cut and wrapped cheese, need Part II Permit issued by Division of Milk Control and Dairy Services unless part of a food establishment regulated by Division of Food Safety, in which case just need Article 20C License.

Milk and Fluid Milk Products (such as 2%, 1% and non-fat milk)

- Milk must be pasteurized.
- Producer must have Part II Permit issued by Division of Milk Control and Dairy Services.
- Producer and any distributor must have a Milk Dealers license issued by Division of Milk Control and Dairy Services unless amount handled is less than 3000 pounds per month.

Grains and Legumes (pre-packaged – cannot be packed on site):

- No permits, licenses or certificates.

Fresh Cut/ Dried Flowers:

- Valid NYS Sales Tax Permit

Crafts:

- Valid NYS Sales Tax Permit

Failure to abide by these rules and regulations will result in a vendor being denied continued participation in the Oneida County Public Market. Any remaining paid vendor fees will be forfeited and future participation by said vendor may be impacted. Market Management reserves the right to enforce all rules and regulations as they see fit.

Questions or Concerns please contact Market Management

Beth Irons, office: 315-736-3394 ext. 103; cell: 315-765-1865; egi3@cornell.edu

OR

Audra Benincasa, office: 315-736-3394, ext. 266; cell: 315-939-4030; ajb489@cornell.edu

OR

info@oneidacountymarket.com

For additional information:

NYS Dept. of Agriculture & Markets, Division of Food Safety:

518-457-4492

NYS Dept. of Agriculture & Markets, Division of Farm Products:

518-457-2090

NYS Dept. of Agriculture & Markets, Division of Produce Safety:

518-457-3846

NYS Dept. of Agriculture & Markets, Division of Milk Control & Dairy Services:

518-457-1772

NYS Dept. of Agriculture & Markets, Division of Plant Industry:

518-457-2087

NYS Dept. of Environmental Conservation, General Information:

Utica: 315-793-2554

Herkimer: 315-866-6330

Watertown: 315-785-2239

Lowville: 315-376-3521

Sales Tax (for cut flowers, gourds, ornamental corn, candy, crafts, antiques)

NYS Tax Department Taxpayer Services (<http://www.tax.state.ny.us/sbc/>)

Harriman Campus Building 8, 9th Floor

Albany, NY 12227

1-800-225-5829

Office of Weights and Measures (for scales) <http://www.agmkt.state.ny.us/WM/WMHome.html>

Herkimer County, Michael Talaba, Director

Email: mtalaba@herkimercounty.org Phone: 315-867-1203 Fax: 315-867-1360

Oneida County, Brian Barile, Director

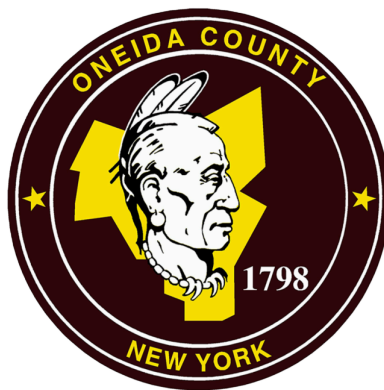
Email: bbarile@ocgov.net Phone: 315-793-6246 Fax: 315-768-6299

Compiled/updated by the Farmers' Market Federation of New York, 2009

Updated by Oneida County Public Market, 2026



Cornell Cooperative Extension Oneida County



The Oneida County Public Market is an economic development of Oneida County Executive Anthony J. Picente, Jr. under the auspices of Cornell Cooperative Extension of Oneida County.