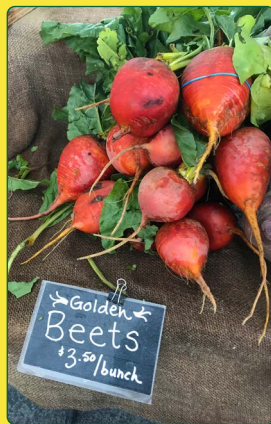


Guide to Fresh Produce Signage Standards and Organic Integrity at Farmers Markets

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WASHINGTON STATE
FARMERS MARKET
ASSOCIATION

Guide to Fresh Produce Signage Standards and Organic Integrity at Farmers Markets

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Guide to Fresh Produce Signage Standards and Organic Integrity at Farmers Markets

The purpose of this Guide is to ensure that all farmers market organizers and specialty crop vendors have the information they need to communicate effectively with shoppers and to follow legal, industry, and voluntary standards. As so much communication is through signage, this guide focuses on standards for farmers market banners, A-boards, vendor booth banners, price signs, and other written collateral at the point of sale. Signage touches on a range of consumer protection laws, rules for organic certification, as well as food safety requirements. In addition, farmers markets and vendors now manage a host of ways to pay, from credit/debit, to EBT and other food access programs, to “market bucks” and even mobile payment apps. The informal, community-based nature of farmers markets can make it hard to know about, let alone comply with, signage standards. With this guide, vendors and farmers markets will be able to make informed decisions about market policies and practices that build shopper trust, increase vendor sales, and clarify shared expectations at farmers markets.

Shopper trust is one of farmers markets’ most important assets.

Shopper trust is one of farmers markets’ most important assets. Built upon transparency that comes from a weekly opportunity to meet the producer, shoppers trust farmers markets and individual vendors to be who they say they are, and represent their businesses and products honestly. Shoppers also presume that farmers market organizers vet vendors’ businesses, products, and claims. Shopper trust is hard-earned and vulnerable to errant rumors, casual social media posts, and even media coverage that hurts all farmers markets and all vendors indiscriminately. It is, therefore, in the interest of every single member of the farmers market to proactively protect this trust and operate with the highest standards of integrity. Signage is one of the best tools available to model and message this integrity.

LEGAL FRAMEWORKS

Farmers markets operate with varying degrees of structure and formality. Depending on the scale of the market, where it operates, its mission, and whether it is mainly volunteer-run or has multiple, professional staff, each market organization is unique. Despite this variability, each market is bound by legal frameworks that apply to all business activities, as well as some that are specific to agriculture.

Honest Communication at Farmers Markets

Clear, consistent, and honest speech and signage is a good business practice. Shoppers are at their most loyal when they have high confidence and trust in vendors and their products. Likewise, if a shopper—or farmers market organizer—discovers they have been misled or lied to, the hurt and damage is felt not just with that vendor; it spreads to the entire farmers market community.

Honest communication

comes from any person or entity, employee, or agent of that person or entity at the farmers market.

Honest communication includes

any statement, representation, or assertion that is made orally and by public statement, advertising, signage, or by any means that relates to the sale or availability of agricultural and artisan products.

Honest communication is not

false, deceptive, or misleading with regards to:

- where agricultural products and ingredients are
- the identity of the producer of the agricultural product
- the manner and method of production and processing of all agricultural products; and
- the price presented and charged.

Miscommunication can be unintentional due to a mix of reasons, the most common of which is accidental oversight or not understanding what is required. Indeed, miscommunication usually occurs more in degrees than as sweeping and intentional fraud. Nevertheless, honest communication at farmers markets is essential at every step, from the annual application to booth displays, social media, and what customers are told at the vendor booth.

Signage Problems to Avoid

PROBLEM	LOSS OF SHOPPER CONFIDENCE AND SALES	VIOLATION OF FARMERS MARKET POLICIES OR RULES	CONSUMER FRAUD	VIOLATION OF WSFMA ROOTS GUIDELINES	BREAKING STATE OR FEDERAL REGULATIONS
Product being sold is not identified	X	X			
Product being sold does not have a price listed	X	X			
Farm not identified in market booth	X	X			
Misleading signage about product or production claims	X	X	X	Possible	Possible
Supplementing booth with products grown by another farm or wholesaler without correct signage. Sometimes called "carrying"	X	X	X	X	Possible
Reselling produce or products without required signage that identifies source(s) to shoppers and farmers market	X	X	X	X	Possible
Accepting FMNP checks when farm is not authorized by Dept of Health	X	X	X		X
Accepting SNAP tokens of SNAP Market Match for ineligible products	X	X			X
Making an Organic Claim on banner or product sign if not certified or exempt	X	X	X		X

Consumer Protection

The Washington Consumer Protection Act (CPA), Revised Code of Washington (RCW) 19.86, broadly prohibits unfair or deceptive acts or practices in trade or commerce (RCW 19.86.020). The CPA applies to producers and sellers who sell agricultural and other products at farmers markets. Under the CPA, sellers cannot misrepresent the prices, quality, certification, origin, growing methods, or other attributes of their products on signage or other marketing. Basically, Washington law requires truthful and non-misleading signage and marketing of all products.

In addition, there are laws specific to agriculture. One is the use of the term “Washington Grown” (RCW 15.04.410). To mislead or imply something was grown in Washington that was not is a violation of this law and “is an unfair or deceptive act in trade or commerce and an unfair method of competition” (RCW 15.04.410). Penalties may run thousands of dollars, though the immediate consequence is losing the opportunity to sell at farmers markets and severe damage to a vendor’s reputation and brand. At most farmers markets there is a presumption that all products are grown in Washington. The Washington State Farmers Market Association’s “Roots Guidelines” do allow farmers markets in border counties in Washington to have vendors from counties along the Oregon and Idaho borders. In these cases, vendors need to clearly indicate in their booth banner and other signage that they are from Oregon or Idaho.



Farmers and farmers market organizers work together to ensure that all requirements are clear and vendors are in compliance so that consumers have full confidence in every purchase.

RCWs > Title 15 > Chapter 15.04 >
Section 15.04.410

Declarations of “Washington state grown”—Restrictions Violations unlawful—Application of consumer protection act

(1) Before being offered for retail sale in this state, any agricultural commodity, defined under RCW 15.66.010, that was grown or raised in this state may be advertised, labeled, described, sold, marked, or otherwise held out, with the words “Washington state grown,” or other similar language indicating that the product is from Washington state grown or raised agricultural commodities.

(2) An agricultural commodity that was not grown or raised in this state and packages of that product shall not be advertised, labeled, described, sold, marked, or otherwise held out as “Washington state grown,” or in any way as to imply that such product is a Washington state grown or raised agricultural commodity.

(3) It is unlawful for any person to violate this section.

(4) The legislature finds that the practices covered by this section are matters vitally affecting the public interest for the purpose of applying the consumer protection act, chapter 19.86 RCW. Violations of this section are not reasonable in relation to the development and preservation of business. A violation of this section is an unfair or deceptive act in trade or commerce and an unfair method of competition for the purpose of applying the consumer protection act, chapter 19.86 RCW.

Food Safety Modernization Act and Direct Marketing Signage Requirement

The Food Safety Modernization Act (FSMA) was signed into law in 2011 and takes a preventive approach to food safety. The law has specific provisions for direct marketing. The idea is that when consumers purchase directly from a farm they should be able to easily identify where their food was produced. FSMA labeling requirements help reinforce transparency and enhance product tracing should a food safety concern arise. As such, specialty crop farm vendors are required to: “prominently and conspicuously display, at the point of purchase, the name and complete business address of the farm where the produce was grown.” (FSMA Produce Safety Rule § 112.6)

What does this mean in practice? The first requirement to ***prominently and conspicuously display*** should follow common sense. A shopper should not have to hunt for this signage. ***Point of purchase*** means at the vendor booth where shoppers select and pay for products. The ***complete business address of the farm*** must include the street address (or P.O. Box), city, state, and ZIP code.



Adding the farm address to a “vendor profile” that attaches to the booth pole is an easy way to comply with FSMA requirements.

This information may be displayed in different ways:

- on business cards that are available at the point of sale
- printed on bags or packaging
- on business signs, banners or brochures; or on paper receipts.

Under the FSMA Produce Safety Rule, a farm may qualify for an exemption if the farm business grosses less than \$500,000 in food sales annually and sells primarily through farmers markets or other direct marketing channels. However, even if a farm is exempt, it is still required to clearly identify the business name and address at the point of sale.

More Information on Small Farm Exemptions

Washington State Department of Agriculture (WSDA) website:

- agr.wa.gov/departments/food-safety/produce-safety/small-farm-exemptions
- agr.wa.gov/departments/food-safety/food-safety/fsma

Food and Drug Administration (FDA) Produce Safety Rule section of the FAQs:

- www.fda.gov/food/food-safety-modernization-act-fsma/frequently-asked-questions-fsma



FSMA requires the farm name and complete business address to be displayed prominently on the food packaging label for all “covered produce.”



The farm may use a physical address or a PO Box as long as it is the primary business address for the farm where the produce was grown. Adding this to a market banner is an easy way to comply with FSMA.

Marketing Orders and Agreements

Certain crops may be regulated by marketing orders or marketing agreements if a particular industry, often in a specific geographic region, has agreed on and formalized marketing standards with the USDA. Self-funded by the industry, marketing orders typically authorize quality regulations, research and promotion programs, as well as marketing, pack, and container regulations (www.ams.usda.gov/rules-regulations/moa/fv).

Washington State specialty crops with USDA marketing orders that are also direct marketed at farmers markets include apricots, sweet cherries, tart cherries, cranberries, hazelnuts, Walla Walla onions, pears, and potatoes. In Washington, the apple industry has its own internal standards but does not partner with USDA on a marketing order. In some cases, a marketing order only pertains to a part of the state. For example, apricots and sweet cherries have designated their production area as “counties of Okanogan, Chelan, Kittitas, Yakima, and Klickitat in the State of Washington and all counties in Washington lying east thereof.” Therefore, crops such as apricots and sweet cherries grown in Western Washington do not fall under these marketing orders.

In most cases, there is a de minimis clause in the marketing order that allows producers to direct market crops that they have grown. Crops are not required to be inspected by the WSDA Fruit and Vegetable Inspection program if:

1. they are sold by the producer/grower to the end consumers for home use at farmers markets (or other “fruit and vegetable stands” as defined by WAC Chapter 16-461);
2. no more than a set number of pounds (net weight) per day is sold to any one individual (end consumer); and
3. containers (e.g., 20 pound boxes) are marked “not for resale” in letters at least ½ inch high.

The maximum sales allowed from any one farm vendor to any one end consumer per day is 100 pounds for sweet cherries, 220 pounds for pears, and 500 pounds for apricots.

In some cases, a marketing order or agreement may define and limit the use of a brand name. Marketing Order 956 defines Walla Walla Sweet Onions as “all varieties of *Allium cepa* grown within the production area, except Spanish hybrid varieties.” The production area is defined as specific areas within Walla Walla County, Washington and Umatilla County, Oregon (www.ams.usda.gov/rules-regulations/moa/956-walla-walla-onions).

Washington State has 21 agricultural commodity commissions that are engaged primarily in marketing and/or research related to a specific commodity. They are funded by producer assessments and vary in size and activity.

A list of Washington Agricultural Commodity Commissions on the WSDA website:

agr.wa.gov/washington-agriculture/commissions

Specific information on Washington State commissions may be found in the Washington Administrative Code (WAC)

apps.leg.wa.gov/wac/default.aspx

ORGANIC CERTIFICATION & CLAIMS

Specialty crop farmers may make a variety of production claims and display different certification labels at farmers markets. The signage ranges from internationally known logos to signs that are handmade and personal. Shoppers tend to be motivated to buy products from farmers that align with their values and needs. Signage is a key tool to communicate core aspirations and practices that can help make sales, including:

- Protecting personal health by avoiding allergens or pesticides
- Enhancing health with extra nutrition
- Protecting the environment
- Avoiding toxins and genetically modified organisms (GMOs)
- Enhancing biodiversity, soil, water, and open space
- Enhancing animal welfare
- Promoting fair conditions for farmers and farm workers
- Adhering to generally understood concepts of sustainability

Marketers know the importance of communicating product and producer attributes and there are now over a hundred food labels and certifications. This is confusing to many shoppers and farmers market managers who struggle to determine what labels mean and what to believe. Two good resources working to explain the differences are:

- “Food Labels Exposed: A definitive guide to common food label terms and claims” available from A Greener World at <https://agreenerworld.org/resources/food-labels>
- Consumer Reports’ “Guide to Food Labels” available at <https://www.consumerreports.org/food-labels/seals-and-claims>

A farmers market organization can proactively determine guidelines for what kinds of signage about product claims it will allow vendors to display or verbally claim. The market may choose to allow specific certifications by name or choose by general criteria such as if a claim is third-party inspected or self-reported. Third-party certification means that an independent organization has reviewed the manufacturing process of a product and has independently determined that the final product complies with specific standards for safety, quality or performance. By setting product claim guidelines and explaining the rationale behind that decision in market policies or rules, verification of vendor signage is clearer and more consistent for everyone.

Organic Certification and Labeling

For a variety of reasons, many shoppers seek out organic products. Organic is perhaps the best known, oldest, and most established third-party certification for farmers and processors. It can, however, be misunderstood and misused at farmers markets. Given that organic is a federally regulated claim, knowing the requirements for organic production and certification is important. Vendors that misuse the term organic potentially mislead shoppers and create tension with those who are following certification requirements. Here’s a rundown of how organic is defined and how organic certification works.

The term organic refers to an entire production system that is managed in accordance with the USDA organic regulations. It is designed to respond to site-specific conditions of farms and processing facilities. An organic system integrates cultural, biological, and mechanical practices that foster cycling of resources, promote ecological balance, and conserve biodiversity.

In order to make organic claims, producers and processors must certify their products through a USDA-accredited certification agency. Some exemptions to certification exist and are detailed below. Organic certification evaluates whether the business’s practices are compliant with USDA organic regulations. The certification process verifies that no prohibited materials (e.g., synthetic fertilizers or herbicides) have been applied for 3 years prior to when a crop is harvested. The National List of Allowed and Prohibited Substances details materials for use in organic production and processing (www.ams.usda.gov/rules-regulations/national-list-allowed-and-prohibited-substances).



Farmers market shoppers have a variety of motives for seeking out certified organic produce at farmers markets.

Organic certification is an annual process and involves five basic steps

1. First, the applicant must develop an organic system plan and submit an application to a certification agency such as WSDA Organic Program.
2. Next, the certifier reviews the full plan and application and requests additional information if needed.
3. Once reviewed, an inspector conducts an inspection of the applicant's farm or processing facility.
4. The inspector then writes a report and submits it to WSDA Organic Program review staff, who review the inspection report and make a determination or collect more information.
5. When the review is complete and the applicant is determined to be in compliance with organic standards, the certifying agency issues an organic certificate.

In Washington State, most organic businesses are certified by WSDA Organic Program; other certifiers such as Oregon Tilth Certified Organic, Quality Assurance International (QAI) and California Certified Organic Farmers (CCOF) also certify businesses in Washington. Regardless of the certifier, everyone is held to the same, federally regulated standards. An overview of the organic standards may be found at: www.ams.usda.gov/grades-standards/organic-standards.

The cost of certification varies and depends on the size and complexity of the farm or processing facility, as well as the organic certification agency chosen.

To see an example of specific costs, visit the WSDA Organic Program webpage for the "Information for New Applicants" FAQ (agr.wa.gov/departments/organic/new-applicant-info).

To help offset the cost of certification, the USDA Organic Certification Cost Share Program is available to businesses for a portion of their certification costs.

In practice, what it means to be a certified organic farm is far more than not using synthetic chemicals. Farmers are required to:

- source seeds and planting stock from certified organic sources (provided they are available)
- continuously improve soil quality through practices like crop rotation and fertility management
- promote biodiversity and natural resource conservation
- use approved physical or mechanical practices to prevent pests, weeds, and diseases, before applying approved materials
- use materials that minimize negative impact to wildlife and the environment.

Federal law requires that any agricultural product represented as organic, whether certified or exempt, must be produced in accordance with USDA organic regulations. Businesses that willfully violate USDA organic regulations, or represent non-exempt products as organic without certification, may be subject to substantial civil penalties (fines) and/or have their organic certification suspended or revoked.

In addition, Washington law specifically prohibits the sale, or offer for sale, of a product that is represented as organic if the producer or handler knows, or has reason to know, that the product has not been produced in accordance with the standards for organic products under Washington law (RCW 15.36.030).

Some farmers market vendors claim to be exempt from organic certification. A business is considered exempt from certification if it meets all of the following criteria:

1. Makes less than \$5,000 in gross annual income from all organic crops and products (at all farmers markets and other sales outlets combined)
2. Complies with all organic production and handling requirements
3. Maintains records for at least 3 years to verify compliance
4. Does not display USDA Organic seal or other references to certification

Additionally, certain businesses are allowed to make organic claims on processed products if they are using certified organic ingredients. This includes:

1. Processors that limit organic claims on products to the ingredient declaration only. This means that an ingredient is listed as organic on the ingredient list, but the principal display panel does not make organic claims.
2. Retailers, including farmers market vendors, that only handle or process the final product they are selling at the actual retail location, e.g., blending smoothies or brewing coffee at the market.
3. Handlers that store, sell or distribute organic products to retailers or wholesalers (not end consumers) if these products remain in the same package and have the same label throughout the time the products are in their control.

For more information about the organic certification process, contact WSDA Organic Program: 360-902-1805 or organic@agr.wa.gov or visit <https://agr.wa.gov/organic>

What does Regenerative Agriculture mean?

The term regenerative agriculture has emerged in recent years and is often used alongside or in place of organic. Regenerative describes farming and grazing practices that, among other benefits, reverse climate change by rebuilding soil organic matter and restoring degraded soil biodiversity, resulting in both carbon drawdown and improving the water cycle. Regenerative agriculture improves soil health, primarily through practices that increase soil organic matter.

regenerationinternational.org/why-regenerative-agriculture

While there is no certification for regenerative alone, a "Regenerative Organic Certified" certification is offered by the 501(c)3 nonprofit Regenerative Organic Alliance.

regenorganic.org



Examples of appropriate signage for certified organic and exempt products at a farmers market.

Role of Farmers Market Managers in Organic Integrity

Farmers market managers, board members, and vendors play key roles in creating a culture of integrity at farmers markets. Not only does a culture of integrity protect farmers markets' reputation as a trusted source of local foods, it also helps prevent conflicts and misunderstandings. Farmers markets can take key steps before the season starts, during the market season, and after the season ends to ensure the integrity of organic claims are upheld.

BEFORE THE SEASON STARTS

- ☐ Include questions and criteria in the farmers market application about any product claims and certification a farmer may plan to use at the farmers market.
- ☐ Make a note if the vendor plans to sell certified or exempt organic products.
- ☐ Note if the vendor is a split operation with both organic and non-organic products. This is fairly common, and requires extra care to keep the organic and non-organic products separated.
- ☐ Note if the word organic is included in the business name.
- ☐ Ask if the word organic is printed on banners, bags, or other signage.
- ☐ Note if the vendor is newly certified organic, maintaining their certification, or has dropped their certification.
- ☐ Ask what other claims the business plans to make at your or any farmers market this season.
- ☐ Ask for a copy of the vendor's organic certificate.
- ☐ Verify organic certification with a desk audit. All certified organic businesses are listed on the USDA's Organic Integrity Database: organic.ams.usda.gov/integrity *Note:* The database is not always updated in real-time. If you don't find the business, the next step is to ask the vendor or their certifier for confirmation.
- ☐ Note if a vendor claims an organic exemption due to their organic income. Exempt organic claims are for businesses that make less than \$5,000 annually in total organic sales.
- ☐ Establish a complaint process for vendors or shoppers if they are contesting the use of the organic logo or any other production claim being made at the market.

DURING THE SEASON

- ☐ Consider implementing a monitoring program to review vendor booths and document claims made, signage used, and logos displayed.
- ☐ Compare what products and signage vendors have in their booths with what they wrote in their application. When in doubt, ask questions to learn more about the process and collect evidence prior to reaching any conclusions.
- ☐ Review organic certificates and ask questions if something is unclear or appears inconsistent.
- ☐ Consider educating shoppers about certified organic products and producers through social media, events, and featuring farms.
- ☐ Report violations if a vendor is intentionally making fraudulent claims. To report a WSDA-certified organic business, contact the Organic Program directly: agr.wa.gov/departments/organic/contact-us
- ☐ For non-certified businesses, contact USDA National Organic Program: www.ams.usda.gov/services/enforcement/organic/file-complaint

AFTER THE SEASON

- ☐ Reflect on the season and identify any questions you have and want to learn more about. Attend workshops or other trainings offered by WSDA or WSFMA.
- ☐ Do fact finding on any controversial claims or disputes.
- ☐ Review farmers market application and vendor review process.

Role of Certified Organic Farmers

Certified organic farmers also play an important role in fostering a culture of integrity at farmers markets. Market managers are eager to learn about agriculture but may need more information to be able to ask the right question or understand an explanation. Farmers can share what it takes to be certified organic and why it is important. This helps farmers markets better represent organic farming to shoppers, to the media, and in other promotions.

BEFORE THE SEASON STARTS

- ☐ Apply for/renew organic certification.
- ☐ Provide accurate and up-to-date information in farmers market applications about any organic claims or certifications you plan to use.
- ☐ Update any signage that will be used in the market booth.
- ☐ Train any employees who will be selling directly to customers at farmers markets or farm stands. Make sure they know what being “certified organic” means and what claims they are allowed to make.

DURING THE SEASON

- ☐ Maintain organic practices and certification.
- ☐ Use appropriate signage and wording at the market booth.
- ☐ Train all employees about your organic certification so they can correctly represent you and your products to shoppers.
- ☐ Report any concerns to the farmers market manager.

AFTER THE SEASON

- ☐ Update market managers of any changes to your organic certification.



Organic certification is nationally recognized and offers third party verification of production claims. It can become part of the farm story and help vendors to stand out at the farmers market.

Organic Signage and Product Labeling at Farmers Markets

If organic products and producers are certified, they may use the phrase “certified organic” and the USDA organic seal in their signage. There is some confusion when it comes to exempt organic producers at farmers markets. A business may say that its farm or products are organic. However, exempt organic businesses cannot use the term “certified organic” and they cannot use the USDA organic seal or certifier logos.

CRITERIA	CERTIFIED ORGANIC	EXEMPT ORGANIC
Gross sales of organic products per year from all market outlets.	Can have any amount of sales. There is no minimum and no maximum.	Required to have less than \$5,000 in annual gross organic sales.
Business has a current organic certificate issued by a USDA-accredited certifier (e.g., WSDA Organic Program or Oregon Tilth).	Yes	No
Business, crops, and products are listed in the USDA Organic Integrity Database.	Yes	No
Can use the term <i>organic</i> or <i>certified organic</i> .	Yes Using term <i>certified</i> is optional	Can only use term <i>organic</i> . Cannot use term <i>certified</i> .
Use of the USDA seal or certifier logo.	Yes	No
The term organic may be used in the business name. If a banner with the business name is displayed at the farmers market, then all products must be produced organically.	Yes	Yes

Farmers market vendors who sell organic processed products may have additional packaging requirements that are not covered in this guide. See WSDA Organic Program’s Organic Label Requirements page for more information: agr.wa.gov/departments/organic/resources/organic-labels

In some cases, a farmers market vendor has a split operation, meaning some crops or value-added products are organic and some are conventional. This could be a farm using organic and non-organic practices on separate sites, or farms supplementing their produce with non-organic products. Split operations must pay extra attention to keep organic and non-organic products segregated to prevent direct contact, contamination, and confusion about which products are organic. This includes segregating organic and non-organic throughout production, packing, transportation, and display at the market.

The challenge at a farmers market is that shoppers who see some organic products at a booth may reasonably assume that all products sold are organic. Therefore, it is strongly recommended that the farmers market require all non-organic crops sold in booths with organic products to be clearly labeled as “conventional” or non-organic.

There is high potential for confusion and misrepresentation if a farm name or banner includes the term organic. The term organic may only be used in a farm name provided the farm’s total gross annual income is less than \$5,000 annually. If displayed above crops, all of those crops must be produced organically.

Problematic Claims and Signage

In addition to organic and other certifications or logos, informal, vague and unverified claims are sometimes used by specialty crop vendors. These include claims like “No Sprays,” “No Pesticides,” and “No Chemicals” that appear on price or product signage and sometimes on banners. Each of these claims is highly problematic and it is strongly recommended they not be allowed at farmers markets. Such terms are not regulated by peer-review, independent, or third-party inspection, nor do they have standard definitions. Even if genuine and well-intended, such terms are subjective. At their worst, they are an attempt to evoke organic or to suggest more sustainable, natural growing practices without being verified. Because these claims have potential for misuse, are misleading to shoppers, and often frustrate other vendors, farmers markets should have clear, written, and board-approved policies about whether or not such signage is allowed and why—or why not. Only allowing product claims with clearly defined terms, or claims verified by third-party certifications, is strongly recommended.

SIGN	PROBLEMS
No Sprays	<ul style="list-style-type: none">• Highly misleading• Spray is simply a method of delivery• Implies that crops were not sprayed with toxic substances and shoppers will infer this without any additional information <p>The No Sprays claim is especially misleading with Washington tree fruit. Commercial orchards in the state use sprays, organically approved or otherwise, to control pests and diseases that may otherwise threaten the tree fruit industry. If there is tree fruit in a farmers market with a No Sprays sign and it is beautiful with no pest or disease damage, it is likely a fraudulent sign.</p>
No Pesticides Pesticide Free	<ul style="list-style-type: none">• High potential to be misleading• Suggests no pesticides used throughout the entire growing process from seed to harvest• Implies there were also no herbicides or fungicides used in production, harvest or post-harvest• Shoppers and novice farmers conflate “no pesticides” with organic production, which is inaccurate. Organic production allows for pre-approved pesticides that meet specific criteria.
No Chemicals	<ul style="list-style-type: none">• Highly misleading• Everything is composed of chemicals; even natural substances are chemical• Implies crops were produced with no petroleum-based agrochemicals or synthetic fertilizers

Enforcing restrictions on problematic claims and signage may be a challenge, especially when vendors have used them for years. Plan any change in policy with thoughtful timing and ample communication. Misrepresenting products and inaccurate signage can severely affect shoppers’ well-being as well as their trust. For shoppers with underlying health issues, this ambiguity and deception can have serious consequences.

SIGNAGE SPECIFIC TO WASHINGTON FARMERS MARKETS

In addition to legal or regulatory requirements for signage or use of specific production claims, signage standards are set by the WSFMA's "Roots Guidelines," and different payment and food access programs.

Washington State Farmers Market Association "Roots Guidelines"

Farmers markets that are members of the Washington State Farmers Market Association (WSFMA) are expected to abide by the "Roots Guidelines" (wafarmersmarkets.org/wsfma-rootsmemberguidelines/). In 1995, the WSFMA Board of Directors recommitted itself to an agriculturally-based market system and implemented minimum qualifications for membership and insurance coverage modeled after the California farmers market law.

The WSFMA's "Roots Guidelines" ensure three core principles:

1. Farmers markets are where a grower sells directly to the consumer.
2. Farmers markets offer small farmers the best opportunity to profit from their land and efforts.
3. Farmers markets are a marketplace where consumers can talk directly to the grower, purchase the freshest produce possible, and experience the health-giving effects of that freshness.

Understanding that some farmers markets need to find ways to complete their product and vendor mix, the "Roots Guidelines" do allow resellers if they meet certain criteria. Whether or not a farmers market allows vendors to resell products should be clearly documented in the market policies and rules.

In order to allow a reseller at a WSFMA farmers market, the vendor must meet all criteria. This includes that a reseller is "the only stop between the grower and the consumer." Products being resold "must not come from shippers, warehouses, jobbers, or wholesale distributors." At no point should a shopper be led to believe, through verbal or written communication or inference, that a reseller is the farmer who has grown or produced what is being sold at the farmers market. This is consumer fraud and a serious violation of trust.

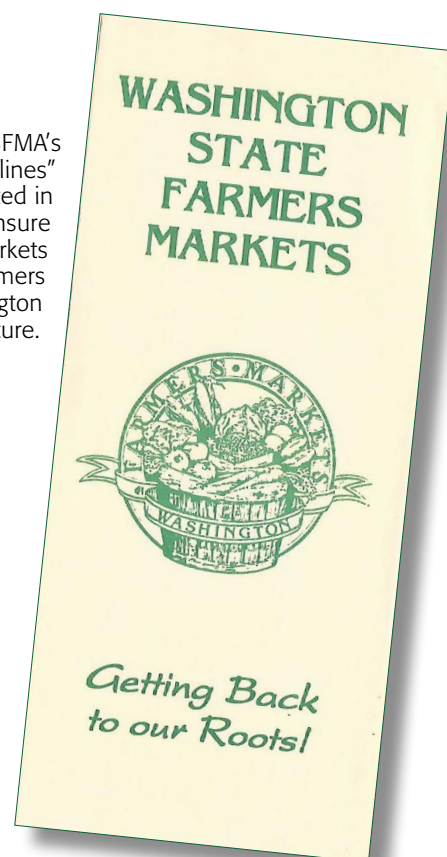
In the interest of full transparency to ensure shoppers clearly know where their food comes from, resellers are required to have clear information at their booth that declares which products are resold.

Signage must clearly state:

- Name of the farm(s) that produced each product
- That the farmers market vendor is reselling it; other terms synonymous with "resold" may be substituted

Cooperative farmer booths are not classified as resellers. Cooperatives have a formal business relationship with shared investment and risk. Cooperative booths should use clear signage so shoppers know which products were grown by which members of the cooperative at any given time.

The WSFMA's "Roots Guidelines" were adopted in 1995 to ensure farmers markets prioritize farmers and Washington agriculture.



RESELLER REQUIREMENTS

Excerpted from the WSFMA Roots Guidelines

wafarmersmarkets.org/wsfma-rootsmemberguidelines

Resellers buy produce from farmers in Washington State, or the border counties with Oregon or Idaho, transport it to a WSFMA Member Market, and resell it to the consumer. Resellers must meet all of the following criteria:

1. Resellers are expected to be the only stop between the grower and the consumer. The product they buy must not come from shippers, warehouses, jobbers, or wholesale distributors.
2. Resellers must not sell any produce not grown in Washington State or the border counties.
3. Resellers may sell any produce they grow themselves on their own property.
4. Resellers are sellers of crops that cannot be grown reliably, or are not offered for sale in sufficient quantity, by farmers selling at a given WSFMA Member Farmers Market, as determined by the individual WSFMA Member Market's governing body.
5. Resellers must have all crops pre-approved by the WSFMA Member Farmers Market's governing body before delivering the crops to market for sale. Approved, resold crops must be specifically limited, so as not to compete with the crops of Farmers within the geographic vendor boundaries of the WSFMA Member Market, as defined by the Market's policies and by-laws.
6. All resellers must label all products as being resold if they are not selling products which they have grown, raised, or harvested themselves on property that they own, lease, or rent.
7. All information declaring which products are resold must be available and displayed for the consumer to easily read. Signage must clearly state which farm(s) produced the products; other terms synonymous with "resold" may be substituted.
8. Resellers from border counties in Oregon and Idaho are not allowed to sell at WSFMA Member Farmers Markets.

Payment and Food Access Signage

Farmers markets have greatly increased payment options for shoppers. In addition to cash, farmers markets offer tokens or scrip to be used at vendor booths, vendors may accept credit or debit cards, and some farmers markets have even created their own "market bucks" to be spent at the market. Additionally, specialized "currencies" are in use for food access programs. These include the Women, Infants, and Children (WIC) and Senior Farmers Market Nutrition Program (FMNP), the Supplemental Nutrition Assistance Program (SNAP) or Electronic Benefits Transfer (EBT), and an increasing number of matching programs such as SNAP Market Match. The plethora of ways to pay have prompted many farmers markets to create their own internal guidance to train staff and vendors, but can be a confusing landscape for the casual shopper.

As with other signage strategies, signaling where shoppers can use their credit or debit cards should be as clear and consistent as possible. Consider adopting a common logo that is used at other retailers, whether from a credit card company or a processor like Square. When determining signage for food access programs, signage is standardized and programs come with specific requirements.



As fewer shoppers carry cash, being able to accept the latest payment options at farmers markets can directly increase sales.

Farmers Market Nutrition Program for Women Infants and Children (WIC) and Seniors

The Farmers Market Nutrition Program for Women Infants and Children and Seniors is managed by the Washington State Department of Health (DOH). This is the only food access program designed specifically for farmers markets and food stands. Both farmers markets and specialty crop farmers must be authorized to accept FMNP checks. Shoppers receive about \$20.00-\$40.00 a year and can shop for eligible foods with FMNP checks between June 1 and October 31. Eligible foods are locally grown, unprocessed, fresh, nutritious fruits, vegetables, and cut herbs. Seniors may also purchase honey.

To signal which vendor booths honor FMNP checks, DOH provides signage vendors are required to post. As part of a grower agreement, vendors agree to display a "WIC & Senior Farmers Market Benefits Welcome Here" sign in a place clearly visible to the FMNP customer as required under WAC 246-780-028(1). Failure to properly display the authorized grower identification sign is a Class 1 violation. (www.doh.wa.gov/Portals/1/Documents/Pubs/964-005-WICSeniorFMNPGrowerAgreement.pdf)

Supplemental Nutrition Assistance Program

SNAP is the Supplemental Nutrition Assistance Program (SNAP), the federal government's largest food assistance program. Considerable work has been done over the years to ensure shoppers can use SNAP benefits at farmers markets. Not all farmers markets accept SNAP, but most do. In Washington State, shoppers use a Quest EBT card created by the Department of Social and Health Services (DSHS) to access SNAP benefits. Most SNAP EBT programs are managed by the farmers market and use a token or scrip that is distributed at the information booth to shoppers who can use it at vendor booths. Like FMNP, SNAP can only be used to purchase federally defined eligible foods, including fruits and vegetables, breads and cereals, meats, fish, and poultry, dairy products, seeds, and plants that produce food.

Unlike the FMNP program, shoppers are used to seeing SNAP and EBT signage at other retailers. Some farmers markets have created their own signage around SNAP EBT. However, to present more standardized and easily recognized signage, the WSFMA has been working with DSHS to provide banners and A-boards signaling to shoppers that a farmers market accepts SNAP.

HOW FMNP WORKS

- Farmers market must be authorized by DOH.
- Vendors must be authorized by DOH.
- Shoppers who are eligible and sign up receive checks directly from local agency.
- Checks are preprinted for a specific amount (\$4.00 in 2021).
- Checks change colors every year.
- Checks for WIC and Senior are different colors.
- Shoppers can spend FMNP at farmers market or farm stands between June 1 to October 31.
- No change given.
- Vendors stamp and deposit checks.
- FMNP signs for vendors booths are available from DOH or market manager.



HOW SNAP WORKS AT FARMERS MARKETS

- Shoppers take EBT card to Information Booth and get tokens or scrip that they can spend at booths to buy eligible products.
- Vendors get reimbursed by farmers markets for tokens accepted.
- No cash given to shoppers as change (tokens OK).
- SNAP tokens do not expire.



In Washington State, SNAP benefits are electronically loaded on to a "Quest" card and is also known as EBT."

SNAP Market Match

In recent years, a new type of food access program emerged to incentivize people with SNAP to shop at farmers markets. Also called matching, these programs provide additional tokens or scrip to shop at the farmers market. Program names like Fresh Bucks, Double Up Bucks, Double Up Food Bucks, or Healthy Bucks were used, each with their own signage. Typically, programs would match up to \$10.00; however, in recent years this amount has increased.

In 2020, the Washington State Department of Health launched a statewide matching program that brought the disparate matching programs together under one primary name and logo: SNAP Market Match. Farmers markets must accept SNAP EBT in order to participate in SNAP Market Match. Like EBT, shoppers get SNAP Market Match at a farmers market's information booth and can only buy eligible products including fresh fruits, vegetables, mushrooms, herbs, seeds, and plants that produce food.

In Seattle, farmers markets also participate in a program run by the City of Seattle called Fresh Bucks, which works like SNAP Market Match but can also be used at grocery stores and farm stands.

HOW SNAP MARKET MATCH WORKS

- When shoppers get their SNAP tokens from the farmers market Information Booth, they may get an additional “match” of \$40 or more to buy fruits and vegetables.
- SNAP Market Match can be used at any participating farmers market.
- SNAP Market Match does not expire.



Community partners play an important role in connecting families with SNAP and FMNP food assistance to farmers markets. Food access programs directly support Washington farms and help all families enjoy local, healthy fruits and vegetables.

SIGNS THAT WORK AT THE MARKET BOOTH

Farmers markets are renowned for their visual feast – peaked vendor booths, beckoning flags, vibrant produce displays, the hustle of shoppers, and lots of signage. There is signage identifying the farmers market; directing vehicle and foot traffic; A-boards with market rules, events, and other promotions; and alerts

Signage overload is a real challenge.

to possible hazards such as electric cords. Within each vendor booth, there are banners identifying the businesses, product identifiers, pricing, and information about how products were grown or made, including certifications and other branded labels.

Step back and ask what messages are reaching shoppers? Are they able to see business and product names through the colorful chaos? If not, reflect on how to maximize the effectiveness of the visual design and signage at farmers markets so that each message breaks through.

Signage overload is a real challenge. Too many types of signs are often in an endless array of materials, styles, and conditions. How can we improve visual communication through design and, where appropriate, greater consistency between farmers markets? Keeping signs clear, consistent, and simple is an approach likely to lead to the best results.

It may sound obvious, but it is essential to place signs where people can actually see them without being blocked or out of the line of sight. Signs that are viewed close up such as price signs can be smaller, while signs viewed from further away should be larger. Be sure to take a critical look at the booth and analyze what shoppers see. If there is no time to do so during the market, take photos and study them at home. Ask employees to take a photo of the booth to appraise what is working and what needs fine-tuning. Make sure the most important information can be seen from outside the booth. Finally, take care of market signs and replace them when they look worn or dirty.

HOW TO MAKE SUCCESSFUL FARMERS MARKET SIGNS

- ☐ Make signs as legible and easy to read as possible
- ☐ Use the same colors, fonts, and materials to reinforce a brand
- ☐ Use materials that are durable, reusable, and, where possible, can be edited
- ☐ Use employee shirts, aprons, or other wearable items as “signs”
- ☐ Use brightly colored “SALE” or “SPECIAL” header cards to attract attention to a promotion
- ☐ Make sure the backs of signs are blank and clean
- ☐ Use signs to acquaint customers with new items, new varieties, or new uses
- ☐ Translate signage into languages spoken by shoppers at the market

Farmers Market Booth Signage Check List

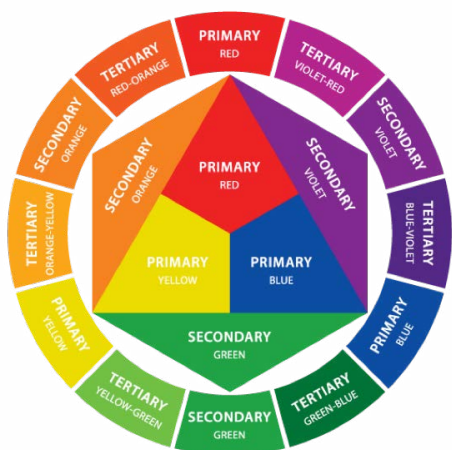
Farmers market managers and vendors should take stock of vendors' booths at different points in the season. Signage is an educational opportunity to communicate a product's name, price, origin, characteristic, seasonality, and more.

- ☐ Vendor name and address clearly visible; usually displayed on a banner, but could also be on t-shirts or other signage.
 - Is the vendor booth easily identified?
 - How will shoppers remember it next week?
 - If the booth location changes, will shoppers remember the business name or colors?
- ☐ Prices posted for every product, at every market. Clear pricing instills shopper confidence in being charged the correct price, furthering trust. Absence of signage increases suspicion and likely reduces sales.
 - Is it easy to see what products cost without asking?
 - Is it clear how products are sold, e.g., by the bunch, pound, basket?
- ☐ Crop or product names included on price signs or other places that are easy to spot
 - Are variety names or breeds included to make products more recognizable?
 - Is product separation & signage sufficient to determine differences between varieties, e.g., hot vs. sweet peppers, tart vs. sweet apples, slicer vs. paste tomatoes?
- ☐ Special characteristics and attributes included on product signage
 - Is the method of production described, e.g., organic?
 - Is product freshness indicated, e.g., picked today?
 - Is the product seasonal, e.g., first or last of the season?
- ☐ Promotions and featured products stand out
 - Is there a featured or seasonal product?
 - Are samples offered?
 - Are there any promotions, e.g., bulk or volume sales?
 - Are recipes available that offer ideas for what to do with the products?
- ☐ Shoppers know how they can select products
 - Are bags readily available and easy to spot and use?
 - Do shoppers help themselves or ask for assistance?
- ☐ Where and how to pay
 - Can shoppers see where to pay at your booth?
 - Do shoppers know what their payment options are?

Tips for Effective Signs and Banners

Not all signs are equally effective at communicating. Given all the hard work that goes into growing produce and getting it to market, it is important to put some effort into signs that lead to sales. Effective signs aren't complicated and following basic principles will get the job done.

- **The simpler, the better.** While tempting to fill the entire space, remember that you have mere seconds to get someone's attention and hit your key message. Put only the most important information on a banner. Do not overcrowd the space. The fewer words on the banner, the more likely it is shoppers will actually read it.
- **Make signs easy to read.** A few key features make a banner easy or difficult to read, especially color and lettering. Are you using contrasting colors that can be easily read from outside of your booth? Do the words jump out, or are they lost in the background? Lettering can be tricky. Use bolder and larger fonts for emphasis. Print is easier to read than cursive. Use only one or two fonts or styles. Simple fonts are easier to read at a glance. Many vendors make effective use of neat, hand-printed signs. Others may choose to commercially print banners and signage.
- **Keep signs clean.** Even well-designed signs will turn off customers if they are dirty, beat up, or worn out. And it is easy for signs to wear out at farmers markets! Experiment with different materials that work for you and can look as good in August as April. If needed, refresh signage and banners so that every impression you make with customers is as positive as possible.



Using a color wheel can help you choose contrasting colors that make signs easier to see and read.



Example of a clean price sign that clearly identifies product, has price in contrasting color, is laminated so that it looks better, longer, and is well positioned so that shoppers can easily find it.



Carefully handpainted signs look great. Having signage in the languages your shoppers speak helps create a welcoming environment and increase sales.



The simpler, the better

Put only the most important information on your banner: the name of your farm, name of town, or region (e.g. Sunnyside or Yakima Valley), and your logo (if you have one). An attractive image can work if you don't have a logo. Do not overcrowd the space. Remember that most people will only quickly glance at your banner. The fewer words that are on your banner, the more likely it is that people will actually read it.

Yes

Easy to read, even from far away

The most important information is the biggest

1 simple and memorable image (a talking cow?!)



No

Too much information!

The name of the farm is small and lost in the other text

It is difficult to read the text and hard to see the image of the cow in the background



#2

Make it easy to read

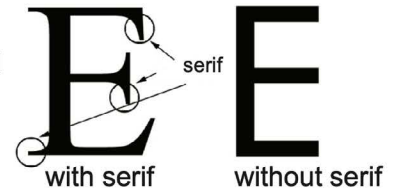
Three things make words on a banner easy (or difficult) to read: the size of the letters, the type of lettering, and contrast with the background (Do the words jump out or are they lost in the background?).

In terms of size, the bigger the better.

This size is easier to read from far away.



In terms of the type of lettering or font, cursive is harder to read than print. And “serif” lettering is harder to read than lettering without serif.



In terms of contrast, try to find a combination of lettering or font and background that makes the text stand out. According to experts, the combinations that are easiest to read are black lettering with a white background, yellow lettering with a black background, and white lettering with a blue background. And to make specific information stand out, use a different color.



created by: Sarita Schaffer

This “Guide to Fresh Produce Signage Standards and Organic Integrity at Farmers Markets” is designed to raise awareness about the need for better signage at farmers markets. Signage is a critical communication tool between farmers markets and vendors as well as vendors and shoppers. At its best, signage conveys key information about products and farms that build the vital trust expected at farmers markets. Knowing the “rules of the road” can be tricky for everyone. This guide is intended to clarify how to avoid inadvertently misleading consumers, and abide by state laws, the USDA’s organic regulations, and farmers market policies. Great signage that follows basic design principles, is easy to read, and attracts the eye also helps to increase sales and repeat customers. The demands on visual communication at farmers markets will undoubtedly continue to evolve and rules, best practices, and shopper expectations change. Fortunately, farmers markets are alive with creativity and the WSFMA, WSDA, and other partners are here to help every vendor realize their potential at Washington’s farmers markets.

QUICK REFERENCE GUIDE

“Washington State grown” Revised Code of Washington (RCW) Declarations
app.leg.wa.gov/RCW/default.aspx?cite=15.04.410

Food Safety Modernization Act (FSMA)

FSMA Standards for the Growing, Harvesting, Packing, and Holding of Produce for Human Consumption

www.federalregister.gov/documents/2015/11/27/2015-28159/standards-for-the-growing-harvesting-packing-and-holding-of-produce-for-human-consumption#p-2103

WSDA Small Farms Exemptions to the Produce Safety Rule

agr.wa.gov/departments/food-safety/produce-safety/small-farm-exemptions

WSDA FSMA education

agr.wa.gov/departments/food-safety/food-safety/fsma

Food and Drug Administration (FDA) Produce Safety Rule section of the FAQs www.fda.gov/food/food-safety-modernization-act-fsma/frequently-asked-questions-fsma

University of Minnesota Extension’s “Labeling and signage rules for Qualified Exempt farms”

extension.umn.edu/fsma-and-produce-safety-rule-does-rule-apply-me/labeling-and-signage-rules-qualified-exempt-farms

Marketing Orders and Agreements

Specialty Crops Marketing Orders and Agreements

www.ams.usda.gov/rules-regulations/moa/fv

Marketing Order-Walla Walla Onions

www.ams.usda.gov/rules-regulations/moa/956-walla-walla-onions

Washington State Commissions information

Washington Administrative Code (WAC)
apps.leg.wa.gov/wac/default.aspx

Food Labels

“Food Labels Exposed: A definitive guide to common food label terms and claims”

agreenerworld.org/resources/food-labels

Consumer Reports’ “Guide to Food Labels”

consumerreports.org/food-labels/seals-and-claims

Organic Certification & Claims

USDA National Organic Program

www.ams.usda.gov/rules-regulations/organic

USDA Organic Standards overview

www.ams.usda.gov/grades-standards/organic-standards

WSDA Organic Program webpage for “Information for New Applicants” FAQ

agr.wa.gov/departments/organic/new-applicant-info

WSDA Organic Program

agr.wa.gov/organic

Regenerative Agriculture Information

regenerationinternational.org/why-regenerative-agriculture

Regenerative Organic Alliance

regenorganic.org

Ensuring Organic Integrity

USDA Organic Integrity Database

(list of certified organic businesses)
organic.ams.usda.gov/integrity

Reporting fraudulent claims:

WSDA-certified organic business
agr.wa.gov/departments/organic/contact-us

Reporting fraudulent claims of non-certified businesses:

USDA National Organic Program
www.ams.usda.gov/services/enforcement/organic/file-complaint

Organic Signage and Product Labeling at Farmers Markets

WSDA Organic Program's Organic Label Requirements

agr.wa.gov/departments/organic/resources/organic-labels

Signage Specific to Farmers Markets

Washington State Farmers Market Association

(WSFMA) "Roots Guidelines"

wafarmersmarkets.org/wsfma-rootsmemberguidelines

WIC & Senior Farmers Market Nutrition Program 2020-2021 Grower Agreement

doh.wa.gov/Portals/1/Documents/Pubs/964-005-WICSeniorFMNPGrowerAgreement.pdf

SNAP Match Program

doh.wa.gov/YouandYourFamily/NutritionandPhysicalActivity/HealthyEating/SNAPMatchPrograms/SNAPMarketMatch

Additional Resource

WSDA Handbook for Small and Direct Marketing Farms

agr.wa.gov/departments/business-and-marketing-support/small-farm/the-green-book

WSDA Produce Safety Resources

agr.wa.gov/departments/food-safety/produce-safety/produce-safety-resources



The Guide to Fresh Produce Signage Standards and Organic Integrity at Farmers Markets and other resources are available online at www.wafarmersmarkets.org or by calling (206) 706-5198.