

Farmers Market Integrity Act

Oral Testimony

June Ann Jones

February 11th 2020

The phrase "farmers market" is commonly used in the United States to refer to a place, usually an open-air marketplace or building, where farmers or producers of raw agricultural products, sell their goods *directly* to interested customers. Webster's, Oxford, and any other dictionary confirms this colloquial definition. My hometown of Bel Air is situated in a semi-rural area where there are several real farm stands and farmers markets that existed many years before a large grocery store calling itself a farmers market opened this past summer. This store's name has made many people in our community confused about where the real farmers are selling their products.

The setting of a farmers market is a very special place, where customers understand that those who sell things to them actually grew or made them. Very simply, customers believe and trust that when they go to a destination called a farmers market, that they are giving their money to the actual producers of their food without any middleman. In a more complex sense, customers who respond positively to the phrase "farmers market" have a sense of the *substantive difference* between a farmer-customer transaction and a grocery store purchase. Whether the substantive difference to them means in quality, in process, or in some larger social good such as the environmental impact or community value, all of these things are meaningful and important reasons why the integrity of the phrase "farmers market" must remain intact and not used as a marketing tactic by grocery stores in order to capture the farmers food market share.

One of the other disastrous consequences of corporate appropriation of this phrase is that social media sites such as Yelp, Facebook, and Google have categorized these grocery stores in the same lists as real farm stands and farmers markets. People who are new to an area, tourists, and young shoppers rely on these websites to find their farmers. In a mediation facilitated through the Maryland Attorney General's office, I have spoken with the grocery store in our town and they have said they will not change their name and they will not change their category on social media websites. Without this law, customers will continue to be misled. Real farmers will become harder and harder to find with this deceptive marketing tactic.

Passing this law is a matter great public good. The term "farmers market" refers to one of the only places left where customers can make sure the growers receive fair compensation - a living wage - and appreciation for their labor. Farmers work out in all weather, from rainstorms to 100 degree heat, to keep their communities healthy and fed. The United States Post Office even put out a set of Farmers Market stamps to celebrate the public good that real farmers markets do to create a sense of community and belonging to citizens, as well as helping the local economy. This stamp set is a tribute to the work of the farmer, work that corporate appropriation disrespects and undermines. Community members, farmers and customers alike, have spoken. No more blurring the line. Pass this law that defines a farmers market and preserve the integrity of this important economic and cultural public space for generations of Marylanders to come.

Maryland Farm Bureau

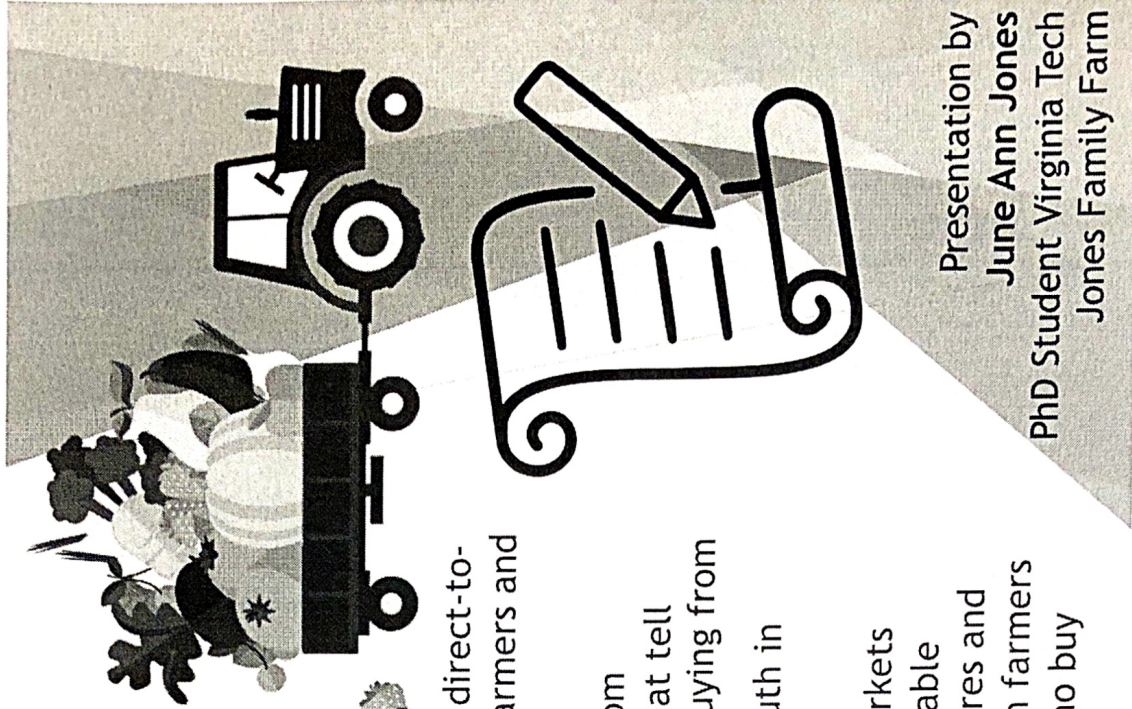
FARMERS MARKET LEGISLATION

GOAL

- ▶ To create a solid definition of a “farmers market”
- ▶ To enforce this definition across all business entities, including grocery stores and corporate DBA titles

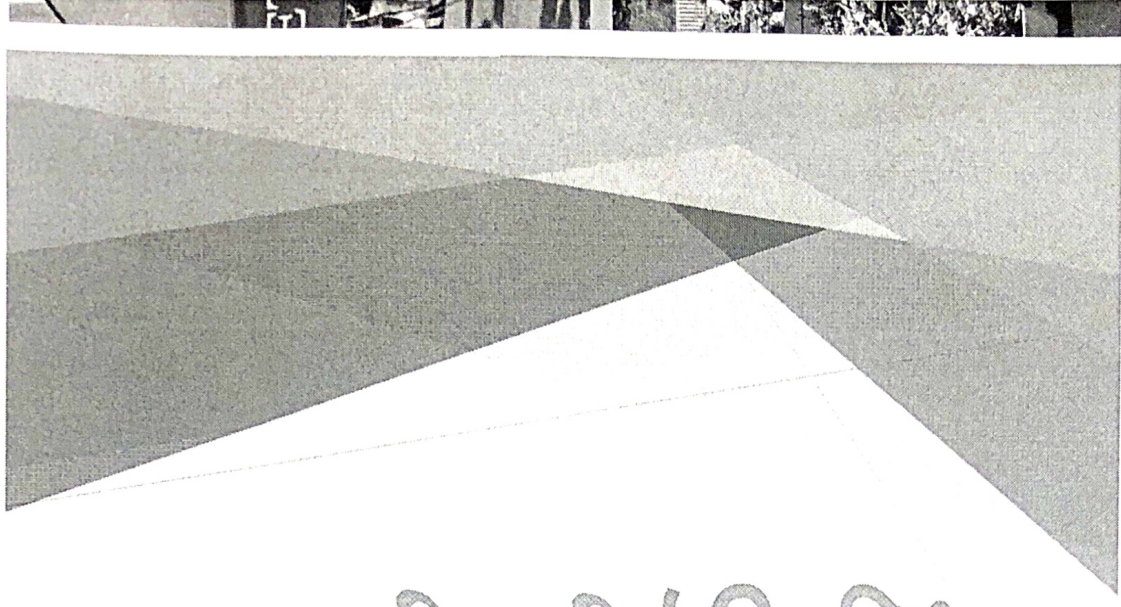
PURPOSE

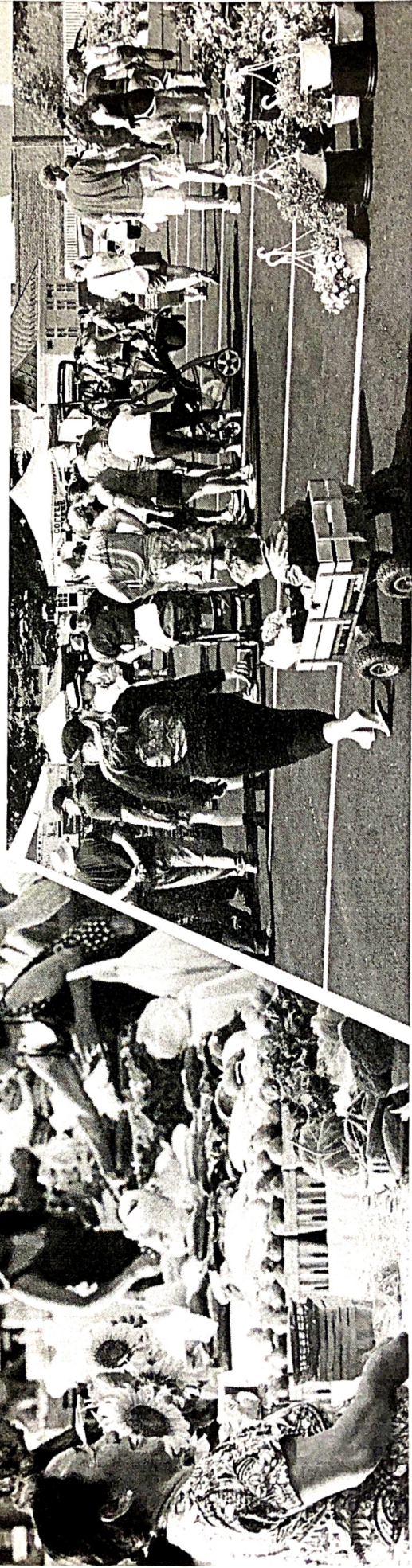
- ▶ To protect the integrity of direct-to-consumer sales between farmers and customers
- ▶ To exclude non-farmers from appropriating key terms that tell consumers who they are buying from
- ▶ To uphold the spirit of “Truth in Advertising” laws
- ▶ To ensure that farmers markets remain competitive and viable alternatives to grocery stores and wholesale venues, for both farmers who sell and customers who buy



Presentation by
June Ann Jones
PhD Student Virginia Tech
Jones Family Farm

why do
FARMERS MARKETS,
SMALL FARMERS,
AND CONSUMERS
NEED YOUR HELP?







[yelp](#) Find books, cheap dinner, bars
 Near Bel Air, MD 21014
[Restaurants](#) [Home Services](#) [Auto Services](#) [More](#) [Write a Review](#) [Log In](#) [Sign Up](#)
 For Businesses

[Watch Video](#) [See All 19](#)

Farmers Market Claimed
 8 reviews [All Details](#)
 Health Markets, Farmers Market, Grocery [Edit](#)

[Write a Review](#) [Add Photo](#) [Share](#) [Save](#)

[Like](#) [Follow](#) [Share](#)

[Home](#) [Create](#) [Learn More](#)

About
FIND US
 680 Marketplace Drive
 Bel Air, Maryland
 Call (443) 567-7788

Get Directions

Home
[Posts](#)
[Reviews](#)
[Photos](#)
[Locations](#)
[Events](#)
About
[Community](#)

HOURS
 Open Now 7:00 AM - 10:00 PM

BUSINESS INFO
 Opened in 2002
 CASH VISA

Our Story
 is the grocery shopping experience that makes healthy living easy and affordable. Our bright and cheery neighborhood grocery stores offer fresh, natural and organic foods and products at incredible prices - and in an approachable setting that feels like an old-fashioned farmers market.

[Health Food Store](#) [Farmers Market](#)

Rating [Hours](#)
 Fallston **Farmers Market** Bel Air South
 Map data ©2020

Bel Air Farmers' Market
 4.7 ★★★★★ (186) · Farmers' market
 2 S Bond St
 Closed · Opens 9AM Sat · (410) 638-4540

Wilson's Farm Market
 4.6 ★★★★★ (168) · Farmers' market
 2115 Waverly Dr
 Closed · Opens 9AM (410) 836-8980

Farmers Market
 3.7 ★★★★★ (46) · Grocery store
 680 Marketplace Dr
 Open · Closes 10PM · (443) 567-7788
 Natural & organic groceries

[More places](#)

Bel Air Farmers' Market
<https://www.belairfarmersmarket.com>
 Open air farmers' market of 50+ Local farmers & specialty vendors. Producer Only.
[Vendors](#) · [About](#) · [Events](#) · [Saturday Farmers' Market](#)

Bel Air Farmers' Market - Home | Facebook
<https://www.facebook.com> · ... · Performance & Event Venue
 ★★★★★ Rating: 4.9 - 43 votes
Bel Air Farmers' Market - 2 S Bond St, Bel Air, Maryland 21014 - Rated 4.9 based on 48 Reviews "It is hard to do better than the way Fawn Palmer and...

Examples of affected parties

- ▶ Communities at risk of losing a central civic and cultural space
- ▶ Consumers searching for farm-to-consumer sales venues
- ▶ Children who are learning what a farm looks like
- ▶ Small farmers who depend on direct sales to earn a living wage
- ▶ Seniors and WIC check recipients confused over words and where to shop

Maryland 2019 WIC Farmers' Market Nutrition Program
Pay to the order of authorized
Maryland Farmers' Market Vendor
Farmer must deposit no later than December 6, 2019
NOI VALID AT GROCERY STORES

Good for the purchase of fresh, locally grown vegetables, fruits, and cut herbs from a FMNP Vendor. Any other use constitutes fraud.

FRESH LOCAL
SOLUTIONS

Check out www.mda.maryland.gov
Click on Farmers Markets
to find a market near you.

MARYLAND
CITIZENS ALLIANCE BANK • HOWARD LAKE BRANCH • OLNEY CITY, MD 20722

Account # 800629
70-1248/1919

400001

FIRST DATE OF USE	LAST DATE OF USE
6/01/19	11/30/19

PAY EXACTLY
\$ 5.00
NO CHANGE GIVEN

STAMP AUTHORIZED FMNP

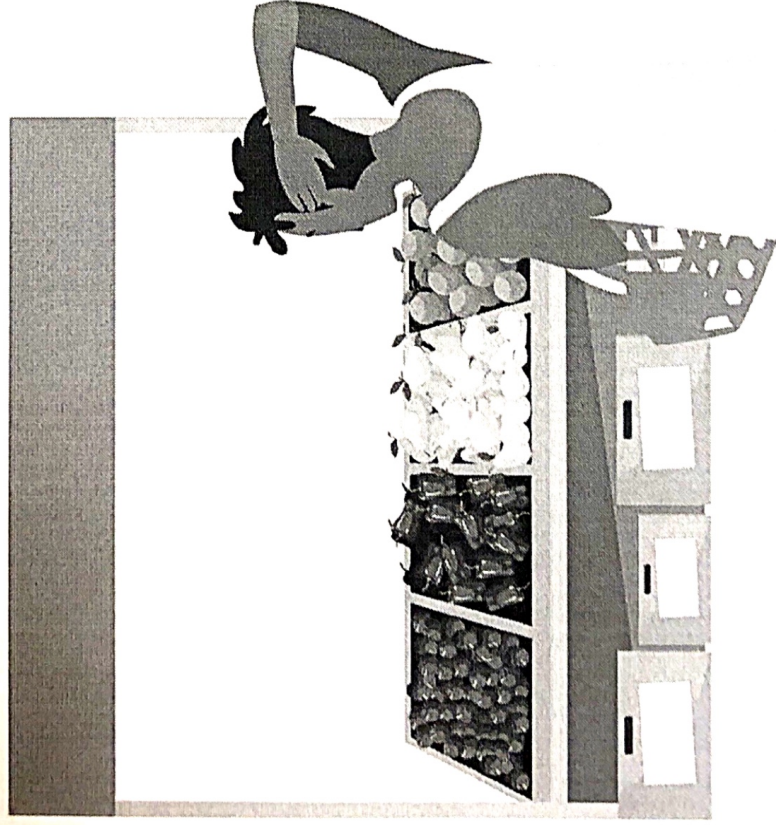
VENDOR NUMBER HERE

PARTICIPANT'S SIGNATURE

MP

How can consumers tell the difference

???



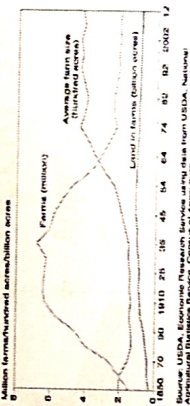
Survey evidence suggests that 72% of consumers self-report knowing “nothing” or “very little” about farming or ranching.

(American Farm Bureau)

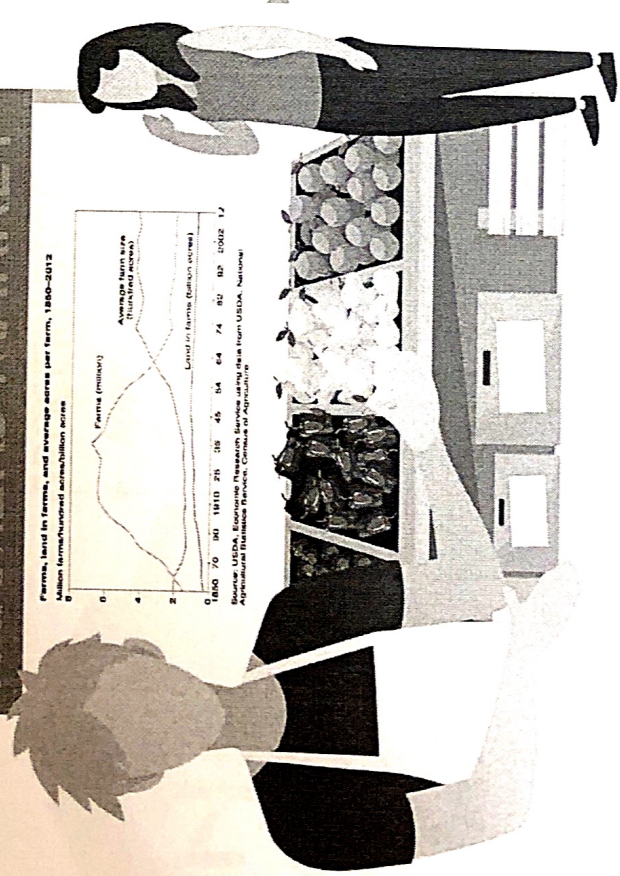
STATISTICS ON A GROWING MARKET SHARE

FARMERS MARKET

Farms, land in farms, and average acres per farm, 1880-2012



Source: USDA, Economic Research Service (data from USDA, National Agricultural Statistics Service, "Census of Agriculture")



FARM SIZE

Small and medium-sized farms account for most of the sales by farmers selling directly to consumers.

Between 1978-2007, farms that engaged in **direct-to-consumer food sales** represented

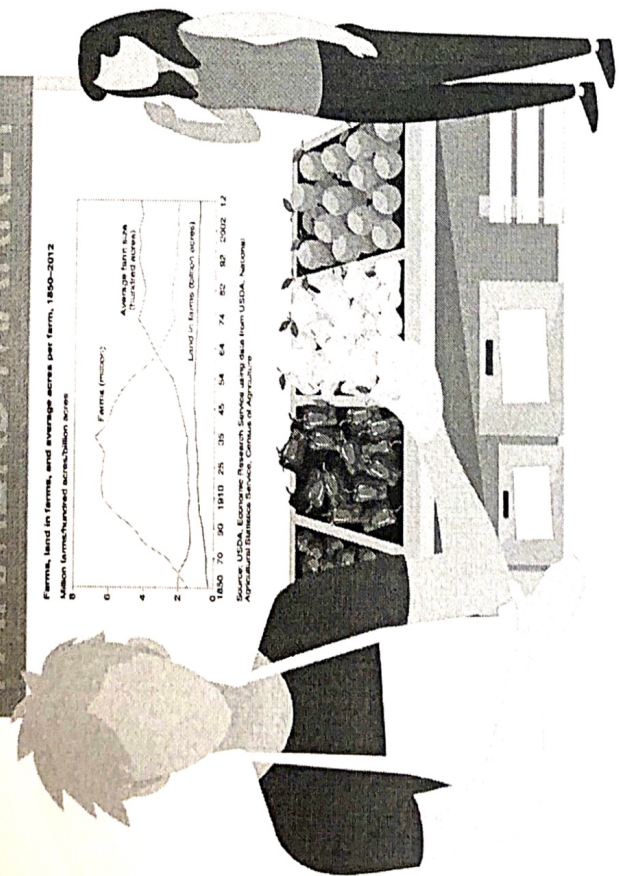
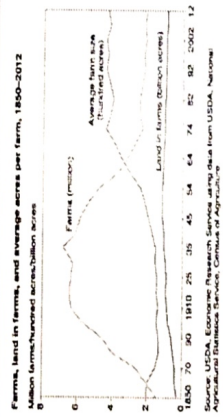
only 5.5 percent of all farms, on average, and **0.3 percent of total farm sales** (U.S. Census of Agriculture statistics (2007))

Direct to consumer food sales (defined narrowly as D2C sales of "edible farm products for human consumption") **increased 3x from 1992 - 2007** \$404 million to \$1.2 billion.

- Grew twice as fast as total agricultural sales (105% vs. 48%)

STATISTICS ON A GROWING MARKET SHARE

FARMERS MARKET



Between 1978-2007, farms that engaged in **direct-to-consumer food sales** represented

only **5.5 percent of all farms**, on average, and **0.3 percent of total farm sales** (U.S. Census of Agriculture statistics (2007))

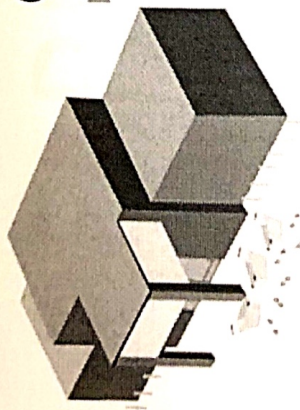
Direct to consumer food sales (defined narrowly as D2C sales of “edible farm products for human consumption”) **increased 3x from 1992 - 2007 \$404 million to \$1.2 billion.**

- Grew twice as fast as total agricultural sales (105% vs. 48%)

FARM SIZE

Small and medium-sized farms account for most of the sales by farmers selling directly to consumers.

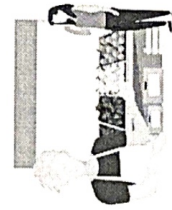
AN UNEQUAL PLAYING FIELD



GROCERY STORES

- ▶ Approx. 40,000 stores in US (Based on Nielsen TDLinx; Progressive Grocer Market Research)

FARMERS MARKETS



- ▶ 8,675 markets
- ▶ 733 CSAs
- ▶ 1,393 on-farm markets
- ▶ (Self-reported, National Farmers Market Directory, 2016)

Did you know?

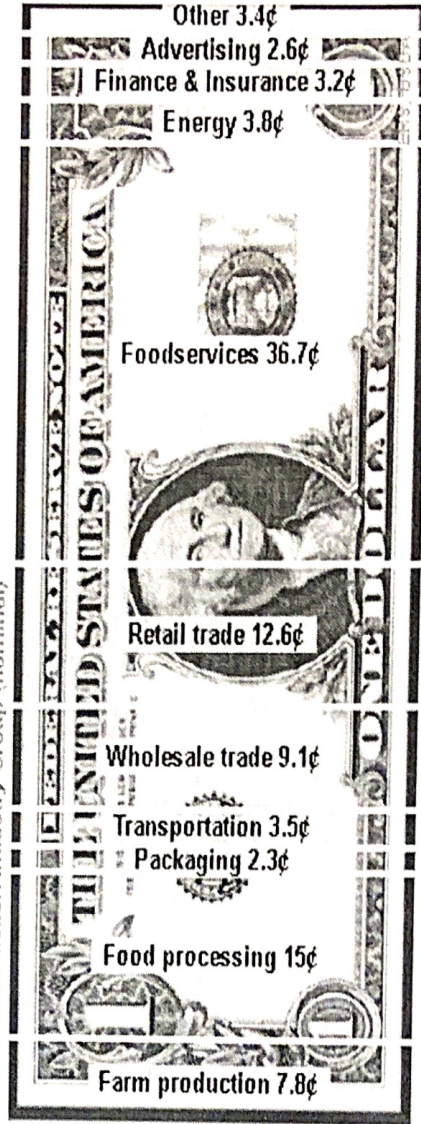
FOOD INCOME

Consumers purchased \$1.4 billion worth of local food directly from farmers in 2012.

FOOD DOLLARS

In general, farmers get only 7.8 cents of every dollar spent on food (USDA). At a farmers market, they can get upwards of 90 cents (Farmers Market Coalition).

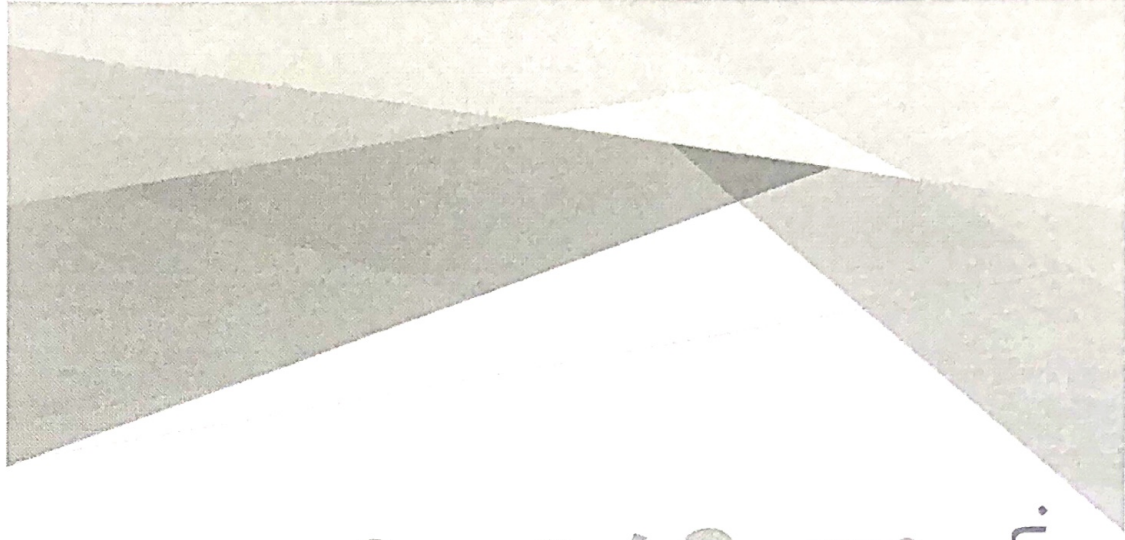
2017 Food dollar: Industry Group (nominal)



This is why....

FARMERS MARKETS,
SMALL FARMERS,
AND CONSUMERS
NEED YOUR HELP!

We need clear definitions for fair competition.



☑ §415 PDF

☑ §415 MS-WORD

STATUTE SEARCH

CH. 101 CONTENTS

TITLE 7 CONTENTS

LIST OF TITLES

MAINE LAW &

DISCLAIMER

REVISOR'S OFFICE

MAINE LEGISLATURE

☐ §414

Title 7: AGRICULTURE AND ANIMALS

Part 2: MARKETING, GRADING AND LABELING

Chapter 101: GENERAL PROVISIONS

Subchapter 1-A: DIRECT MARKETING OF AGRICULTURAL
COMMODITIES

§421 ➤

§415. Farmers' market

1. **Definitions.** As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Farmers' market" means a building, structure or place used by 2 or more farmers for the direct sale of farm and food products to consumers, at which all sellers of farm and food products meet the requirements of subsection 2, paragraph B. [2009, c. 547, §1 (AMD).]

[2011, c. 280, §1 (AMD).]

B. "Farm and food products" means any agricultural, horticultural, forest or other product of the soil or water, including, but not limited to, fruits, vegetables, eggs, dairy products, meat and meat products, poultry and poultry products, fish and fish products, grain and grain products, honey, nuts, maple products, apple cider, fruit juice, malt liquor, wine, ornamental or vegetable plants, nursery products, fiber or fiber products, firewood and Christmas trees. [2011, c. 280, §1 (AMD).]

[2011, c. 280, §1 (AMD).]

2. **Prohibitions.** The following acts are prohibited.

A. A person may not use the term "farmers' market" to describe a market or other sales location that does not meet the terms of the definition set forth in subsection 1. [1993, c. 13B, §1 (NEW).]

B. A person may not sell farm and food products at a market labeled "farmers' market" unless at least 75% of the products offered by that person were grown or processed by that person or under that person's direction. A product not grown or processed by that person or under that person's direction must have been grown or processed by and purchased directly from another farmer and the name and location of the farm must be identified on the product or on a sign in close proximity to the displayed product. [2009, c. 547, §2 (AMD).]

[2009, c. 547, §2 (AMD).]

Maine's Food Sovereignty Laws

Stakeholders, Now and Future



To receive a digital version of this presentation, please email: jaj@vt.edu