



**REPORT ON THE RESULTS OF THE
2017 FARMERS' MARKETS SURVEY**

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Commissioner**

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Legislative Mandate

Item 91 of the 2017 Appropriation Act

EXECUTIVE SUMMARY

As required by Item 91 of the 2017 Appropriation Act, the Virginia Department of Agriculture and Consumer Services (VDACS) surveyed farmers' markets throughout the Commonwealth to determine if any local regulations governing the operations of such markets discourage the sale of Virginia products by the use of a locally-grown perimeter rule that gives preference to out-of-state products over products grown in Virginia. VDACS distributed a brief, eight-question questionnaire via email to markets that have submitted a listing on the Virginia Grown website. Respondents provided information about their rules and by-laws pertaining to questions of vendor eligibility. The information gleaned from the respondents' answers indicate that farmers' markets in the Commonwealth make concerted efforts to sell products that are produced in Virginia.

REPORT ON THE RESULTS OF THE 2017 FARMERS' MARKETS SURVEY

As required by Item 91 of the 2017 Appropriation Act, the Virginia Department of Agriculture and Consumer Services (VDACS) surveyed farmers' markets throughout the Commonwealth regarding their use of locally-grown perimeter rules. Item 91 of the 2017 Appropriation Act states that VDACS shall:

“survey local farmer’s markets across the Commonwealth to determine if any local regulations governing the operations of such markets discourage the sale of Virginia products by the use of a locally-grown perimeter rule that gives preference to out-of-state products over products grown in Virginia. If the department finds any such impediments exist, it shall encourage local farmer’s markets to revise their guidelines to ensure that Virginia products are given first preference, regardless of the distance from the particular market. In instances where a local Virginia grown product already is selling at a particular market, competitors from across the state should be allowed to sell their Virginia grown products provided there are no objections submitted by competing Virginia sellers.”

In order to learn about the effects that farmers' markets rules or by-laws might have on Virginia farmers' access to these markets, VDACS sent a brief, eight-question questionnaire (see Appendix A) via email to those markets that provided an email address in their listing on the Virginia Grown (VG) website (www.viriniagrown.com). Farmers' markets voluntarily list and update their information on the VG website, which lists a total of 228 markets. Of these 228 markets, 179 markets provided an email address. VDACS distributed its questionnaire to these 179 markets. VDACS received a response from 29 markets, a 16.2 percent response rate. The geographic distribution of the responding markets is detailed in Table 1. The responses to the questionnaire's closed-ended questions are documented in Table 2.

Table 1: Responding markets by region

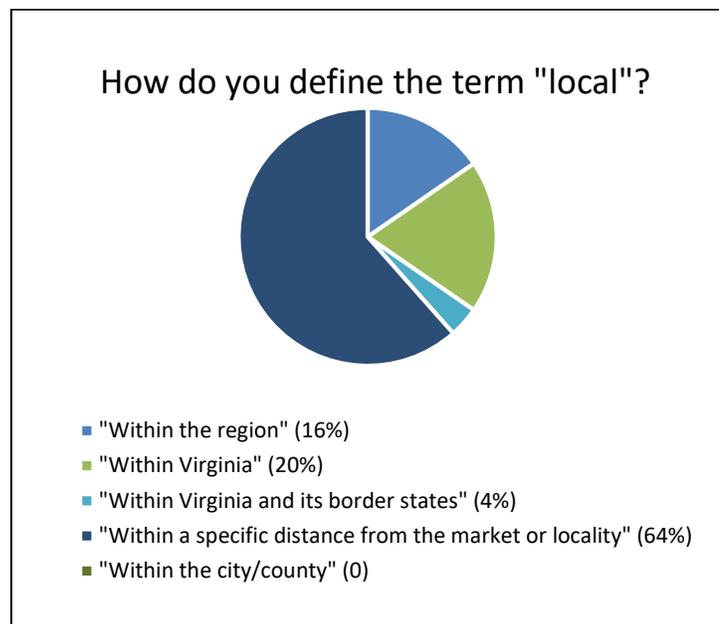
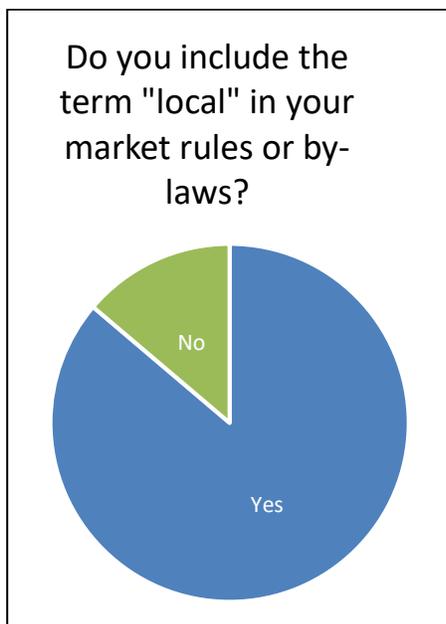
Region of Virginia	Total farmers' markets in the region	Number of farmers' markets surveyed in the region	Number of survey responses received by region	% of responses received by region	% of total responses received
Northwest	85	68	7	10%	24%
Northeast	50	38	8	21%	28%
Southwest	48	36	7	19%	24%
Southside	18	16	2	13%	7%
Southeast	15	12	3	25%	10%
Eastern	12	9	2	22%	7%
TOTAL	228	179	29	---	100%

Table 2: Responses to each of the closed-ended questions

Question		Number of responses	Total respondents
Do you include the term "local" in your market rules or by-laws?	Yes	25	29
	No	4	
If Yes, how do you define the term local? <small>*Respondents were able to select more than one response.</small>	Within the city or county	0	25
	Within the region	4	
	Within Virginia	5	

	Within Virginia and border states (Maryland, Tennessee, North Carolina, West Virginia)	1	
	Within a specific distance (miles) from the market or locality in which it sits	16	
Do you include the term "producer-only" in your market rules or by-laws?	Yes	19	29
	No	10	
If Yes, you include the term "producer-only," how do you define the term producer-only? <small>*Respondents were able to select more than one response.</small>	A producer is from the city or county	0	13
	A producer is from the region	1	
	A producer is from Virginia	3	
	A producer is from Virginia and/or border states (Maryland, Tennessee, North Carolina, West Virginia)	1	
	A producer is from a specific distance (miles) from the market or locality in which it sits	8	
Could your market's "sell local" regulations ever discourage the sale of Virginia grown products because the local definition could allow a vendor to bring in and sell products from a neighboring state, and not allow the sale of products from outside the defined "local" area?	Yes	6	29
	No	23	

Over 86 percent of responding farmers' markets use the term "local" in their market rules or by-laws. The majority (64 percent) of these markets define "local" as "within a specific distance (miles) from the market or locality in which it sits," 20 percent define "local" as being from "within Virginia," and 16 percent define "local" as "within the region." One market defines "local" as "within Virginia and border states (Maryland, Tennessee, North Carolina, West Virginia)," and no market uses the term to mean "within the city or county."



Many (66 percent) of the farmers' markets who responded to the survey use the term "producer-only" in their rules or by-laws. Of the 13 respondents who use "producer-only" in their rules and who chose to define the term for the survey, 62 percent define "producer" as being a specific distance (miles) from the market or locality in which it sits. Three respondents define "producer" as being "from Virginia," and one respondent each uses the definition "a

producer is from the region” or “within Virginia and/or border states (Maryland, Tennessee, North Carolina, West Virginia).” None of the respondents defines a producer as being “from the city or county.”

Of the 29 respondents, 28 provided specific language from their by-laws or rules that addresses the issue of eligibility, particularly as it pertains to questions regarding how a market defines “local” and “producer.” Of the 29 respondents, 23 do not think that their regulations could discourage sales of Virginia grown products, while six respondents do believe that their regulations could possibly “discourage the sale of Virginia grown products” by either (i) allowing sale of products from producers who are from other states but are located within the perimeter as defined by the market rules or (ii) disallowing Virginia-grown products because the producer is located outside of the perimeter as defined by the market rules. Among the considerations addressed in the explanations provided by the respondents were the proximity of individual markets to borders with other states and the tendency for markets to make exceptions to their eligibility rules in order to fill product gaps in the markets’ offerings.



In conclusion, the information gleaned from the respondents’ answers indicate that farmers’ markets in the Commonwealth make concerted efforts to sell products that are produced in Virginia. By including language in their eligibility rules that require vendors to be local and to have produced what they sell, most of the markets ensure that they provide a viable market to Virginia’s farmers. For those markets whose location close to state borders allows for out-of-state vendors, many allow for exceptions to their perimeter rules or give preferential consideration to Virginia producers and Virginia-grown products. As consumer demand for locally produced food grows, farmers’ markets in Virginia remain dedicated to supporting farmers throughout the Commonwealth by providing them a profitable venue in which to sell their products.

2017 Farmers' Market Survey

Appendix A: Questionnaire

As a result of legislation enacted in 2017, the Virginia Department of Agriculture and Consumer Services (VDACS) must survey farmers' markets regarding the use of locally-grown perimeter rules. Item 91, Chapter 836 of the 2017 (Virginia) Appropriations Act states that VDACS shall "Survey local farmers' markets across the Commonwealth to determine if any local regulations governing the operations of such markets discourage the sale of Virginia products by the use of a locally-grown perimeter rule that gives preference to out-of-state products over products grown in Virginia. Thank you for taking the time to help us with this survey.

1. Please list the name of your farmers' market, physical address and county.
 - (Text box for open-ended response)
2. Do you include the term "local" in your market rules or by-laws?
 - Yes
 - No
3. If Yes, how do you define the term local?
 - Within the city or county
 - Within the region
 - Within Virginia
 - Within Virginia and border states (Maryland, Tennessee, North Carolina, West Virginia)
 - Within a specific distance (miles) from the market or locality in which it sits
4. Do you include the term "producer-only" in your market rules or by-laws?
 - Yes
 - No
5. If Yes, you include the term "producer-only," how do you define the term producer-only?
 - A producer is from the city or county
 - A producer is from the region
 - A producer is from Virginia
 - A producer is from Virginia and/or border states (Maryland, Tennessee, North Carolina, West Virginia)
 - A producer is from a specific distance (miles) from the market or locality in which it sits
 - Other (please specify)
6. Please provide the specific language within your rules or by-laws regarding "local" or "producer only" in the space provided here:
 - (Text box for open-ended response)
7. Could your market's "sell local" regulations ever discourage the sale of Virginia grown products because the local definition could allow a vendor to bring in and sell products from a neighboring state, and not allow the sale of products from outside the defined "local" area?
 - Yes
 - No
8. If yes, please explain.
 - (Text box for open-ended response)