

April 22, 2011

Councilman Pat Dolan
St. Louis County Council
Administration Building
41 South Central Avenue
Clayton, Mo. 63105

Dear Councilman Dolan,

I'm writing to you as the Market Manager of the Clayton Farmers Market. Some issues have developed in regard to the Health Permit Fees charged by the St. Louis County Health Department to area Farmers and other Food Vendors as a prerequisite for selling their products at Farmers Markets in St. Louis County. These permit fees have created undue financial hardships for Farmers and other Food Vendors and the corresponding permit filings have become burdensome.

Consequently, St. Louis County is gaining a reputation among surrounding farming communities and among our area small businesses as a place that is difficult to conduct business. In other words, the developing consensus is that St. Louis County is not "user-friendly" to Farmers and other Food Vendors participating in Farmers Markets in St. Louis County. The feedback to Market Managers from their Market Vendors is that many are considering dropping out of Farmers Markets altogether or not participating in multiple markets in the St. Louis County area.

A couple examples of the troubling permits and fees required by the County Health Department of our Farmers and Food Vendors are the TFE Permit (Temporary Food Establishment) and the SFE Permit (Seasonal Food Establishment). Following is a list of the difficulties these fees and permits are causing.

What the SFE Permit means in cost and red-tape to Farmers Market Food Vendors:

Vendors are required to get a SFE Permit at \$75 for every Farmer's Market at which they sell. If a Vendor sells at one market the cost is \$75, at two markets--\$150, at three markets--\$225, and so on. The duplicate fees are an unnecessary added expense and limit the motivation to participate in multiple Farmers Markets.

Who the SFE affects:

Any Vendor who sells whole uncut vegetables, jams and jellies, honey, baked goods, eggs, frozen Meats and poultry, beef jerky, and individually wrapped ice cream and canned foods must have a SFE Permit. Also, any vendor who offers sliced or cut fruits or vegetables for sampling must have a SFE Permit. In other words, all of our Food Vendors are affected by this.

What the TFE Permit means in cost and red-tape to Farmers Market Food Vendors:

Vendors, who are required to get a TFE Permit at \$35/2 market days, will have to pay \$490 extra/season. Some vendors already bought the SFE Permit only to find out they now need the TFE Permit. The TFE was really set up to address 2 day or 2 week festival type events, not an on-going market. Season Long Vendors would have to go to the Health Department to get a new permit every two weeks.

Who the TFE affects:

Vendors who give samples of bakery goods, nuts, candy or other normally prepackaged food.
Vendors who sell ice cream, kettle corn, shaved ices and snow cones.
Vendors who sell any on-site/prepared food that involves eggs, meat, or seafood.
Wineries who want to give wine tastings or sell by the glass.
Chefs who give samples of their dishes at their cooking demonstrations.

It should be noted that all Regional Farmers and other Food Vendors are required to be in compliance with the Health Codes in their respective counties, cities, and states and to have regular Health Inspections of their main facilities. They are also required to have any applicable business licenses and permits for their facilities. These standards of operation are a regular part of all Farmers Markets Rules and Regulations.

Also, please note that meetings have been held by the St. Louis County Health Department with Farmers, Market Managers and Vendors for almost two years now for the express purpose of finding a resolution. Objections to the excessive fees and permit filings have been raised repeatedly. The Health Department continues to say they are working on it and issued Revised Farmer's Market Guidelines on Jan. 24, 2011. These guidelines, however, simply reiterate the fee and permit structure I described above.

Please understand we are not opposed to Health and Sanitation Guidelines and Inspections. We want all of our Food Vendors to practice safe growing, processing, and packaging methods and we want our Market Customers to enjoy foods that are produced in healthy and sanitary conditions. We are opposed, however, to unnecessary, redundant, and burdensome regulations and their corresponding fees that put the viability of the "Grower/Producer Only" Farmers Markets, operating in St. Louis County, at risk

As the Manager of the Clayton Farmer's Market and as a long-time Farmers Market Customer in St. Louis County, I respectfully request your assistance in this matter and recommend immediate action be taken to relieve the undue financial burdens and the cumbersome permit filings imposed upon Farmers and other Farmers Market Food Vendors in St. Louis County by the St. Louis County Health Department.

I would hate to see St. Louis County lose this rich and wonderful connection with locally sourced food which is provided by "Grower/Producer Only" Farmers Markets. It would also be a shame for the County to lose the economic boon these types of Farmers Markets bring to the County. The USDA has found that for every dollar (\$1.00) spent at a Farmers Market, seven (\$7.00) are spent in the surrounding community where the Farmers Market is held. Thank-you in advance for your time and consideration. I look forward to hearing from you.

Sincerely,

Deborah Henderson,
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Cc Eric Fey