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Farmers' Market Program Local/Domestic Market Expansion Section 4701 52 Street, Box 24

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Dear Alberta Approved Farmers' Market Managers and Sponsors:

A little hard to believe that market season is upon us when I look at the morning temperatures but I know it won't be long and the season will be in full swing. Just a few updates and reminders as you start your spring market preparations.

Our Mobile App: The mobile app continues to see downloads – we have more than 19,000 and more are happening every day. Customers and vendors are using the app to find their favorite markets and check out new markets. The information found on the website and the mobile app are identical. If you make changes to your market information, we will update the information once and both these tools will reflect the changes so that your information available to the public is always accurate. **Please check your listing - if you see anything that is not correct, let us know immediately so that we can make corrections.** When I visit markets, I do check to make sure the "pin" is in the correct location and make adjustments as needed once I get back to my office. We want everyone to be able to find your markets as easily as possible.

We will send you some of the information cards for your customers in the next couple of weeks. If you run out, please let us know and we will get some extra copies to you. The information on these cards is applicable from year to year so extra copies can be kept for the next year. Encourage your customers to download the app – it's easy to use and gives them what they need at their fingertips.

Our Website: As noted last year, we did a refresh of our webpages and continue to add/change content as appropriate. Typing in www.sunnygirl.ca will take you to our homepage and from there you can navigate to the materials that are most applicable to your needs.

If you type in www.agriculture.alberta.ca/farmersmarkets, you will be taken to the map page that shows all the Alberta approved farmers' markets.

Approved Farmers' Market Program Guidelines: The Guidelines are available online at www.sunnygirl.ca under the Approved Market Program tab and then under *How Do I Start an Alberta Approved Farmers' Market?* If you don't have a copy, are unable to print one or if you have any questions about the interpretation of the Guidelines, please contact **Eileen.**

Vendor Applications: Most markets use a vendor application to help them manage their vendor and product mix. Typically, both new and returning vendors need to complete an application. Not all products listed on the application have to be approved for sale. You can

approve some or all of the products listed based on the products you need in your market. **Be strategic** in what you accept so you don't have too much of one product and not enough of others.

A common concern heard from market managers is that vendors will suddenly show up with products that were not listed on their original applications. You do not have to allow vendors to sell those products until approval has been granted and you are not required to approve new products if they don't fit into your product mix. I would strongly encourage all markets to consider implementing a rule that states that "only products APPROVED on the application will be accepted into the market. Any additional or new products need to be submitted for approval."

You can also use your application process to conditionally approve products or only approve products for a limited time. For example, approving resale or out-of-province vegetables until such time as local vegetables are available, etc.

Out-of-Province Product vs Alberta Product: To accept or not accept vendors who are wanting to resell products or sell out-of-province products is an ongoing dilemma for markets. The purpose of Alberta farmers' markets is to offer a market opportunity for Alberta entrepreneurs who make, bake or grow their products. Vendors reselling products or bringing in products from out-of-province are intended to **supplement** the product mix. The success of your market will depend in part on the diversity of your product mix. The Guidelines do speak about preferential access being granted to Alberta producers but it is ultimately the market's responsibility to determine if your Alberta vendors are able to meet the market demand. As noted above, be clear with vendors when they are accepted what products they are allowed to bring to your market and when.

Special Markets: The special market protocol developed with Alberta Health Services affects the following special markets:

- Market in addition to what is normally offered during the season
- Market changing locations in order to participate in a community special event
- Market that happens outside the normal market season

Written approval must be granted for any additional markets.

Why is this important? The Food Permit issued by Alberta Health Services (AHS) is always location-specific so a change in venue means a new permit needs to be issued. Some permits are also specific to the dates and times for the market so a change to either of these may require a new permit. AHS will not issue a new permit unless they have been advised that the special market is allowed to operate as an Alberta approved farmers' market.

Any special market requests must be made at least two weeks prior to the event. This will allow time to issue the permission letter, for you to work with AHS on a new permit (if required) and a site inspection (if required). Keep in mind that our public health inspectors

inspect a lot more than just farmers' markets and restaurants, so honoring this request is really important.

Preapproval has already been granted for those special markets identified on the Website/Mobile Phone App Information form sent in earlier this year. Alberta Health Services has been advised of these markets.

Mandatory Training:

Market Manager Training: Market Manager training focuses on understanding the Guidelines and the requirements of approved farmers' markets, roles of the different stakeholders with more clarity around the role of the manager and, the different pieces of legislation and associated regulations that impact markets and vendors.

Successful completion of market manager training is **mandatory** for all market managers within **one** year of becoming a manager of an approved farmers' market. However all new managers should consider completing the course **before** they go into a market season as the materials are meant to help them be more successful in their roles.

The manual and multiple choice test is available online at www.sunnygirl.ca. When taken as a home study course, a passing grade of 80% is required in order to receive your certificate of completion. Any questions regarding the content of the manual or to request a paper copy should be directed to Eileen.

Food Safety Training: The safety of the food being sold at approved farmers' markets is critical to the success of farmers' markets in Alberta. Alberta Health, Alberta Agriculture and Forestry (AF) and AHS are committed to ensuring market managers and vendors have a minimum level of food safety training.

The Farmers' Market Home Study Course, developed and maintained by AHS, is **mandatory** for all market managers **and** food and agricultural vendors (including BC fruit vendors) who have not already completed a food sanitation and hygiene training program and who are not required to complete the food safety training described under Section 31 of the Food Regulation. If you or your vendors have completed one of these other courses, you are not required to complete the home study course.

If you aren't sure who should take the course, consider this: If a vendor can touch the food directly, they need to take the course. This also includes those home based business vendors who may want to sample their commercially prepared products.

The Farmers' Market Home Study course must be completed within **one year** of becoming a manager or food vendor at an Alberta approved farmers' market. I would strongly encourage you, as a market manager, to consider taking the course as soon as possible as the information you learn in the course will help you in your role as market manager. I would also like to encourage all market managers to complete the full food sanitation and hygiene course in addition to the home study course. The types of foods

being sold at our farmers' markets have become increasingly complex with more foods falling into the high risk categories and more concession vendors entering the markets with on-site food prep. Ensuring that vendors are keeping their food products safe while at the market is one of the requirements of the market organizer noted in the Food Regulation. The information from both courses would give you a strong background in food safety and better enable you to perform your duties.

The one year grace period for course completion found in the Guidelines is a <u>minimum requirement</u> and can be shortened as you deem appropriate for your market situation. Many markets have started to require that all food vendors complete the course PRIOR to selling a food product at their markets. Shortening the grace period is a best practice and shows due diligence on the part of market organizers. The course can be found online at: www.sunnygirl.ca or if you require a paper copy, please contact **Eileen.**

Upon successful completion of the course (passing grade of 80%), you will be sent a certificate by AHS which is valid for three years. Market managers and vendors should be displaying their food safety certificates at the market, including those certificates issued for any of the other courses. This shows our customers that all food vendors care about the safety of the food they are selling. For vendors selling at multiple markets at the same time, a copy of the certificate is acceptable for display purposes.

If you haven't already done so, please send a copy of your food safety certificate to Eileen either by mail, fax or email. We don't know you have taken the course without seeing the certificate and decisions about your approval status can be impacted.

Insurance: All approved farmers' markets are required to provide proof of liability insurance in order to retain approval status. Delores contacts each market manager approximately six weeks before your old certificate expires. Please pay attention to the deadline date in your letter as your approval status will be impacted if we don't receive the new certificate of insurance in time.

Keep in mind that the market liability insurance does **not** extend to vendors and their products. Vendors are advised to secure their own insurance in order to be protected from liability claims. Members of the Alberta Farmers' Market Association can take advantage of their group policy. Contact them directly at 1-866-754-2362 or visit their website at www.albertafarmersmarket.com for more information.

Society Status: As all of you know, all Alberta approved farmers' markets are required to be non-profit entities. If your market has its own non-profit society status under the Societies Act, you are required by law to submit paperwork annually to Service Alberta. Failure to do so can result in your non-profit society being struck from the records which means your society no longer exists, your market is no longer a non-profit entity and you cannot operate as an Alberta approved farmers' market until you have rectified that situation. We do check on the status of each market every year and WILL remove approval status if status has been struck.

Please check your records. Annual forms can be found at: http://www.servicealberta.gov.ab.ca/Responsibilities-annual-returns.cfm

New Resources: Our Explore Local team has posted a number of new resources that may be of interest to you and your vendors. **Please share this information**.

Merchandizing Videos: We contracted Jenny Berkenbosch with Sundog Organics to tape the merchandizing presentation she has done for us at several workshops. This series of seven videos covers the following topics:

- Creating an Image
- Booth Set Up
- Product Labelling
- Creating a Memorable Shopping Experience
- Signs and Signage
- Salesmanship
- Presentation

The videos can be found on our YouTube channel at:

https://www.youtube.com/watch?v=XUb7iNfDR78&index=1&list=PLOUwfF01x2YW7mX MOHM2xW9w16WFF64RP

Marketing Information: Resources from the Explore Local workshop "Introduction to Marketing" are now available on-line. If you are starting a business or looking to improve your marketing efforts these tools are now available at www.explorelocal.ca under the Tools & Resources tab.

The on-line resource includes tools to help you work through each of the 5 Ps, a marketing plan canvas, and the presentation materials to help you develop an effective marketing strategy.

Past Webinars: Our Explore Local team offers a variety of webinars from about October to March on a number of business, marketing and regulatory topics. These are taped and can be viewed at your convenience. They can be found at www.explorelocal.ca under the Webinars tab.

Alberta Health Services did a webinar for us in February on what is and isn't allowed at Alberta approved farmers' markets – a must-see for new food vendors and a great reminder for returning vendors.

Legislative Enforcement: The following are some reminders about specific pieces of legislation. Refer to the Market Manager Training manual for a more complete list. If you have any questions about the legislation, contact **Eileen** or the appropriate enforcement agency for clarification.

The farmers' market manager is the first point of contact for public health inspectors, inspectors from other departments/agencies and the farmers' market specialist. Market managers need to be fully aware of legislation that impacts the vendors who sell at their

markets because compliance is a requirement, not an option. Managers are responsible for ensuring vendors are complying with all legislation and for preventing vendors from selling products that are in clear violation of **any** legislation - not just the Food Regulation.

We have six regulatory fact sheets aimed at farm direct marketers and others selling direct to consumer. These fact sheets are available online at http://www1.agric.gov.ab.ca/\$department/deptdocs.nsf/all/agdex13504 or in hard copy by calling our Publications Office at 780-427-0391 and ordering by Agdex number. Dial 310-0000 first for toll-free access.

Agdex #	Publication Name
844-1	Farm Direct Marketing: Know the Regulations – General Legislation
844-2	Farm Direct Marketing: Know the Regulations – Food Labels
844-3	Farm Direct Marketing: Know the Regulations – Food Claims
844-4	Farm Direct Marketing: Know the Regulations – Meat and Meat Products
844-5	Farm Direct Marketing: Know the Regulations – Poultry and Poultry Products
844-6	Farm Direct Marketing: Know the Regulations – Fruits, Vegetables and Products

1. Food Regulation: Under the Alberta Food Regulation, stallholder responsibilities are clearly stated. In addition, it is very clearly stated that the food permit holder, i.e. the farmers' market manager on behalf of the legal board of directors, must ensure that stallholders comply with the Food Regulation. In simple terms, by allowing vendors to break the law, you are breaking the law and the food permit for the market could be revoked, resulting in loss of approval status. Loss of approval status means you will be operating as a public market where all food vendors must be individually permitted and producing their food products in a permitted facility.

According to the Food Regulation, each approved market must be issued a food permit by AHS. **This permit should always be on display in your market.** Contact your public health inspector if you have any questions about your food permit or with regards to any food items being sold at your market. If you are having a vendor meeting early in the year, consider inviting your health inspector so all food vendors can be updated on any changes.

AHS has implemented provincial standard operating procedures (SOPs) for approved farmers' markets resulting in more consistent interpretations of the Food Regulation across the province. Keep in mind that a health inspector will always have the authority to make decisions to protect public health. This means that an inspector witnessing something in our markets that would negatively impact public health is required to take action immediately, even if that action is different from what you had experienced before. In addition, every market is different with respect to the amenities available and location (indoor, outdoor, parking lot, street, park, etc.) so an inspector can never treat two markets exactly the same. The same vendor may be treated differently at each market he/she attends because of these different circumstances.

Concession vendors: Concession vendors and food trucks should be reported on your vendor listing to Alberta Agriculture just like any other vendor. If they are making the

product they are selling, they fall into the 80% Food category. If the food they are selling does not require a lot of value adding such as a hot dog vendor who purchases his wieners and buns from a store, they fall into the 20% Other category.

AHS, on the other hand, treats concession vendors differently under the Food Regulation. In their eyes, a concession vendor or food truck is NOT a farmers' market vendor which simply means they do not fall under the market's food permit and they cannot sell home produced foods. AHS also has requirements regarding where those foods can be sold at the market, i.e. must be sold from the on-site kitchen or a self-contained permitted unit. All foods sold through a concession or food truck must come from an approved source, i.e. permitted facility, and be prepared in a commercial kitchen by a permitted vendor. Homemade preserves or baking and uninspected eggs cannot be used by a concession vendor. In essence, they are no different than a restaurant. In the past some of our smaller markets were allowed to have a vendor set up a lunch that was prepared at home. This is not acceptable under the Food Regulation. Work with your health inspector to be sure your concession vendors are in full compliance.

We also have markets whose concession vendor is a local non-profit group using the concession proceeds as a fundraiser for their organization. These fall under yet another section of the Food Regulation where home prepared foods are allowed. Again, work with your health inspector to ensure this vendor is in compliance with the Food Regulation.

- 2. **Product Labelling:** As per the Canadian Food Inspection Agency (CFIA) website, "The food label is one of the most important and direct means of communicating product information between buyers and sellers. It is one of the primary means by which consumers differentiate between individual foods and brands to make informed purchasing choices." The label serves three primary functions:
 - Provides basic product information
 - Provides health, safety and nutrition information
 - Acts as a vehicle for food marketing, promotion and advertising

All **pre-packaged** food products, regardless of where they are sold, are required to have a label with the following information:

- Common name of product
- Net quantity in metric
- List of ingredients in descending order (including food allergens)
- Durable life date, if 90 days or less
- Storage instructions, if required
- Name and address of person making the product (including postal code)
- Allergens
- Nutrition fact table unless exempt
- Bilingual labelling unless exempt

It is **not sufficient** to simply have the ingredient list available when selling a prepackaged product. Ingredients must be part of the product label.

Many vendors are now opting to sell their items individually, i.e. cupcakes or cookies selected from a bulk container by the customer. When a product is being packaged on site, a product label is not required. However, an ingredient list **must** be available for customers to see.

If baking is frozen and thawed to be sold at market, it requires a durable life date on the label. While vendors do not have to label the baking as previously frozen, they also cannot indicate it is "fresh" either verbally or on the label.

The CFIA developed an online **Industry Labelling Tool**. The tool is the food labelling reference for all food inspectors and stakeholders in Canada. It provides consolidated, reorganized and expanded labelling information. This tool provides information on:

- Food Products that Require a Label
- General Principles for Labelling and Advertising
- Labelling Requirements Checklist

It can be found online at: <u>www.inspection.gc.ca</u> → FOOD tab in the top bar → Labelling.

Keep in mind that labelling legislation has gone through a review and changes have been implemented, although some of these changes do not come into force immediately. Vendors should go the Industry Labelling Tool to ensure they will be compliant with the new requirements.

- 3. **Health Claims**: There are very specific conditions that must be met if vendors are going to make any type of claim about their food products, either verbally or in writing.
 - a. Gluten free is one example of a claim. The Food and Health Unit of Alberta Agriculture and Forestry has produced three short animated videos to help food manufacturers decide if they want to meet the needs of the growing allergy and gluten free market. They can be found at: www.agriculture.alberta.ca/foodandhealth. Please share with your food vendors.
 - b. **Organic Certification**: Organics is another food claim. Currently, the Canadian Organic Standards are not applicable to products grown or made in Alberta that are also marketed in Alberta. The Minister of Agriculture and Forestry recently tabled the *Supporting Alberta's Local Food Sector Act*. If passed, this Act will require, as of April 2019, that any vendors who are claiming to be organic to meet the Canadian Organic Standards. In the meantime, if you have any vendors who are making organic claims, request a copy of their organic certification and ask that they post a copy of their certificate in their booths. If they are not currently certified but making an organic claim, refer them to our Organic Specialist with AF so they can be advised of the new requirements Keri Sharpe at keri.sharpe@gov.ab.ca or call 403-556-4218.
 - c. **Nutrition labelling:** Most foods sold at farmers' markets do not require nutrition labelling when the vendor is the person who made the product and the product is

being sold direct to consumer. However, there are foods which do not receive this exemption regardless of where they are sold. Check the CFIA website for more information.

- 4. **Eggs:** Uninspected, ungraded eggs can be sold at a farmers' market directly to end consumers for their own personal use provided that:
 - the eggs are produced on the producer's own farm;
 - the eggs are clean, have no visible cracks and are not leaking and;
 - the eggs are kept at an ambient temperature of 7°C or less.

Eggs must be packed in clean containers that are **conspicuously labelled with the word "UNINSPECTED" in letters that are at least 2 centimetres high**. If uninspected eggs are being sold in recycled cartons, the grade and any information about the grading company or the original producer/company must be covered up. In addition, the carton must be labelled with the producer's name and address.

Eggs **must not** be sitting out on a vendor's table because the ambient air temperature is too warm. One carton can be displayed to attract customers' attention, but the eggs for sale should be held in a cooler that can maintain the cool temperatures. Eggs in an open refrigeration unit can be displayed provided the air temperature around the eggs is less than 7°C. Placing a thermometer in the cooler is strongly advised.

Cracked eggs cannot be sold because research has shown that cracked eggs can become contaminated very quickly, especially if laid in dirty egg boxes. Once contaminated, the egg contents can't be sterilized by normal practices such as washing.

It is **illegal** for vendors to sell uninspected and ungraded eggs that were produced on someone else's farm.

Uninspected eggs cannot be used as an ingredient in a product destined for sale. This means vendors cannot use their own uninspected farm eggs in their baking nor can they purchase uninspected eggs from another vendor to use in their baking or pickling.

You can direct your egg vendors to this fact sheet: https://www1.agric.gov.ab.ca/\$Department/deptdocs.nsf/all/agdex14045

- 5. **Meat**: Any meat, such as beef, pork, lamb, bison, poultry and farmed deer and elk being offered for sale in Alberta must be government inspected and approved fit for human consumption. Meat being brought in from another province must have been slaughtered in a federal facility. It is the manager's responsibility to ask for proof of government inspection.
- 6. **Liquor Sales:** Cottage wines produced in Alberta by licensed cottage wineries have been allowed for sale at approved farmers' markets since 2009. In August, 2017, the Alberta Gaming and Liquor Commission (AGLC) made a change to their policy to also allow craft

breweries and distilleries to sell at Alberta approved farmers' markets. Any of these licensed businesses can apply at an approved farmers' market and upon acceptance, will receive an extension to their existing license from the AGLC. This license **must** be posted at the market. This policy applies to beer, mead, wine, spirits and coolers.

Under the policy, these liquor vendors are allowed to samples their products at the market. They must follow rules that are laid out in the Liquor Licensee Handbook and each vendor must have completed their Pro Serve training. Liquor consumption other than sampling is not allowed in the market.

- 7. **Functional foods and/or natural health products**: Sales of functional foods or natural health products are allowed at farmers' markets **provided the manufacturer is licensed with Health Canada and has received their approval.** If you have any vendors who want to sell these products, send them directly to Health Canada at 1-866-225-0709.
- 8. **Textiles**: The federal *Textile Labelling Act* requires that consumer textile articles bear accurate and meaningful labelling information to help consumers make informed purchasing decisions. The Act prohibits the making of false or misleading representations and sets out specifications for mandatory label information such as:
 - the fibre content information expressed in percentages by mass
 - the dealer's full name and postal address or a CA identification number

For more information, go to www.competitionbureau.gc.ca and click on the TOOLS tab in the top bar. Contact the Competition Bureau directly at 1-800-348-5358.

9. **Cosmetics**: Under the Food and Drugs Act, a cosmetic is defined as:

"Any substance or mixture of substances manufactured, sold or represented for use in cleansing, improving or altering the complexion, skin, hair or teeth, and includes deodorants and perfumes."

Every manufacturer and importer of cosmetics is required to submit a completed Cosmetic Notification form for each cosmetic intended for sale. It is the vendor's responsibility to ensure compliance with all regulations. For any questions regarding cosmetics, contact Health Canada at 780-495-2626 or go to:

https://www.canada.ca/en/health-canada/services/consumer-product-safety/cosmetics.html .

10.Hemp Products vs Cannabis: As we move towards the legalization of marijuana, you will most likely see a lot of products coming your way that you aren't sure what to do with. We are quite used to seeing our hemp seed, hemp seed oil and hemp oil cosmetics but when manufacturers start using the cutesy names that include cannabis or marijuana in the title, I start to get concerned. I did ask Health Canada about a product coming through a franchise opportunity that included cannabidiol (CBD) in its ingredients. I received a rather lengthy response from Health Canada which I will paste below. Bottom line: It is the responsibility of the vendor to provide you with proof that their product has the proper

licenses in order for them to sell in Alberta through a farmers' market. Do not just take their word for it.

Cannabis is a controlled substance included in Schedule II of the *Controlled Drugs and Substances Act* (CDSA). Cannabinoids, including CBD, are also listed in Schedule II to the CDSA. All activities, including the possession, trafficking, importation, exportation and production of all varieties of Cannabis, and industrial hemp are prohibited unless authorized by regulation or via an exemption issued under section 56 of the CDSA.

Industrial hemp is defined in the *Industrial Hemp Regulations* (IHR) as the plants and plant part of the genera *Cannabis*, the leaves and flowering heads of which do not contain more than 0.3% $\Delta 9$ -tetrahydrocannabinol (THC) w/w, and includes the derivatives of such plants and plant parts. Further to this it also includes the derivatives of non-viable cannabis seed but does not include plant parts of the genera *Cannabis* that consist of non-viable cannabis seed, other than its derivatives, or of mature cannabis stalks that do not include leaves, flowers, seeds or branches, or of fibre derived from those stalks.

In order to conduct activities with industrial hemp, an industrial hemp licence is required.

It is important to note that the Industrial Hemp regulatory framework does not allow for the use of whole industrial hemp plants, its leaves, flowers or bracts of those plants.

Oil extracted strictly from industrial hemp seed or grain is called 'hemp seed oil', which can be used in health and beauty products or consumed as food or as a dietary supplement, provided that it has been tested to contain no more than 10 microgram/gram $\Delta 9$ -tetrahydrocannabinol (THC). Hemp seed oil is regulated under the IHR.

Please note that hemp seed oil is not the same as 'CBD oil' or 'cannabis oil'. Under the *Access to Cannabis for Medical Purposes Regulations* (ACMPR) or the *Narcotic Control Regulations* (NCR), oil extracted from whole cannabis plant material (including industrial hemp plants) is referred to as cannabis oil and contains the active ingredients THC and CBD. If you wish to carry out activities with cannabinoids, an authorization under a regulation other than the IHR may be necessary for the activity.

Inquiries regarding cannabis, including cannabinoids (CBD) for medical purposes, please contact the Office of Medical Cannabis.

Taber corn: Taber corn is a very popular item in markets across the province, attracting customers because of the name. Many Taber corn vendors purchase corn from a corn producer in southern Alberta and then resell it at markets around the province. It is within the manager's authority to ask for proof of authenticity for any corn labelled as Taber corn. All vendors should be able to provide the manager with a producer name and contact information for verification purposes.

Sunnygirl Logo: The Sunnygirl is the official mark of approved farmers' markets and, along with the Approved Farmers' Market Program, is owned by the Province of Alberta. This logo helps the consumer identify that the market is approved and is affiliated with a chain of high quality markets offering



Alberta-produced products that consumers can trust. If you are an Alberta approved farmers' market, you should use the Sunnygirl logo in your promotions and on your signs. Contact **Eileen** to get a copy of the logo.

The Farmers' Market Team for Summer 2018: Abby Verstraete, Rural Business Development Specialist, is with us once again for market visits this summer. Abby, Delores and Eileen will be out visiting markets this summer and are available to answer questions as always.

Eileen can be reached via email at eileen.kotowich@gov.ab.ca or by phone at 780-853-8223. Abby works part time and can be reach via email at abby.verstraete@gov.ab.ca or by phone at 780-422-2550. Delores also works part time and can be reached via email at delores.serafin@gov.ab.ca or by phone at 780-427-4611. For toll-free calling within Alberta, dial 310-0000 first and then the number when prompted.

I hope all of you have a wonderful market season. If you have any questions or concerns, please do not hesitate to contact any of us.

Sincerely,

Eileen Kotowich

& Ketowich

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