



Public Health  
Law Center

AT WILLIAM MITCHELL COLLEGE OF LAW



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KANSAS FARMERS' MARKETS

# Using Policy to Promote Food Access in Rural Communities

June 10, 2014



Kansas Health Foundation



## **Mission**

To improve the health of Greater Kansas City's children by informing, advocating, and mobilizing the resources and talents of our community to improve healthy eating and active living.

## **Vision**

A Greater Kansas City that champions health and well-being for children and families.



## Initiatives:

- Greater Kansas City Food Policy Council
- Farm to School Academy
- Healthy Kids Initiative/Youth Advocacy

# The Public Health Law Center



# The Public Health Law Center



We do:

- Legal research
- Policy development
- Publications
- Trainings



We don't:

- Direct representation
- Lobby

# Just a reminder....

The legal information and assistance provided in this training does not constitute legal advice or legal representation.





# Policy

Any **written** plan or course of action designed to **influence** and determine decisions



# Levels of Regulation

Federal



State



Local



Internal  
Policy/  
Rules





# Policy change

Making the  
**healthy** choice  
the **easy** choice



Barriers and  
opportunities to  
increasing access  
to fresh, quality  
food



# Best Practices for Local Planning





# Attention Grocers!

They need your voice at the local level

- Comprehensive planning
- Zoning
- Ordinances
- Resolutions
- Community design standards
- Local food and farm groups



# Local planning

## CITY OF EAGAN

### A RESOLUTION OF THE CITY COUNCIL DECLARING THE CITY OF EAGAN TO BE A HEALTHY EATING AND ACTIVE LIVING COMMUNITY

#### SECTION 5. ACCESS TO HEALTHY FOODS

BE IT FURTHER RESOLVED that in order to increase access to healthy foods and beverages, the City Council supports every effort to:

- Continue development and sustainability of community gardens and farmers' markets;
- Inventory unused land owned by the City that could be made available for additional community gardening;
- Encourage growth and sustainability of farmers' markets by encouraging EBT / SNAP access to and incentives for all licensed farmers' markets in the City;
- Identify and take active steps to resolve any public transportation barriers that inhibit community access to full-service grocery stores, supermarkets, corner stores, farmers' markets and community gardens



# Farmers' Market Resources

- A Guide to Operating Farmers' Markets in Kansas
- State Laws Impacting Farmers' Markets in Kansas
- Local Government Regulation of Farmers' Markets in Kansas
- Farmers Market Vendor and Market Rules
- Organizational Structure of Kansas Farmers' Markets



# Levels of Regulation

## Federal



Federal Meat  
Inspection Act

## State



2012 Kansas  
Food Code

## Local



Organized Farmer's  
Markets; License  
Requirements (Sec. 3.94.030  
of Wichita Code).

## Vendor & Market Rules



KCK Green Market  
Guidelines





# Vendor & Market

## Farmers' Markets Vendor and Market Rules

This information was compiled through a review and analysis of several Kansas farmers' market handbooks and internal rules.

Use this key to identify which state and local laws or market rules may impact a market's operation.

	STATE LAW MAY HAVE IMPLICATIONS	
	LOCAL LAW MAY HAVE IMPLICATIONS	
	MARKET RULES MAY HAVE IMPLICATIONS	
ESTABLISHING A FARMERS' MARKET		
FEES TO PARTICIPATE		
Is there a single day fee vs a seasonal pass? Discount for seasonal vendors?		
Are there variants in prices, i.e., a sliding scale fee?		
■ Corner stall vs middle stall? Discounted second stall price?		
■ More expensive for prepared food vs produce?		
■ Are these fees discounted for particular community partnerships?		
Is there a way for farmers to participate if the fee cannot be met (i.e., volunteering hours)?		
Is there an advertisement fee?		



# Key Considerations

- Regulation and **policy impacts the ability** for farmers' markets **to form or expand**
- These regulations and policies need to be considered at the **state, local, and market level**
- Understanding these **tiered considerations and the right questions to ask** helps to move toward the central goal of **access to local food**

# Greater Kansas City Grocery Store Access Task Force

Task Force composition/timeline

Top three recommendations:

- Advisory team
- Streamline process within City Government
- Healthy Food Financing



<http://www.kcfoodpolicy.org/research>



# Fresh Food Financing Initiatives

Public funding to increase number of food retail outlets serving fresh, healthy foods or increase fresh, healthy food being served at existing retail environments



# What's in a name?

- Food Systems Advisory Council
- Food and Farm Local Task Force
- Food and Nutrition Commission
- Local Food Advisory Council
- Food Security Advisory Board
- Food Policy Council



**Attention Grocers!**

They need your voice



# Questions?

[www.publichealthlawcenter.org](http://www.publichealthlawcenter.org)

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## Healthy Eating

Policy tools and legal resources to  
promote nutrition and prevent obesity

