# The Georgia Farmers Market Guide



**Farmers Market Toolkit** 

The Georgia Department of Agriculture



www.agr.georgia.gov

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A farmers' market is a place where farmers sell their products directly to consumers. Ultrafresh produce, pastured meat and eggs, artisan cheeses, hand-harvested honey, and other fresh, small-batch foodstuffs are the hallmark (and benchmark) of the best farmers markets. Local markets serve not just as a place for farmers to get the best price and consumers to get the best products, but as venues for producers and consumers of food to come together, forge relationships, and exchange information. The Georgia Department of Agriculture has produced this toolkit as a resource for those interested in starting, or participating in, a local farmers market and making it the best it can be!

# **Chapter 1 - Starting Your Local Farmers Market**

## 1. Identify a Location

#### What to Look for:

- A. Visible, identifiable, clean, and attractive location
- B. Reliable location advantageous to both the market and the landowner
- C. Access to convenient and user-friendly parking
- D. Are there other markets in the area? Is your location in the public interest?
- E. Shade natural or manmade to cater to the comfort of customers and vendors alike.
- F. Restrooms for the public are readily available
- G. Free!

#### Potential Locations:

- A. City or county property
- B. Church property
- C. Mall parking lots
- D. Grocery store parking lots (Rare)

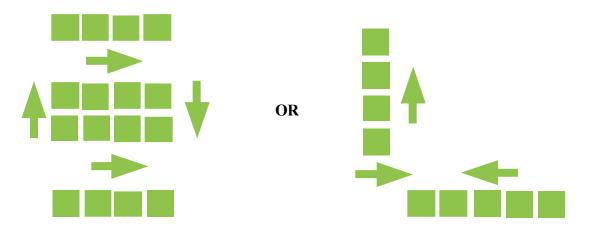
#### Things to Consider:

- A. Zoning / Local Permits
- B. Accommodate for booth sales and/or truck sales?
- C. Liability insurance
- D. Traffic Enough to be seen and accessible
- E. Local government backing
- F. EBT Will your market accept it? If so, have you considered Wholesome Wave Georgia?

<u>Wholesome Wave Georgia</u> - This program supports the belief that all Georgians should have access to wholesome, locally-grown food. They double SNAP benefits at partner farmers markets, strengthening our local food system by making healthy food more affordable and supporting small farmers. When a market staff member swipes your EBT card for however much you chose, it doubles your food stamp dollars. If you chose \$10, the staff will give you \$20 in wooden tokens to spend on fruit, vegetables, eggs, meat, bread or any food. SNAP users can receive up to \$50 in EBT doubled each time they visit a market! For more information, please visit <u>wholesomewavegeorgia.org</u>



Recommended Vendor Booth Set Up:



The squares above represent vendor booths, and the arrows represent traffic flow. These are just two options that will utilize the market's space and allow for maximum exposure to product. Choose a layout that works for your space while maintaining the array of product and customer movement.

## 2. Find Farmers/Vendors

This is the most difficult part of getting your community's market kick-started!

#### Potential Solutions:

- A. Consult with your local Extension office
- B. Put an ad in the Market Bulletin
- C. Contact Georgia Grown
- D. Talk with other Market Managers

#### Things to Consider:

- E. Limited to only produce or organic?
- F. Only a certain area or county?
- G. Charging a fee may discourage vendors, yet may be necessary.
- H. Different rules for different types of products



## 3. Attract Customers

## "Free" Media:

- A. Talk to local news outlets
- B. Use "event" pages for large outlets
- C. Target local or neighborhood papers

## Social Media:

- A. Market should be on Facebook
- B. Contact food and local blogs
- C. Develop an email database
- D. Ask vendors to promote through their network

#### Sponsors:

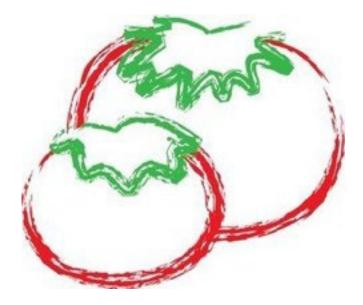
- A. Chamber of Commerce
- B. Churches
- C. Local municipalities
- D. Community groups
- E. Non-profit organizations
- F. Local foundations
- G. Health agencies
- H. Local FFA Chapter(s)
- I. Youth and Senior groups

#### Other Advertising:

- A. Put ad in local and state Market Bulletin
- B. Posters and other signs
- C. Church bulletins
- D. Grant funding may be available

## 4. Manage the Regulations

A. Food Safety



- B. Sales Taxes
  - a. Non-food products should collect full sales tax.
    - A vender should collect full sales tax for the sale non-food related items at farmers markets.
  - b. Food Products have state and some city sales tax exemptions:
    - Exemption for State Sales Taxes OCGA §48-8-3
      - "(57) (A) The sale of food and food ingredients to an individual consumer for off-premises human consumption, to the extent provided in this paragraph."
    - Possible Exemption from Municipal taxes and fees OCGA §48-5-356
      - Exemption from municipal taxation of agricultural products and livestock raised in state :

No municipality shall levy any tax or license fee or shall require the payment of any fee or tax upon the sale or introduction into the municipality of any agricultural product raised in this state including, but not limited to, swine, cattle, sheep, goats, poultry, and the products of such animals when the sale and introduction are made by the producer of the product and the sale of the product is made within 90 days of the introduction of the product into the municipality. The exemptions provided in this Code section shall be in addition to all other exemptions from taxation and licensing provided by law for any such product.

- C. Business Licenses
  - a. Prohibitions on Occupation tax Levies by Local Governments §48-13-13
    - Multiple locations many farmers market vendors may operate at multiple locations and may already have their business license in another district: "Local governments are not authorized to: (1) Require a business or practitioner to pay more than one occupation tax for each office or location, except that businesses or practitioners with multiple services or products shall be taxed in accordance with Code Section 48-13-12;"
    - Venders at tax exempt "agricultural fairs" may be exempt from Business Licenses:

"Local governments are not authorized to: (5) Levy any occupation tax, regulatory fee, or administrative fee on any state or local authority, nonprofit organization, or vendor operating under a contract with a tax-exempt agricultural fair, as that term is defined in Code Section 2-2-8."

Farmers Markets could fall under the definition of "Agricultural Fairs" §2-2-8:

(b) For an event to qualify as an agricultural fair, the organization sponsoring such fair must:

(1) Be able to show that at least 10 percent of the total receipts thereof are paid out in the form of premiums, scholarships, or agricultural programs; and

(2) Be a nonprofit organization, spending the profits of the fair on the enterprise or paying them out in the form of premiums, scholarships, or educational programs.

- D. Zoning / Permits
  - a. Contact your local zoning, planning, or code enforcement office
  - b. Farmers Markets raise many issues when it comes to local zoning including; traffic, parking, availability of public restrooms, and litter.
  - c. Most local governments do not have special zoning or permitting for farmers markets. Atlanta recently passed a local zoning ordinance for farmers markets. It is Section 16-29.001 of their zoning ordinance.
- E. Other Regulations
  - Amusement park rides at agri-tourism facilities
    - o Contact Department of Labor
  - Sale of plants at farmers markets or flea markets
    - o Contact Department of Agriculture Mike Evans at 404-651-9486
  - Community gardens
    - o Good but could cause public safety issues

#### 5. Develop Rules

Things to Consider:

- A. Management Structure
- B. Several benefits for a non-profit organization
- C. Organic or Certified Naturally Grown designations
- D. Defining the local area What is local?
- E. Defining what is a farmer Grower only? Approved representative?
- F. Food quality or safety standards
- G. Hours of Operation
- H. Stall / Vendor fees Should cover Rent
  - Insurance
  - Advertising and promotion of market
  - Office expense
  - Membership and permits
  - Manager salary? Employee pay? Or will volunteers be used?
- I. Clean-Up
- J. Vendor Signage
- K. Competitive Pricing
- L. Product Variety



# Chapter 2 - Food Safety: Licensing & Labeling

When contemplating starting a local farmers market in your community, you must consider food safety as a primary objective. To ensure appropriate precautions are being taken, vendors will need to obtain the proper licenses or permits relating to their product, when applicable.

**Dept. of Public Health vs. Dept. of Agriculture** - Generally, food service items, or food prepared for on-premise consumption, is regulated by the local Health Department. Food sale items, or those prepared in a facility for off-premise consumption is regulated by the Georgia Department of Agriculture (GDA). Fresh, unprocessed fruits and vegetables do not currently fall under regulatory oversight.

**Fresh Produce** - Selling unaltered fresh produce does not require a license or registration. However, if the product is processed in any way, such as slicing or freezing the product, it then requires a food license, issued by the GDA.

<u>**Processed Food</u>** - Food processors require a license from the GDA; however, some exemptions exist for "low risk" foods that are sold at non-profit farmers markets, or under the non-profit or cottage food exemptions. Guidelines for these exemptions can be found at https://agr.georgia.gov/cottage-food</u>

<u>USDA Organic</u> - Organic food is produced by farmers who emphasize the use of renewable resources and the conservation of soil and water to enhance environmental quality for future generations. Organic meat, poultry, eggs, and dairy products come from animals that are given no antibiotics or growth hormones. Organic food is generally produced without use of most conventional pesticides, fertilizers made with synthetic ingredients or sewage sludge, bioengineering, or ionizing radiation. Before a product can be labeled 'organic,' a Government-approved certifier inspects the farm where the food is grown to make sure the farmer is following all the rules necessary to meet USDA organic standards. Companies that handle or process organic food before it gets to your local supermarket or restaurant must be certified, too. <u>Certified Naturally Grown</u> – The production of food for local communities without the use of synthetic fertilizers, pesticides, herbicides, fungicides, or GMO crops must be certified by the Certified Naturally Grown Program. For more information and the application, please visit <u>http://www.naturallygrown.org/</u>

**<u>Raw Agricultural Products</u>** - Food in its raw or natural state, including shell eggs and fruits and vegetables in their whole, unpeeled or unprocessed form. Minimal processing at the farm, such as rinsing off soil and debris, is not considered processing and therefore fresh uncut produce is still characterized as a raw agricultural commodity.

<u>Value Added Products</u> - Value added products are raw agricultural products that have been modified or enhanced to have a higher market value and/or a longer shelf life. Raw agricultural commodities that are altered from the whole fruit or vegetable state by slicing, dicing, cutting, chopping, cooking, mixing, grinding, smoking, drying, packaging, canning or other procedures that alter the food from its original state.

Examples: Fruits made into pies or jams, meats made into jerky, and tomatoes and peppers made into salsa.

<u>**Prepared Foods</u>** - Prepared foods are foods that are typically produced for immediate consumption. "Preparing" is any act other than washing with water and may include peeling, cutting, dicing, mixed/ combined, sold with eating utensils, or cooking/heating of a food item.</u>

*Examples: Peeling apples, washing and chopping lettuce, cutting carrots, and making cole slaw from cabbage.* 

<u>Food Sales Establishment License</u> - The Georgia Food Act requires anyone in the State of Georgia engaging in food sales operations to obtain a Food Sales Establishment License from the GDA, which must be renewed yearly. These operations include retail (including internet sales), wholesale, and manufacturing food sales.

The only exception is provided in O.C.G.A. § 26-2-391, which states:

A county or municipality shall be authorized to issue permits for the operation of nonprofit food sales and food service at events sponsored by the county, municipality, or an organization. A permit shall be valid for a period of 120 hours or less and another permit shall not be issued to the organization holding such permit until five days have elapsed from the date of the expiration of the permit. No fees shall be charged to an organization for the issuance of any such permit by a county or municipality.

This law requires the county or municipality sponsoring the event to issue permits for operation of food sales establishments at the event, taking the responsibility from the GDA. If the vendor engages in any food sales outside of the non-profit event (for example: personal website, Craigslist, local publications, etc.) then that vendor will require a license from the Food Safety Division, and will have to meet the facility requirements for licensing.

<u>Cottage Foods License</u> – A Cottage Food License allows cottage food operators to produce nonpotentially hazardous foods in their home kitchens for sale to the end consumer. These foods may include:

- Loaf Breads, Rolls, and Biscuits;
- Cakes;
- Pastries and Cookies;
- Candies and Confections;
- Fruit Pies;
- Jams, Jellies, and Preserves;
- Dried Fruits;
- Dry Herbs, Seasonings and Mixtures;
- Cereals, Trail Mixes, and Granola;
- Coated or Uncoated Nuts;
- Vinegar and Flavored Vinegars; and
- Popcorn, Popcorn Balls, and Cotton Candy.

This license must be renewed yearly. Visit https://agr.georgia.gov/cottage-food-faq for answers to frequently asked



questions about cottage foods and licensing. The YouTube video found at <u>http://www.youtube.com/</u> <u>watch?v=zryAP46dJ4E</u> can also be helpful for more information.

<u>Mobile Meat License</u> – To view the rules, regulations, and requirements for selling fresh or frozen meat in a mobile setting, visit https://agr.georgia.gov/sites/default/files/documents/food-safety/mobile-meat-license-application.pdf This license must be renewed yearly.

**Egg Candling License** – Individuals who wish to produce and offer for sale shell eggs in Georgia shall comply with The Georgia Egg Law (Chapter 2, Title 26, Article 8, Section 260-273) which states,

"Each egg candler and grader, of eggs offered for sale, shall obtain a license from the Department of Agriculture at no cost, after demonstrating to the satisfaction of the department his capability and qualifications as an egg candler and grader."

This license can be obtained from a GDA representative by successfully taking and passing a written examination and a candling examination. Please check <u>http://www.agr.georgia.gov/events</u> for information on upcoming classes. Classes must be registered for in advance.

The recommended study materials for the written examination and the candling examination include

The Georgia Egg Law, which can be obtained from the GDA at no charge or online at https://www.agr.georgia.gov/egg-candling-certification (Title 26) **and** the USDA Federal Egg-Grading Manual, AH-75 which can be obtained from USDA-AMS Poultry Programs-STOP 0259, 1400 Independence Avenue, SW, Washington, DC 20250-0259 (202-720-3506) or on line at http://www.ams.usda.gov/poultry/resources/pypubs.htm.

**Food Labeling** - The GDA will review product labels for formatting only. FDA has strict labeling requirements for products that will travel in interstate commerce. Any products shipped across state lines, either from the product manufacturer or as a result of secondary or tertiary distribution through a wholesale distribution point, should fully comply with the following Federal regulations: Federal Food, THE GEORGIA DEPARTMENT OF AGRICULTURE Drug, and Cosmetic Act (FD&C Act), the Fair Packaging and Labeling Act, The Nutrition Labeling and Education Act (NLEA), and the Food Allergen Labeling and Consumer Protection Act (FALCPA) of 2004. The following information must appear on all food labels:

**1.) Statement of Identity** - This is common or usual name of the product, in English, that clearly identifies what the product is.

**2.) Ingredients Statement** - The product ingredients should be listed in order of descending predominance by weight. The ingredients statement must begin with the word "Ingredients," and all ingredients must be broken down into their constituent parts. All colors and preservatives must be identified.

**3.) Declaration of Quantity** - A measure of the amount of food in the package or container (not to include the weight of the packaging or container). It must appear in both standard and metric units, be expressed in the correct units of measure — weight (oz./g) or volume (fl. oz./mL), and appear in the lower 1/3 of the label.

**4.)** Declaration of Responsibility - This is the physical address of the manufacturer. If a co-packer is used, the address must be preceded by the phrase "Manufactured for:" or "Distributed by:".

**5.)** Nutrition Facts - The nutritional content must appear on the label. FDA does provide an exemption for small businesses. Nutrition Facts are required if there are any health claims on the label (ex. "Low fat," or "Low Sodium).

**6.)** Allergen Declarations - There are 8 major food allergens that have to be clearly identified on the label. They are: MILK, EGGS, FISH, CRUSTACEAN SHELLFISH, TREE NUTS, WHEAT, PEANUTS, and SOYBEANS. These allergens must appear in the ingredients statement, or in a "Contains:" statement immediately following the ingredients statement.

**7.) Handling Statement** - If the product requires refrigeration for food safety, either the phrase "Keep Refrigerated" or "Keep Frozen" must appear on the label.

**8.) Production Code** - A product code indicating the manufacture date must appear on the package or container, if not on the label directly, in the event of a product recall.

The Farmer's Market FAQ can be found at https://www.agr.georgia.gov/retail-farmers-market-faq Applications and other regulations for these licenses can be found under the Food Safety Division at https://www.agr.georgia.gov/retail-food

# **Chapter 3 - Food Safety: Best Handling Practices**

Bringing the consumer in direct contact with the grower allows for exchange of information that does not usually occur in the produce section of a large retail store. Many growers allow customers to sample produce before they purchase it. Since direct marketing provides many unique experiences, it is important to consider the unique food safety risks that may exist.

Biological Hazards - Come mainly from microorganisms including bacteria, viruses, and parasites.
Chemical Hazards - Naturally present or added during actions such as soil preparation, harvesting, and processing. They include substances such as cleaning solutions and sanitizers.
Physical Hazards - Foreign particles such as glass or metal.

Management Area	Best Practice
Handwashing practices of Farmers Market	All workers practice proper hand washing and wash their hands before work, before and after meals, eating, and toilet use.
Location of toilet and hand washing facilities	Toilets and hand washing facilities are readily available for all employees and customers.
Maintenance and cleaning of toilets and hand washing facilities	Toilets and hand washing facilities are cleaned before each market day and stocked with water, soap, and single-use paper towels. A cleaning record is kept by the market manager that indicates time, date, and individual who performed the work.
Domesticated animals on the farm	Pets, including farm animals, are never permitted in packing areas or farmers markets.
Garbage containers	Covered garbage containers are readily available for customers to dispose of unwanted samples, used single service items, or other trash.
Produce used for samples	Produce used for samples is always washed in potable, cool water prior to preparation.

Management Area	Best Practice
Food handler training for cutting produce	Everyone preparing samples or serving samples is trained to properly wash their hands and use clean sanitized utensils. Clean, disposable gloves are worn so there is no bare hand contact with cut, ready-to- eat produce.
Utensils used for cutting samples	All utensils used for cutting samples including the cutting surface and knives, are washed, rinsed, and sanitized prior to use.
Storage of cut samples	Cut samples are stored in food grade containers and kept on ice or in a cool ice chest at or below 41 degrees Fahrenheit until they are served.
Serving Samples	Samples are served in a covered container AND on ice. IF samples are not held cold, they are disposed of after four hours. Any leftover items at the end of the day should be discarded.
Single service items for samples	Single service items such as toothpicks or plastic utensils are provided for customers who choose to taste the samples.
Sale of low acid canned foods	Low acid canned foods such as vegetables, meat, and fish are not sold unless they are processed at an approved, low acid facility following a scheduled process by a certified operator.

The content for this chapter is credited to Cornell University's Dept. of Food Science and Dept. of Horticulture.



# **Chapter 4 - How to be a Successful Manager or Vendor**

For your new local market to be successful requires proper management and marketing techniques both for the market itself, and for the vendor. Working together, the market manager and the vendors can positively impact attendance and overall consumer satisfaction. Below are some suggestions for managers and vendors to consider in working toward making their market a success:

### Manager:

- 1. Acting as main contact person for market
- 2. Overseeing day-to-day market operations, on and off-site
- 3. Collecting vendor fees
- 4. Obtaining proper permits and insurance for market
- 5. Enforcing rules and regulations fairly with a minimum of conflict
- 6. Recruiting vendors and allows for vendor input
- 7. Controlling vendor and product mix
- 8. Handling complaints and disputes
- 9. Working with market's board of directors or market committee
- 10. Establishing strong community contacts
- 11. Creatively promote market to consumers
- 12. Represent market to local and community groups
- 13. Maintain financial records of the market
- 14. Hold a special event of some type whether it be livestock on display, a compost demonstration, or even sponsor a talk by a master gardener, etc. as well as field trips for local schools.
- 15. Hold a Training Day before the season kicks off to get all of the vendors and staff at your market on the same page as to what you can and can't do and have. Use inspectors and others who specialize in topics like canning, egg candling, etc. to come and speak.







## Vendor:

- 1. Do market research to determine your niche in the market. Look around the year before if possible to see what produce, etc. is lacking so that you can fill the void.
- 2. Learn the market's rules and regulations and get the proper licenses and certifications to sell your product.
- 3. Get organized and design your stand Know ahead of time how you want your stand to look to be shopped at readily and to attract customers.

*Ex: colorful tablecloths, simple but attractive signage, etc.* 

4. Use contrasting colors when placing your produce and products.

*Ex: red peppers beside zucchini, unhusked corn beside carrots, bell pepper beside yellow squash.* 

- 5. Start small. Maybe try being a "daily vendor" to test the waters before investing too much into expensive tents, etc. for your booth. Just make sure that if you are selling produce especially, that you bring an abundance to keep up with the larger producers there.
- 6. Do not bring damaged produce. Only select what you would want to buy in the grocery store. It will help to build the reputation of your booth.
- 7. Give away freebies.

*Ex: Recipes to go with the ingredient(s) you are selling.* 

- 8. Use social media and email. This can be used to update existing customers on upcoming specials you are going to have, therefore increasing turnout and business at your booth.
- 9. Build a rapport with your customers. Consumers at farmers markets tend to be very loyal, and service with a smile paired with a great product will keep them coming back for more.
- 10. You are responsible for obtaining and maintaining the proper licenses and certifications to sell your product(s). Make sure it is available at all times and visible for consumers and officials alike to see.
- Name the right price and post them for your product(s)...above wholesale, but usually below retail. You
  can also contact someone in your community such as your local County Extension Agent for
  recommendations.



For examples on what to consider including in your market's bylaws, rules, and regulations, visit https://rules.sos.ga.gov/gac/40-9 for the State Farmers Market General Rules, and State Farmers Market Local Operating Rules. The following are examples of vendor applications and a farmer affidavit.

	STATE OF GEO	ORGIA - DEPARTM	IENT OF AGRICUI	TURE
	Application	for License to Sell on	State Farmers' Mari	oet
(1) Applicant				
		(Legal Name	)	
(2) Mailing Addr	ess		Telephone N	io
City		State	Zi	p
Physical Address	(If different from n	mailing address)		
(3) Producer _	Trucker	Dealer	Other	
(4) Business ow	ned by: One Per	son Partnersi	hip Corpora	tion N/A
(7) Principal pro		and offered for sale, if a		
(B) Truck's own	er, mane, year, mor			ec, il nocessary.)
(8) Truck's owne <u>Owner</u>	<u>Mak</u>	<u>se Year</u>	Model	Tag Number
Owner	QUESTIONS 10-	21 APPLICABLE TO D	EALERS ONLY ON MA	ARKET.
Owner (9) Type of busi	QUESTIONS 10-	21 APPLICABLE TO D	EALERS ONLY ON MA	ARKET.
Owner (9) Type of busi (10) Name and	QUESTIONS 10- ness to be operated address of bank(s)	21 APPLICABLE TO D	EALERS ONLY ON M	ARKET.
	er, make, year, mo	del and tag number. (At		et, if necessary.)

(16) Are you bork	led as a Dealer in Agric	ultural Products in Ge	eorgia? (Yes No ) (1	<ol><li>If yes, give the</li></ol>
name and address	of company.			
(18) If no, how do	o you pay for products p	purchased from Geor	gia farmers?	
(19) Kinds of agri	cultural products to be	handled:		
(20) Name(s) of	Agents authorized to n	epresent you in Geo	rgia, if any.* (Attach sup	oplemental sheet i
	any type of Notice of	f Suspension and/	If the Commissioner or Notice of Revocatio	n, I agree within
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	FARMER A		
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	(print in block letters) of age or older;		and I
2. I am a farme	er with a farm in		County, Georgia
e à ot		A-P	f at eet addre
	that I have brought to the	Hacon farm; and	State Farmers'
and a first section of the		arket reserved exclusi	short all over one mellected
	oduce, that this statement is giving false statements under	given under oath and	that there are crimina
		given under oath and	Date
	giving false statements under	given under oath and	
	giving false statements under	given under oath and	
	giving false statements under	given under oath and	

Including an affidavit can minimize liability for your market, and is strongly suggested.

# **Additional Helpful Resources**

<u>USDA National Farmers Market Directory</u> - Provides information about U.S. farmers market locations, directions, operating times, product offerings, and much more. The data is collected via voluntary self-reporting by operating farmers market managers and is searchable by zip code, product mix, and other criteria. The National Farmers Market Directory receives over 2 million hits annually. It is available at https://www.ams.usda.gov/local-food-directories/farmersmarkets

<u>USDA's National Community-Supported Agriculture (CSA) Enterprise Directory</u> - A CSA is a farm or network/association of multiple farms that offer consumers regular deliverers of locally-grown farm products during one or more harvest season(s) on a subscription or membership basis.

<u>USDA's National Food Hub Directory</u> - A Food Hub is a business or organization that actively manages the aggregation, distribution, and marketing of source-identified food products to multiple buyers from multiple producers, primarily local and regional producers, to strengthen the ability of these producers to satisfy local and regional wholesale, retail, and institutional demand.

<u>USDA's National On-Farm Market Directory</u> - An On-Farm Market is a farm market managed by a single farm operator that sells agricultural and/or horticulture products directly to consumers from a location on their farm property or on property adjacent to that farm.



# **Additional Helpful Resources**



www.agr.georgia.gov



www.agribusiness.georgiainnovation.org



College of Agricultural and Environmental Sciences College of Family and Consumer Sciences

www.extension.uga.edu



www.gfvga.org





www.gfb.org