

1st STOP CHECKLIST:

FLEA MARKET

This checklist is for business that will sell goods (including clothing, accessories, books, office supplies, sporting goods *not including firearms*, furniture, appliances, etc.) to an end user.

Checklist

- You must have a **VENDOR'S LICENSE**, collect sales tax, file tax returns, and keep records of transactions. For more information, contact [YOUR COUNTY AUDITOR](#) or the **OHIO DEPARTMENT OF TAXATION**. **Remember to check local government agencies**
- The **OHIO DEPARTMENT OF TAXATION** can be reached at **(888) 405-4039 for Business Taxpayer Assistance; (800) 282-1782 for the Forms Request Line; or (888) 405-4089 for Tax Registration**. Information is also on-line at <http://tax.ohio.gov>. **Remember to check local government agencies**
- If you will sell furniture, bedding, upholstered or stuffed items contact the Ohio Department of Commerce's Division of Industrial Compliance, Bedding and Upholstered Furniture Section for licensing information. They can be reached at (614) 644-2236 or <http://com.ohio.gov/dico/>. All stuffed and upholstered products must comply with the **Ohio Revised Code (ORC) Section 3713**. This section includes information on labeling. **Remember to check local government agencies**
- Fabric products must comply with the Federal Trade Commission's labeling requirements. Information can be found at www.ftc.gov. **Remember to check local government agencies**
- Depending on the type of product you will make, there may be additional state-level labeling requirements. Check the **Ohio Revised Code (ORC)** and **Ohio Administrative Code (OAC)** for more information. Both the ORC and OAC can be found in your local library and are on-line at <http://codes.ohio.gov>. **Remember to check local government agencies**
- If you will craft ceramic, pottery or glass for decoration or use (such as mugs, plates, etc.) the U.S. Consumer Product Safety Commission (on-line at www.cpsc.gov) and the U.S. Food and Drug Administration (on-line at www.fda.gov) has information about lead content regulations. **Remember to check local government agencies**
- Your arts and crafts business may need **environmental permits** from the **Ohio Environmental Protection Agency (EPA)**. To find out if you need any environmental permits, contact the Ohio EPA at **(614) 644-3020 for general inquiries or (800) 329-7518 for the Small Business Hotline**. The Ohio EPA is also on-line at

*The information contained in this site is for general guidance on matters of interest only and reflects solely the information about the requirements of the State of Ohio. Note, there may be additional local and federal requirements. Accordingly, the information on this site is provided with the understanding that ODSA is not herein engaged in rendering legal, accounting, tax, or other professional advice and services. Before making any decision or taking any action, consult a professional. For more help, contact your local **Small Business Development Center (SBDC)** at www.ohiosbdc.ohio.gov Also, remember to check local government agencies. This checklist is about state requirements. Funded in part through a grant with the U.S. Small Business Administration.

www.epa.state.oh.us. **Remember to check local government agencies**

- If you will sell **lottery tickets**, contact your regional Lottery Commission Office. Information is available on-line at www.ohiolottery.com. **Remember to check local government agencies**
- If you will sell any tobacco products, contact YOUR COUNTY AUDITOR'S OFFICE and the OHIO DEPARTMENT OF TAXATION. **Remember to check local government agencies**
- If you will feature recorded or live music, you must have permission from the owner of the copyrighted material. You can do this by contacting The American Society of Composers, Authors and Publishers (ASCAP), or Broadcast Music, Incorporated (BMI). For more information, contact ASCAP at (800) 505-4052, or BMI at (212) 220-3000. Information is also on-line at www.ascap.com, or www.bmi.com. **Remember to check local government agencies**
- If you will accept items on consignment, it is highly suggested consult an attorney to develop a consignment contract that will protect your business and complies with Ohio laws. Information can also be found in **Ohio Revised Code Sections 1339.71 – 1339.76** <http://codes.ohio.gov> . **Remember to check local government agencies**
- NAICS 453310/17 PERMANENT LOCATION
- NAICS 454390/17 TEMPORARY LOCATION

THIS IS A CHECKLIST FOR STATE REQUIREMENTS. *REMEMBER TO CHECK LOCAL GOVERNMENT AGENCIES*

The information contained in this site is for general guidance on matters of interest only and reflects solely the information about the requirements of the State of Ohio. Note, there may be additional local and federal requirements. Accordingly, the information on this site is provided with the understanding that ODSA is not herein engaged in rendering legal, accounting, tax, or other professional advice and services. Before making any decision or taking any action, consult a professional. For more help, contact your local **Small Business Development Center (SBDC) at www.ohiosbdc.ohio.gov Also, remember to check local government agencies. This checklist is about state requirements. Funded in part through a grant with the U.S. Small Business Administration.*