The Opportunity for Agritourism Development in New Jersey

Brian J. Schilling
Lucas J. Marxen
Helen H. Heinrich
Fran J. A. Brooks

THE STATE UNIVERSITY OF NEW JERSEY
RUTGERS
COOK COLLEGE

The Opportunity for Agritourism Development in New Jersey

A Report Prepared for the
New Jersey Department of Agriculture

by

Brian J. Schilling
Lucas J. Marxen
Helen H. Heinrich
Fran J. A. Brooks*

Food Policy Institute
Rutgers, the State University of New Jersey
Administrative Services Building III
3 Rutgers Plaza
New Brunswick, NJ 08901
(732) 932-1966 ext. 3106
(732) 932-9544
schilling@aesop.rutgers.edu

October 2006

This project was supported by a grant from the New Jersey Department of Agriculture. This report is Food Policy Institute Publication No. RR-0706-010.

*Brian Schilling is Associate Director of the Food Policy Institute at Rutgers University, Lucas Marxen is a Research Analyst at the Food Policy Institute, Helen Heinrich is a professional planner and certified landscape architect, and Fran J. A. Brooks is a practicing anthropologist.

TABLE OF CONTENTS

LIST OF FIGURES

LIST OF TABLES

ACKNOWLEDGMENTS

The authors wish to acknowledge and thank the many individuals that contributed to the completion of this study.

The study team expresses its gratitude for the many hours of consultation provided by individuals at the New Jersey Department of Agriculture, New Jersey Farm Bureau, Rutgers Cooperative Research and Extension, various County Boards of Agriculture and County Agriculture Development Boards, and other agencies and organizations supporting the state's agricultural community.

The study team benefited tremendously from the expertise and valuable input of the New Jersey Agritourism Industry Advisory Council. Special acknowledgement is extended to William Walker, agricultural marketing specialist at the New Jersey Department of Agriculture and liaison to the Council, who compiled a broad array of agritourism resources and information from across the country that served as useful background material in the conceptualization of this study.

At the Food Policy Institute, the efforts of several staff are acknowledged. Elaine Rossi, project manager at the Food Policy Institute, provided assistance in scheduling, conducting, and summarizing farmer field interviews. Seada Avdovic, a graduate research assistant, provided excellent support in compiling and reviewing relevant literature and studies from other states.

Most importantly, the research team expresses its sincere appreciation to the many farmers that participated in this study and gave generously of their time and insight. It is only through their dedication to this project that this study was completed.

INTRODUCTION

During the 1876 Centennial Exhibition in Philadelphia, Camden businessman Abraham Browning compared New Jersey to "an immense barrel, filled with good things to eat and open at both ends, with Pennsylvanians grabbing from one end and the New Yorkers from the other." Despite decades of farm attrition, New Jersey still remains among the leading producers of a variety of agricultural products enjoyed by residents in the state and beyond. Over time many New Jersey farmers have substantially changed the range of products and services they provide in response to changing demographics, evolving consumer preferences, and intensifying pressures on farm viability. For many, expansion into agritourism is viewed as a logical – if not necessary – evolution of their enterprises in order to enhance farm viability.

A review of existing literature shows that there is no universal definition of "agritourism." It may be broadly defined, however, as the business of establishing farms as travel destinations for educational and recreational purposes. Examples of agritourism opportunities in New Jersey presently include on-farm direct marketing (i.e., farm stands and pick-your-own operations), farm tours, hunting, fishing, wine tasting, hiking, farm festivals, hayrides, and corn mazes.

The growth of agritourism is not a phenomenon unique to New Jersey. Across the United States, agritourism is emerging as an important product and market diversification strategy for farmers. It provides much needed cash flow to many farms challenged by declining profitability. The United States Department of Agriculture has estimated that more than 62 million Americans, age 16 or older, visited a farm between 2000 and 2001 (NSRE 2002). An estimated 20 million children under the age of 16 also visited a farm at some point during this period (Wilson, Thilmany and Sullins 2006). The Purdue Tourism Hospitality Research Center projects that between 1997 and 2007, nature and agricultural-based tourism will be the fastest growing segment of the travel and tourism industry.

The popularity of agritourism reflects the fact that it offers benefits to both the farmer and the public. From the standpoint of the farmer, agritourism represents an opportunity to generate supplemental income during periods when land and equipment may be underutilized or idle. It also affords farmers the opportunity to generate feedback from consumers regarding preferences for various farm products and services.

The potential benefits of agritourism also extend beyond the farm gate. Agritourism activities can create positive interactions between non-farmers and farmers and raise awareness about agriculture. This understanding ultimately benefits farmers because it may help reduce right to farm conflicts and garner public support for farm retention policies.

In addition, agritourism contributes to and enhances the quality of life in communities by expanding recreational opportunities, diversifying economic bases, and promoting the retention of agricultural lands. In New Jersey, and elsewhere, working agricultural landscapes reflect the efforts of generations of farm families and often provide a defining sense of culture, heritage, and rural character. Agritourism provides educational opportunities for school children and adults to learn about the state's agrarian heritage, the production of food, and resource stewardship. Finally, many agritourism operations provide consumers with direct access to fresh, locally-produced farm products.

Study Rationale

Agritourism industry development is consistent with New Jersey's past and current policies to support the farming industry. Since the 1960s, New Jersey residents have expressed appreciation for the benefits of agriculture by supporting efforts to preserve remaining agricultural lands for future productive use and enjoyment. Today, over 150,000 acres of farmland – more than 18 percent of the state's remaining farmland base – have been preserved in perpetuity. However, to protect public investments in farmland preservation one may argue that they must be accompanied by the realization that the *business* of farming needs to remain profitable, with reasonable returns on investment. While farmers have little

control over many agricultural markets because they are shaped by broader economic forces, they realize that they can exert greater control in local consumer markets and provide products and services which will improve farm income and viability.

In 2004 the New Jersey State Board of Agriculture formally recognized agritourism development as a strategy for bolstering the viability of New Jersey agriculture. Subsequently, New Jersey Secretary of Agriculture, Charles Kuperus, convened the New Jersey Agritourism Industry Advisory Council in 2005. The purpose of the Council is to assist with the creation and implementation of strategies to advance the economic development opportunities presented by agritourism. These actions, and the impetus for this study, both emerged from the work of the New Jersey Department of Agriculture's "Economic Development Working Group" and its recommendation that agritourism be added as a new economic development area.

In April 2005, the New Jersey Department of Agriculture commissioned the Food Policy Institute at Rutgers University to conduct a one-year study of the potential for agritourism development in New Jersey. This report conveys the findings of this study. These findings will inform agricultural policy makers about the current nature of agritourism activities in New Jersey, the extent to which these activities improve farm viability, and the needs of agritourism operators. The findings will also be useful to farmers interested in developing or expanding agritourism activities. The study team advances specific recommendations that will support agritourism development in New Jersey.

STUDY APPROACH

Research Team

The study team comprised researchers who are knowledgeable about New Jersey farmers and farming issues. Brian J. Schilling, Associate Director of the Food Policy Institute at Rutgers University, served as project director and has extensive background in agricultural economics and policy as well as planning. Lucas J. Marxen, Research Analyst at the Food Policy Institute, has training in environmental policy and planning. Helen H. Heinrich is a Professional Planner and Certified Landscape Architect with broad experience in agricultural land use policy and special expertise in municipal planning to support agricultural viability. Dr. Fran J. A. Brooks is a practicing anthropologist who has focused on the social aspects of North American agriculture and agricultural land use and policy.

Study Objectives

The overall goal of this study is to examine the opportunities for agritourism development in New Jersey as a strategy for enhancing the viability of the state's farms. The study has five specific objectives. These are:

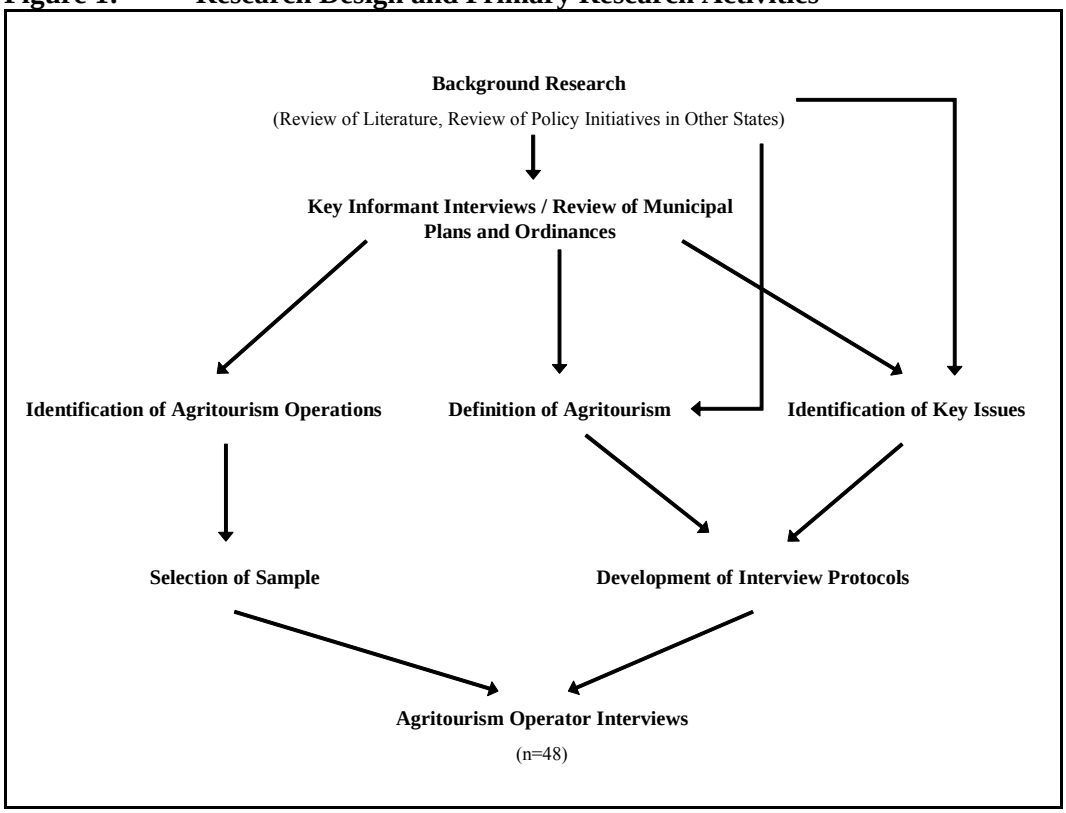
(1) To identify and locate New Jersey farm operations that offer some form of agritourism activity;
(2) To identify the types and scales of agritourism activities offered on New Jersey farms;
(3) To examine farm leaders' perceptions of the opportunities and challenges presented by agritourism;
(4) To examine agritourism operators' perceptions of the opportunities and challenges associated with agritourism; and,

(5) To evaluate the master plans, land use codes, and other ordinances in a small cross section of municipalities to assess their compatibility with agritourism industry development.

Research Activities

The research design consisted of several inter-related and sequential sets of activities (Figure 1). Prior to the commencement of this study, the research team completed background research in order to identify (1) key issues facing agritourism operators in other states and (2) agritourism development strategies and approaches with potential application in New Jersey. A review was conducted of recent policy reports and other information sources focused on agritourism developed in other eastern states. The study team also consulted with individuals responsible for agritourism development in other states. This research uncovered current issues facing agritourism operators in other states and provided a more informed basis for conducting a series of key informant interviews in New Jersey.

Figure 1: Research Design and Primary Research Activities



Interviews with key informants – individuals knowledgeable of New Jersey agriculture and agricultural issues – were scheduled to guide project development and implementation. In total, 38 individuals were interviewed either in person or through scheduled telephone meetings. Interviewees included staff at the New Jersey Department of Agriculture, New Jersey Farm Bureau leaders, faculty and administrators from Rutgers Cooperative Research and Extension, County Board of Agriculture presidents, County Agriculture Development Board coordinators, and experts familiar with New Jersey agriculture. All key informants were asked to share their broad views of agritourism (including what constitutes "agritourism") and identify agritourism operations with which they were familiar. Interviewees were also asked to more specifically comment on their perceptions of:

- the importance of agritourism to farm viability in New Jersey;
- trends in agritourism;
- reasons farmers are/are not entering agritourism;
- challenges agritourism operators are facing; and,
- the potential opportunities for promoting agritourism development, and the appropriate roles of key agricultural support agencies and organizations in achieving this objective.

Concurrently with the key informant interviews, a member of the research team conducted a review of local plans and ordinances in five New Jersey municipalities. The purpose of the review was to assess how – if at all – agritourism is being considered in local agricultural development and the extent to which local regulatory and planning provisions are consistent with agritourism development goals.

The combination of background research, key informant interviews, and municipal review resulted in three primary outcomes necessary before agritourism operator interviews were initiated. First, a working definition of agritourism was established for purposes of this study. Second, the research team developed an understanding of challenges and opportunities facing agritourism operations in other states that might be present in New Jersey and thus warrant investigation. This information guided the development of draft

protocols for structured interviews with New Jersey agritourism operators. Third, the study team was able to identify potential agritourism operators for field interviews.

The final research activity, and the primary emphasis of this study, was the completion of forty-eight in-depth interviews with farm operators currently engaged in agritourism in New Jersey. All interviews were conducted by experienced field researchers with strong familiarity with the state's agricultural community and farming issues.

Definition of Agritourism

A key task of the research team was to define agritourism for the purposes of this study. An Internet search and review of available literature reveals that various terms are used. Agritourism is variously referred to as "agricultural tourism," "agri-tainment," "farm recreation," "entertainment agriculture," and other rubrics. While there is no universal definition of agritourism, there is relative consistency in the view that the term comprises a wide range of on-farm activities that are offered to the public for educational or recreational purposes. Examples of definitions of agritourism are as follows:

At the 2004 annual meeting, American Farm Bureau Federation advanced the following definition of agritourism as

> an enterprise at a working farm, ranch or agricultural plant conducted for the enjoyment of visitors that generates income for the owner (Ryan, DeBord and McClellan 2006).

The University of California's Small Farm Center offers the following definition of agricultural tourism as

> the act of visiting a working farm or any agricultural, horticultural or agribusiness operation for the purpose of enjoyment, education, or active involvement in the activities of the farm or operation (Lobo).

For purposes of a survey of agritourism in Vermont, the New England Agricultural Statistics Service defined agritourism as

> a commercial enterprise on a working farm conducted for the enjoyment, education, and/or active involvement of the visitor, generating supplemental income for the farm.

The Kentucky Agritourism Working Group (2001), created by the Kentucky Department of Agriculture to explore options for promoting the development of a statewide agritourism industry, defines agritourism as

> any business conducted by a farmer for the enjoyment or education of the public, to promote the products of the farm and to generate additional farm income.

A recent Senate bill (No. 38) passed in Virginia to afford agritourism operators a measure of liability protection defines an agritourism activity as

> any activity carried out on a farm or ranch that allows members of the general public, for recreational, entertainment, or educational purposes, to view or enjoy rural activities, including farming, ranching, historical, cultural, harvest-your-own activities, or natural activities and attractions. An activity is an agritourism activity whether or not the participant paid to participate in the activity (3.1-796.137-139 of the Code of Virginia).

The United States Department of Agriculture, Natural Resources Conservation Service (2004) defines agritourism as

> inviting the public onto a farm or ranch to participate in various activities and enjoy an agricultural experience. Agritourism enterprises include bed and breakfasts, for-fee fishing or hunting, pick-your-own fruits/vegetables, corn mazes, farm markets, and much more.

In New Jersey, the State Agriculture Development Committee (SADC) is presently considering the adoption of an Agricultural Management Practice (AMP) specifically relating to agritourism. The intent of the AMP is to establish standards that guide the development of agritourism activities on commercial farms. Commercial farms that are in compliance with the AMP, once adopted, will receive protection for the specified activity under the state Right to Farm Act (N.J.S.A. 4:1C et. seq.). The draft AMP defines agritourism, per the state Right to Farm Act, as:

> conducting agriculture-related educational and farm-based recreational activities provided that the activities are related to marketing the agricultural or horticultural output of the commercial farm. (N.J.S.A. 4:1C et. seq.)

Most definitions reviewed by the research team were generally consistent in the specification that agritourism occurs on a "working farm" or "commercial farm." The SADC definition was actually among the more specific in terms of the proviso that agritourism activities must relate to the "marketing [of] the agricultural or horticultural output of the commercial farm." While this definition requires a nexus between an agritourism activity and the marketing of a farm's agricultural products, it falls short of explicitly stating that such an activity needs to generate revenue for the farmer. Other definitions varied with respect to whether farmers have to generate income from an agritourism activity. For example, the Virginia Senate bill on agritourism liability states that an activity may be considered agritourism "whether or not the participant paid to participate in the activity" (emphasis added). The University of California's Small Farm Center and NRCS definitions, however, do not address the issue of whether activities need to generate a fee to be considered agritourism (although the NRCS definition does specifically reference "for-fee" fishing and hunting). Several other definitions did specify that agritourism generates income for the farmer, implying that such activities are fee-based.

After consultation with the New Jersey Agritourism Industry Advisory Council, the research team adopted a simple and encompassing definition of agritourism *as the business of making farms travel destinations for educational and recreational purposes*. To frame fieldwork, two decisions were made in conjunction with the Council. For purposes of this study:

(1) Only activities offered on a farm were considered as agritourism (i.e., while direct-to-consumer marketing of farm products is generally considered as agritourism, sale of products off-farm at a community farmers' market does not fall under the scope of this study).[1]

[1] This delineation is not intended to diminish the importance of non-farm based agricultural destinations or attractions. For example, the New Jersey Museum of Agriculture as well as the "living history" farms (i.e.,

(2) On-farm recreational or educational activities did not need to generate revenue to be considered agritourism. As an example, free educational tours of a farm or a complimentary hayride are considered agritourism.

Development of Field Research Protocol

A structured farmer interview protocol was developed by the research team to guide field research and ensure procedural consistency among interviewers (see Appendix A). The development of the protocol was informed by consultation with agricultural leaders and experts from the farm community, Rutgers Cooperative Research and Extension, and other agricultural organizations. The study team also reviewed recent agritourism studies conducted in other states and contacted personnel involved with agritourism development in other state departments of agriculture, industry associations, and universities.

The interview protocol was evaluated and approved by the New Jersey Agritourism Industry Advisory Council. It was also submitted for review by the Rutgers University Institutional Review Board to ensure consistency with federal guidelines on human subjects research. The interview guide consisted of both open-ended and closed questions focused on the following topics:

- Characteristics of the agritourism operation (types of agricultural products produced, nature of existing agritourism activities, size, sales volume, etc.);
- Reasons for developing/evolution of the agritourism component of the farm operation;
- Challenges encountered when starting agritourism (i.e., access to capital, right to farm issues, liability concerns, neighbor complaints, labor, regulatory issues, etc.);
- Sources of information used to develop agritourism activities;
- Marketing and promotion;
- Plans for future expansion;

Longstreet Farm in Monmouth County, Howell Living History Farm in Mercer County, and Fosterfields in Morris County) provide visitors with agriculture-related entertainment and education. Similarly, the agricultural/4-H county fairs, the annual Sussex County Farm and Horse Show (State Fair), and other farming-themed festivals and attractions draw hundreds of thousands of visitors every year.

- Perceptions of the benefits (and negative aspects) of agritourism; and,
- Perspectives on future agritourism industry growth and its impact on the economic viability of farming in the state.

Identification of Agritourism Operations and Sample Selection

The New Jersey Department of Agriculture maintains what the authors believe to be the most inclusive list of farms offering agritourism in New Jersey. A total of 518 operations were listed in the database as of late 2005. This list contains the name and location of each operation, contact information, and a brief description of activities offered on the farm. This list was augmented with listings maintained by various other organizations (i.e., agritourism directories compiled in the Sussex County and broader Skylands regions, the New Jersey Farm Bureau produce marketing directory, and other NJDA publications), Internet searches, and consultation with various agricultural organizations.[2]

The selection of agritourism operations for field interviews was guided by recommendations provided during interviews with agricultural leaders and experts. The research team opted to use a form of non-probability sampling known as purposive sampling to identify agritourism operations that met predetermined criteria.[3] The primary criterion used to select the sample population was the presence of one or more agritourism activities on the farm. A "sampling with replacement" strategy was employed. In other words, if a selected agritourism operator was no longer in business or otherwise unavailable to participate in the study (or, in a very few cases, refused to participate), another suitable case was identified. For these reasons, any statistical data presented in this report do not represent the entire population of agritourism operators existing in New Jersey. The data represent "in sample" descriptions of the respondents only.

---

[2] The Skylands region encompasses Hunterdon, Morris, Somerset, Sussex, and Warren counties in northwestern New Jersey.

[3] The lack of a comprehensive and validated list of agritourism operations in New Jersey precluded probability sampling. In the absence of basic parameters on the population of New Jersey agritourism operations it would be difficult to draw meaningful statistical inferences about the entire industry based on data provided by only a sample of industry respondents.

In order to develop a statewide farmer sample, at least one agritourism operation was selected from each New Jersey County, with the exception of heavily urbanized Essex, Union, and Hudson counties. The regional distribution of farms is reported in Table 1.

Table 1: Geographic Distribution of Farms Participating in Study

	Region			
	Total	**North** (Bergen, Essex, Hunterdon, Morris, Passaic, Somerset, Sussex, Union, Warren)	**Central** (Burlington, Mercer, Middlesex, Monmouth, Ocean)	**South** (Atlantic, Camden, Cape May, Cumberland, Gloucester, Salem)
Number of Interviews	48	14	20	14
Percent of Interviews	100%	29%	42%	29%

Agritourism Operator Interviews

Interviewees were screened to (1) determine active current engagement in agritourism and (2) confirm their willingness to participate in the study. Forty-four interviews were conducted in-person. Four interviews were conducted over the telephone. An interviewer guide was developed and reviewed with all interviewers to ensure consistency in interview approach, implementation, recording, and data coding.

All interviews were recorded on a digital recorder. Audio files of interviews were reviewed by the study's project manager and responses were transcribed and coded in Microsoft Excel. Individual identifiers were removed from all cases to ensure confidentiality and replaced with unique log numbers. All analysis was completed in SPSS, a statistical analysis program.

Sample Characteristics

The basic demographic data collected on study participants suggest a number of dissimilarities between the group of farm operators participating in the study and the general population of New Jersey farmers. For example:

- Among the farm operators interviewed, 94 percent considered themselves full-time farmers. In comparison, only 52 percent of all New Jersey farm operators reported farming as their primary occupation in the 2002 Census of Agriculture.
- As shown in Table 2, the sample distribution of farms based on sales class is also skewed considerably toward the larger end of the spectrum. For example, nearly half of the operations visited reported gross farm income of $500,000 or higher. Only 3 percent of all New Jersey farms produce this sales volume. Similarly, 71 percent of all farms in the state produce less than $10,000 in agricultural output; yet only 5 percent of the operations interviewed fell into this sales class.

Table 2: Distribution of Operations by Total Gross Farm Income

Sales Class	Number of Farms in Study	Percent of Farms in Study*	Percent of All NJ Farms*
Less than $10,000	2	5%	71%
$10,000 to $49,999	5	12%	15%
$50,000 to $99,999	2	5%	4%
$100,000 to $249,999	5	12%	5%
$250,000 to $499,999	8	19%	3%
$500,000 or more	21	49%	3%
All Operations	**43**	**100%**	**100%**
Refused to Answer	*5*		

(*Column may not add to 100% due to rounding).
Source: Data on population of New Jersey farms is from the 2002 Census of Agriculture.

- Farming provides at least half of the household income for 79 percent of study participants. This compares with only 23 percent of all New Jersey farmers for whom farming contributes at least 50 percent of household income.

- The average size of farms participating in the study was 190.3 acres – more than double the statewide average of 81 acres. The size distribution of farms is significantly skewed toward the larger farms (Table 3).

Table 3: Distribution of Operations by Farm Size

	Farm Size Class (percent of farms)						
	1 to 9 acres	10 to 49 acres	50 to 99 acres	100 to 499 acres	500 to 999 acres	1,000 + acres	Total*
New Jersey	25%	45%	12%	14%	2%	1%	100%
Farms in Study	2%	15%	20%	54%	7%	2%	100%

(* Rows may not add to 100% due to rounding.)
Source: Data on population of New Jersey farms is from the 2002 Census of Agriculture.

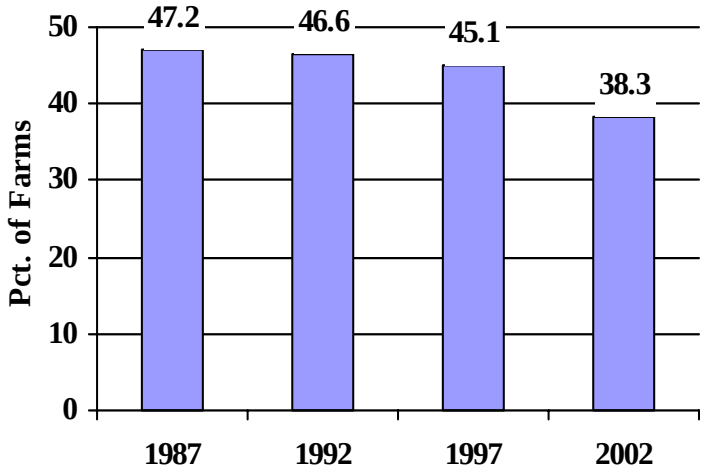
Differences between the sample characteristics described above and general farm population parameters should be viewed within the context of sample selection. While there was considerable variability across the 48 operations examined in this study, the process of case selection (i.e., key informant recommendations) predictably resulted in the inclusion of relatively more prominent agritourism operations. Therefore, the data does not directly support any inference that the characteristics of operations/operators participating in this study are statistically representative of all agritourism enterprises in New Jersey. However, findings presented in this report do represent a convergence of opinion among agritourism operators interviewed. From a qualitative research standpoint, this provides a reasonable level of certainty that the perspectives of study participants identified in this report are indicative of those of New Jersey agritourism operators.

THE CONTEXT FOR AGRITOURISM IN NEW JERSEY

Background

Across the nation farms and farmland are being lost at alarming rates as many farmers find it financially infeasible to remain in agriculture. Since the 1950s, New Jersey farm numbers have declined by two-thirds and farmland acreage has dropped by more than fifty percent. Further, federal census data suggest that remaining farms are finding it increasingly challenging to remain profitable. Only 47 percent of U.S. farms reported positive net cash returns from farming in 2002. A considerably lower proportion of New Jersey farms – 38 percent – generated net gains. Moreover, the trend in farm profitability has been downward (Figure 2).

Figure 2: Percent of New Jersey Farms Reporting Net Gains from Farming



Source: National Agricultural Statistics Service (2002).

The pressures on America's farms have multiple roots. Farmers everywhere must contend today, as they always have, with the vicissitudes of pests, disease, weather, and unpredictable market prices. Recent decades, however, have witnessed an increasing level of global economic integration. With this comes both challenge and opportunity. Globalization has driven structural changes in the competitive landscape for farm products in terms of regulation, production, and consumption. It has meant new markets for American farm

products. This is reflected in the fact that agricultural exports are presently at an all-time high. Opportunities for continued export growth appear promising in light of the fact that more than 95 percent of the world's population is outside of the United States, a significant proportion of which resides in countries with rapidly expanding incomes. Yet growth in U.S. agricultural imports is outpacing growth in exports. The Nation's positive trade balance in agriculture – maintained since the 1960s – has been dwindling and is projected to turn into a deficit in coming years (Jerardo 2004; Brooks 2006).

Farmers are also facing significant changes on the domestic front. For example, federal farm policy continues to evolve. Once dominant income stabilization and price support programs are under pressure as international trade agreements emphasize trade liberalization and free markets. Changes in the structure of the U.S. food retail industry have also significantly affected the nature and structure of agricultural product markets. Consolidation in the supermarket industry and growing demand by major chain retailers for a stable 52-week supply has exacerbated the loss of wholesale channels to out-of-state competitors and declines in wholesale prices for many farmers. At the same time, consumers themselves are exerting more influence on the farming industry. As the American population ages and becomes more affluent and ethnically diverse, opportunities exist for entrepreneurial farmers to respond to consumers' changing food preferences and eating patterns (Ballenger and Blaylock 2003).

These dynamics – both international and domestic – have impacted the economic performance of farms across the U.S. However, the need for strategies to bolster the economic viability of farms is arguably more intense in New Jersey than in most other parts of the U.S. New Jersey farmers operate in the most heavily urbanized and densely populated state in the nation. Farmland costs are consistently among the highest in the Nation, as are labor and a number of other business costs. Many once agricultural areas are now in transition, facing growing demand for new housing and commercial construction to accommodate a growing population. Further, patterns of development appear to be consuming more land per capita than in years past, adding to pressures on the remaining farmland base (Schilling 2006).

American Farmland Trust's *Farming on the Edge* study provides an empirical assessment of the increasing pressure suburbanization is placing on farms across the nation (Sorensen et al. 1997). The study found that a significant percentage of the Nation's food production occurs in counties now considered urban-influenced. Using data from the National Resource Inventories and Census of Agriculture across 127 regions, the study identifies the top 20 regions with high quality farmland facing the most significant development pressures.[4] Two of these regions, the Northern Piedmont (2nd most threatened) and the New England and Eastern New York Upland - Southern Part (10th most threatened), include portions of New Jersey and encompass 45 percent of the state's farms and 39 percent of land in farms (Sorensen et al 1997; Schilling 2006). The Northern Coastal Plain (which includes much of southern and central New Jersey) is ranked as the 45th most threatened area, an alarming finding given the heavy concentration of the state's agricultural activity in this region.

In response to all of these factors, New Jersey agriculture has been marked by substantial structural and compositional transformation over the past several decades. For example, New Jersey's average farm size has trended downward as land leaves production and is converted to non-agricultural use. In 2002, while the average farm size in New Jersey was 81 acres, half of the state's farms were only 22 acres or less in size. Rising farmland values counter the economies of scale historically relied upon to support the profitability of many traditional types of production. Consequently, there has been significant transition away from large farms specializing in lower value-per-acre commodities (e.g., grains) and livestock production. Many of the traditional row crops and livestock operations have been largely supplanted with higher valued horticultural production, which can be profitable on relatively small parcels.

---

[4] Regions were defined based on 181 Major Land Resource Areas (MLRAs), large geographic regions defined by the USDA based upon homogeneity of physical features such as climate, soils, water, and types of farming activity.

The characteristics of farmers themselves are also changing. For example, far fewer farmers rely solely on income from farming today than in past years. At the national level 93 percent of farmers reported having off-farm income in 2002 versus only 54 percent thirty years ago (Farm Credit Council 2006). Another key trend is that average farmer age continues to inch upwards as fewer and fewer young people enter production agriculture. The farmers who realize that "doing it the old way" may not result in sufficient farm profitability recognize the need for innovative and entrepreneurial agribusiness ideas. Fortunately, the concentration of affluent and diverse consumers in New Jersey and surrounding metropolitan areas presents farmers in the state with a wide range of opportunities for developing alternative farm enterprises.

The ability to respond effectively to changing agricultural market opportunities – including emerging non-traditional markets for farm products and services – is one critical example of how many New Jersey farmers have remained in business. While not necessarily done under the conscious rubric of "agritourism," many New Jersey farmers have developed innovative additions to their farming operations that bring the public onto the farm. Oftentimes this has involved the adoption of new marketing practices in order to more directly capitalize on access to nearby consumer markets. In many cases, these changes have occurred incrementally as individual farmers attempt – often through trial and error – to tap into local market opportunities.

Agritourism in the Context of New Jersey's Recent Agricultural Policy

The progression of farm policy in New Jersey has evolved in tandem with the various challenges and opportunities faced by the state's farmers. New Jersey farm policy in the 1950s and 1960s was focused on mitigating pressures created by rapidly rising farmland valuation that came with post-war prosperity, increased personal mobility, and population dispersion. Agricultural-rural areas of the state came under significant pressure from new development and population growth. Large expanses of farmland were lost to non-agricultural uses, creating an immediate need for policies to stabilize the farmland base.

In the 1970s and 1980s, state policy was focused on creating more permanent mechanisms for preserving farmland resources. These efforts culminated in 1983 with the passage of the Agriculture Retention and Development Act (ARDA), which established the state farmland preservation program. The Right to Farm Act was also passed in 1983 as companion legislation to protect commercial farms that operate in accordance with accepted agricultural practices. In the Legislative findings section of the latter Act, it is noted that

> [s]everal factors have combined to create a situation wherein the regulations of various State agencies and the ordinances of individual municipalities may unnecessarily constrain essential farm practices.

In addition to protecting farmers from regulations that "unnecessarily constrain" farming, the Right to Farm Act (as amended in 1998) also offers commercial farms protection from nuisance actions provided that they are adhering to "recognized methods and techniques of agricultural production."[5] Of particular relevance to the effort to cultivate opportunities for agritourism industry development is the fact that, under the state right to farm law, commercial farmers have the right to "conduct agriculture-related educational and farm-based recreational activities provided that the activities are related to marketing the agricultural or horticultural output of the commercial farm."

The 1990s brought a sharper focus on the need to support the business and industry of agriculture, and its underlying financial viability. Programs and policies emerged to capitalize on new market opportunities for New Jersey's farmers, promote product diversification, and support efforts to add value to basic agricultural products. As New Jersey entered the 1990s, the state and nation were struggling to recover from a recession. The Agricultural Economic Recovery and Development Initiative (AERDI) documented the economic conditions of the state's agricultural community. A confluence of factors such as

---

[5] The Agriculture Retention and Development Act and Right to Farm Act created the State Agriculture Development Committee and the 16 county agriculture development boards and defined their authority to make determinations related to a farm's conformance with accepted agricultural practices.

low farm prices, the loss of off-farm income, and *a lack of alternatives to raise farm income* were identified as critical factors adversely impacting farm families in the state.

The AERDI study commission identified several marketing strategies to enhance the sale and value of farm products. These included joint ventures for agricultural processing and packaging, vertical integration of farm operations, and promotion of direct marketing. AERDI led to the creation of special grant and incentive programs to spur investment in new cooperative ventures and farm modernization. The marketing recommendations did not focus on agritourism opportunities *per se*, and it is unclear whether (or the extent to which) farmers utilized the programs for such purposes.

In the early 1990s, New Jersey's farm leadership created the FARMS Commission to create a strategic plan to lead agriculture into the 21st century from a position of strength. The scope of the commission's effort was broad and multi-faceted, entailing extensive data collection and analysis, as well as focus group discussions about the industry's needs and future. Industry development recommendations conveyed in the commission's final report, *Into the 21st Century: Ensuring a Fertile Future for New Jersey Agriculture*, were organized across five areas: (1) marketing and alternative income opportunities, (2) regulation and taxes, (3) farmland retention, (4) production systems and productivity, and (5) agricultural leadership and communication. In terms of market development and other opportunities to enhance farm incomes, the commission noted that the state's well-developed national and international distribution infrastructure and proximate access to a large, affluent consumer market were key advantages.

As the new millennium dawned, New Jersey's agricultural leadership built upon groundwork laid in the previous decade and worked to foster more comprehensive planning for agriculture at the state, and increasingly, local levels. Efforts focused on encouraging broader consideration of agriculture not as a passive land use, but as a working landscape comprising diverse agricultural businesses. This policy agenda was formalized in the Agricultural Smart Growth Plan for New Jersey. It is intended to integrate into the mandates outlined under New Jersey's State Planning Act (N.J.S.A. 52:18A–196 et seq.).

The State Planning Act directed the development of a State Development and Redevelopment Plan to guide growth and development – as well as conservation – in the state. The 2001 New Jersey State Plan identifies 19 Statewide Policy Areas that embody the philosophy of the plan and guide plan implementation. Statewide Policy 15 focuses specifically on agriculture, stating as a goal the need to

> promote and preserve the agricultural industry (*emphasis added*) and retain farmland by coordinating planning and innovative land conservation techniques to protect agricultural viability while accommodating beneficial development and economic growth necessary to enhance agricultural vitality and by educating residents on the benefits and the special needs of agriculture.

Among the specific strategies defined to advance this policy objective is the expansion of agritourism and ecotourism opportunities in the state.

At the 2004 New Jersey Agricultural Convention, the State Board of Agriculture approved the New Jersey Department of Agriculture's *2004 Economic Development Strategies*; these included the addition of agritourism as a new economic development strategy. It was recognized that agritourism is a potentially important strategy for farmers to generate additional farm-related income and help enhance farm profitability. Three broad categories of strategies were identified: (1) development of strategic partners to promote and develop the industry, (2) promotion to the consumer, and (3) the education of farm operators interested in developing agritourism enterprises.

This brief review of New Jersey's farming industry and agricultural policy over the past several decades underscores several important themes of direct relevance to the current effort to promote agritourism development in New Jersey. First, New Jersey's farming industry is dynamic in terms of land use, industry structure, and product mix. Second, state level farm policy has evolved from a primary focus on preservation of the land base to a broader view of preservation of agricultural businesses. Third, the farm community has a history of innovation and adaptation in response to both challenges and opportunities.

Lastly, state policy to support farming has evolved, and needs to continue to evolve, with the changing realities and needs of the agricultural industry.

For more than 40 years, state policy has focused on the importance of stemming the loss of farmland resources and farms. New Jersey has been remarkably successful in its farmland preservation efforts, with aggressive financial commitments being made at the state and local levels. As of September 2006, New Jersey had permanently preserved 1,446 farms and more than 150,000 acres of farmland. This equates to more than 18 percent of the remaining farmland base, the highest proportion in the Nation. The challenge then becomes one of ensuring the preservation of farming activity. It is becoming cliché: farmland is not farmland without the farmer. Yet this remains a truism with important implications for state and local agricultural policy. Recent years have seen an increasing focus on "farm viability." Farmland is without doubt a necessary condition for farming in New Jersey; but the preservation of farmland alone does not ensure a viable future agricultural industry.

Cultivating opportunities for farm families to earn reasonable livings from the farm will be critical for the future of the state's farming industry. For many farm families, this will likely involve the addition of innovative income-generating strategies that utilize existing farm resources. Agritourism is one such opportunity, the potential of which has not likely been fully realized.

Available Statistics on Agritourism

Agritourism has not been the subject of extensive study in the United States. The depth of the available literature does not seem to reflect the surge of attention agritourism has received in recent years in both the popular media and within the agricultural community. Similarly, the current economic importance of agritourism in the U.S. is largely unmeasured. Formal tracking and monitoring of agritourism is not routinely conducted in the United States under the auspices of the Census of Agriculture, which is conducted every five years

by the National Agricultural Statistics Service (NASS).[6] Efforts have been made to quantify the impacts of agritourism in relatively localized geographic ranges; however a systematic assessment of the economic opportunity remains lacking.

Little prior research has been conducted on agritourism in New Jersey. Information releases from the New Jersey Department of Agriculture have provided "how to" guidance and self-evaluation tools ("is agritourism right for me?") to farm operators considering the move into agritourism. A Rutgers Cooperative Research and Extension fact sheet developed by Brumfield and Mafoua (2002) examined the use of agritourism in nursery and greenhouse operations. They outline its advantages and disadvantages and present ideas for operators interested in adding an agritourism component to their operations. Some of the advantages of agritourism they identify include extra revenue generation, the ability to spread fixed costs across additional activities, utilization of excess resource capacity (labor, land, capital, etc.), increased agricultural awareness among the public, and promotion of the nursery/greenhouse industry and its products. Some of the disadvantages they note are increased traffic and parking demands, conflicts with non-farm neighbors, additional capital and labor investments, and safety and liability issues. The fact sheet also referred to the greater need for operators to be consumer-oriented and the potential demands of interfacing more directly with the public.

A study conducted by Govindasamy et al. (1998) examined the income differentials between farms that adopted innovative activities designed to generate supplemental farm income and those that had not. Their findings showed that farm operators engaged in agritourism (including direct marketing) were likely to attain higher income levels than farmers that did not undertake these activities.

---

[6] Perhaps the most comprehensive assessment of agritourism from a state-level perspective was conducted in Vermont by the New England Agricultural Statistics Service. The agency conducted surveys on agritourism in Vermont in 2000 and again in 2002. The 2002 study found that one-third of Vermont farms were engaged in some form of agritourism. The study estimated that total income generated statewide from agritourism was 19.5 million, an increase of 86 percent over the 2000 level ($10.5 million). As a point of reference, agritourism revenues were roughly equivalent to 4 percent of Vermont's total 2002 gross farm income.

In June 2005, a Skylands Rural and Recreation Tourism Conference was held to examine ways of protecting and preserving natural and cultural resources in northwestern New Jersey and identify new ways to create economic development that complements the rural character of the region. The conference focused on the use of ecotourism, including agritourism, as a strategy for economic growth both in the Skylands region and elsewhere in New Jersey. During the conference, Adelaja addressed the opportunity that exists for agritourism in New Jersey but noted the potential obstacles to agritourism development. These included regulatory constraints and barriers, taxation and fiscal issues, the availability of technical assistance, and transportation access to rural areas (Adelaja and Listokin 1995).

The work of the FARMS Commission in the early 1990s touched upon the issue of direct marketing and agritourism as areas of growing and likely future importance for New Jersey farmers. In 1993, a comprehensive statewide survey of farm operators was conducted by NASS as part of the FARMS Commission initiative. Among the issues covered was the provision of on-farm activities to the public. The study found that 43 percent of farmers participating in the survey offered some form of agritourism as has been defined for the purposes of this study. Most commonly, this took the form of hunting or fishing and farm tours (Table 4). Other activities reported included horseback riding, petting zoos, and hayrides. Interestingly, slightly less than one-quarter (24 percent) of farmers offering some form of agritourism at that time charged a fee for these activities.

While reliable and comprehensive data on the extent of agritourism in New Jersey are virtually nonexistent, some inferences from available data can be made about the importance of on-farm recreation, education, and product marketing. The NASS provides the most statistically reliable source of agricultural industry data. The agency does not, however, broadly consider the issue of "agritourism" *per se*. However, in light of the significant, and apparently growing, importance of agritourism, NASS began compiling basic statistics on farm income from "recreational services" in the 2002 Census of Agriculture. Data on direct marketing have been collected for several Census periods. Together, these data provide at least a partial assessment of the direct economic importance of farm-based tourism in New Jersey.

Table 4: Farmers Offering "Agritourism" Activities in 1993 – Findings from the FARMS Commission Survey

Activity	Pct. of Farms Surveyed Offering Activity*	Pct. of Farms Offering Activity that Charge a Fee
Hunting and fishing	37%	20%
Farm tours	9%	11%
Horseback riding	5%	20%
Petting zoo	4%	11%
Hayrides	4%	25%
Picnic areas for public	3%	0%
Food and drink	3%	29%
Festivals	2%	40%
Township festivities/programs	2%	0%
Religious organizations	2%	0%
Other	2%	40%
Hiking	1%	0%
Pct. of farms offering any of the above activities	**43%**	**24%**

Percentages are based on a sample of 204 farms.
Source: Authors' calculation based upon data from 1993 survey of farmers conducted by the FARMS Commission.

According to the Census of Agriculture, New Jersey farms generated farm-related recreational income totaling approximately $1.2 million during 2002.[7] Table 5 shows the distribution of farm-based recreational income across counties for which data are reported. Sussex and Hunterdon counties account for one-third of the total sales volume reported for the entire state. As will be discussed shortly, however, the comprehensiveness of this data is unclear. Thus the research team advises against interpretation of this data as a true measure of the importance of on-farm recreation to New Jersey's farming operations.

[7] Nationwide, on-farm recreational activities were offered by 28,016 farms and generated income of $202.2 million. It is surprising to note that Texas farms accounted for 38 percent - $77.6 million - of national on-farm recreation income. Consultation with the Texas field office of NASS suggested that much of this income was derived from hunting leases. Several other western states similarly had a relatively large amount of income derived from on-farm recreation (notably Colorado, Montana, South Dakota, and Wyoming), most likely linked to hunting. Source: personal communication with Robin Roark, Director, Texas Agriculture Statistics, USDA-NASS (March 2, 2006).

Census of Agriculture data also reveal a growing reliance on direct marketing of farm products in New Jersey, a major component of agritourism.[8] In the past ten years, reliance on direct marketing channels has increased among New Jersey farmers. From 1992 to 2002, the number of farms reporting use of direct marketing to sell products *for human consumption* rose from 1,508 to 1,769 (Figure 3). This means that 18 percent of New Jersey farmers direct marketed agricultural products in 2002. Over the same period, direct-to-consumer sales of farm products rose from $11.2 million to $19.1 million (an increase of 71 percent). These figures include edible food products sold through farm stands, farmers' markets, U-pick operations, and other similar venues. The data do not consider sales of non-edible farm products (i.e., wool, Christmas trees, cut or potted flowers, nursery stock, etc.).

Table 5: Reported Income from On-Farm Recreational Services in New Jersey (2002)

County	Income From Recreational Services
Sussex	$231,000
Hunterdon	$164,000
Morris	$75,000
Warren	$73,000
Monmouth	$39,000
Salem	$24,000
Mercer	$8,000
Gloucester	$7,000
Somerset	$4,000
All Other Counties*	$604,000
NJ	**$1,229,000**

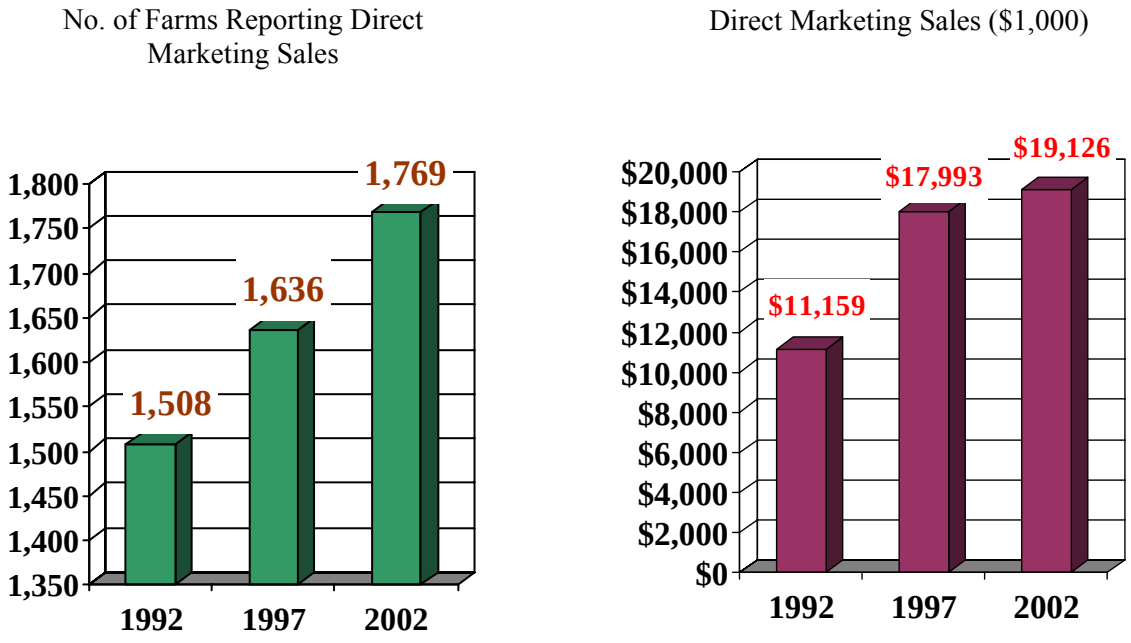
* Does not include Camden, Hudson, Middlesex, Passaic, and Union counties which had no reported income from recreational services.

Source: 2002 Census of Agriculture.

[8] A significant limitation of reported data is the fact that differentiation is not made between direct marketing of farm products on-farm versus off-farm (i.e., through community tailgate markets). For purposes of this report, the latter form of direct marketing is not defined as agritourism.

National data make clear the relative importance of direct-to-consumer market channels in New Jersey. New Jersey farmers rely disproportionately more on direct-to-consumer marketing of farm products than their counterparts in many other parts of the country, an outcome driven by both necessity (e.g., loss of wholesale channels) and opportunity (e.g., market access). Whereas New Jersey ranked 39th in the Nation in overall farm product sales in 2002, the state had the 12th largest volume of products move through direct market channels. Moreover, 12 New Jersey counties ranked in the top 10 percent of all U.S. counties in terms of direct-to-consumer sales of agricultural products (Table 6). Burlington County was the leading county, with $3.1 million in direct market sales, placing it in the top 1 percent of all U.S. counties.

Figure 3: Trends in Farm Direct Marketing in New Jersey (1992-2002)



Source: 2002 Census of Agriculture.

Table 6: Value of Farm Products Sold Direct to Consumers for Human Consumption in New Jersey (2002)

County	2002 Farm D.M. Sales ($ million)	Rank (of 2,785 counties)*
Burlington	$3.11	28
Gloucester	$2.18	50
Hunterdon	$1.79	71
Monmouth	$1.68	81
Morris	$1.59	88
Warren	$1.54	95
Salem	$1.25	124
Sussex	$0.92	192
Cumberland	$0.78	230
Middlesex	$0.78	233
Cape May	$0.72	255
Mercer	$0.69	267
All Other Counties	$2.1	N/A
New Jersey Total	**$19.13**	**N/A**

*Rank is among all U.S. counties with reported sales from direct marketing farm products for human consumption.
Source: 2002 Census of Agriculture.

Caution is strongly urged in drawing too much inference about the economic importance of agritourism in New Jersey from currently available Census of Agriculture data. For several reasons, the authors firmly believe that these data provide only a partial view of the economic value of agritourism in New Jersey and should not be viewed as an indication of the full contribution of agritourism to farm revenues or the economic viability of farms in the state. For example, interviews conducted with New Jersey farmers frequently revealed that on-farm recreation in the form of petting zoos, corn mazes, child play yards, and other activities were not necessarily intended for significant income generation. Instead, such activities are often offered to draw customers to the farm and encourage purchases of primary agricultural products. Further, the comprehensiveness of data reported for 'recreational services' provided by farmers is unclear. This line item was

new in the 2002 Census of Agriculture, and the Census form used for New Jersey (Form 02-A0201) does not provide detailed examples of the range of activities encompassed by this line item (only hunting and fishing are listed as examples).

Available direct marketing data are similarly limited. Given the large size of the state's nursery industry, it is also reasonable to expect that the exclusion of nursery products, floriculture, Christmas trees, and other non-edible farm products from direct marketing sales data significantly discounts the full importance of direct-to-consumer marketing venues.[9] On the other hand, inclusion of revenue generated at community farmers' markets (i.e., tail gate markets) – activity that would not fall under the auspices of agritourism as it is defined in this study – inflates the value of direct marketing sales.

The 2002 Vermont agritourism study provides an interesting point of comparison between the limited economic data reported for on-farm recreation and agricultural direct marketing available from the Census of Agriculture and a study specifically designed to assess the economic impact of agritourism. (It is worth noting that the New England field office of NASS used a definition of agritourism comparable to the one used in this study.) Vermont's total agritourism revenue estimated by NASS ($19.5 million) is substantially higher than the combined $12.4 million in revenue the 2002 Census of Agriculture reported from recreational services and farm direct marketing. ***This suggests that the approximately $20.3 million in recreational services and direct marketing reported for New Jersey is significantly underreporting the actual income generated from agritourism activities.***

[9] Revenues from nursery, greenhouse, floriculture, and sod production accounted for 48 percent, or $356.9 million, of all New Jersey farm product sales in 2002.

Travel and Tourism in New Jersey

While the extent of agritourism is poorly understood in New Jersey, it is well established that travel and tourism is big business in the state. A brief review of available travel statistics begins to reveal the scope of the potential opportunity for farm operators to capitalize on tourism-related offerings. New Jersey is often viewed as a corridor state, lying between major metropolitan markets of New York City and Philadelphia, but one with its own large, diverse, and affluent consumer base. This intrastate and interstate travel creates substantial economic activity that contributes to the state and local economies.

The New Jersey Commerce, Economic Growth and Tourism Commission monitors travel and tourism expenditures and their economic linkages to other industries in the state. According to Global Insight, an economic consulting firm retained by the Commission, travel and tourism expenditures in New Jersey surpassed $32 billion in 2004. The expenditures on accommodations constituted the largest share of all travel and tourism expenditures (33 percent), followed by food (23 percent), shopping (20 percent), transportation (13 percent), and entertainment (11 percent). These data reflect all travel and tourism activity in the state, including that generated by state residents.

Global Insight offers several other interesting findings germane to opportunities for agritourism development. Nearly one-third (31 percent) of the state's total tourism expenditures are made by New Jersey residents. Given the anticipated local nature of most agritourism activities offered in New Jersey, this bodes well in terms of opportunities for farmers to attract farm visitors.

A visitor profile study completed by D.K. Shifflet and Associates in 2005 supports this optimism. The study shows that leisure travel accounts for 84 percent of the 70.25 million travelers coming to New Jersey in 2004. This figure includes trips taken by New Jersey residents within the state and represents an increase in visits of 3.1 percent over the prior year. On average, visitors spent $94.90 per day during leisure visits and $150.80 per day during business trips.

SUMMARY OF KEY FINDINGS

Key research findings from field interviews with New Jersey agritourism operators are organized as follows. The first section summarizes farmers' perceptions of the importance of agritourism as a strategy to promote farm viability. The nature of existing agritourism operations, and their evolution over time, is also discussed. Included is an overview of the range of agritourism activities currently being offered. As will be shown, many operators have been engaged in agritourism for several decades and have adapted their operations to respond to emerging opportunities and challenges. Perceptions of future agritourism growth opportunities and the expansion plans of study participants are also presented.

Agritourism is an entirely new business venture for many farmers that have historically focused on crop or livestock production and wholesale marketing. The second section therefore examines the extent of business planning by farmers involved in agritourism. The use of various information sources during the development of agritourism activities is first presented. The marketing and promotion strategies employed by farmers to attract farm visitors are similarly examined.

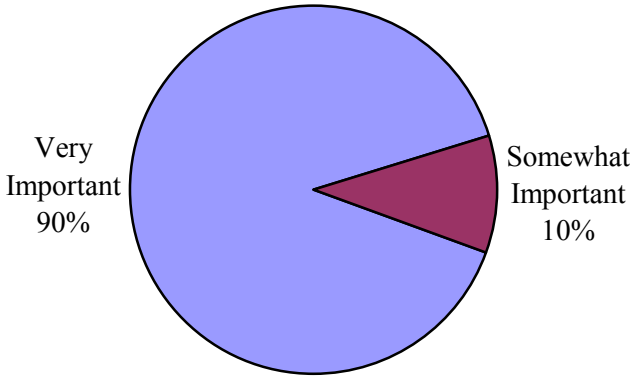
Finally, the last section reviews the primary challenges identified by farmers participating in agritourism. Farmer perceptions of municipal support for agritourism are examined in detail because of the important role New Jersey municipalities serve in regulating land use and shaping the local business climate. The extent to which farmers believe municipal regulation is supporting or restricting agritourism is specifically examined.

Perceived Importance of Agritourism in New Jersey

Farmers interviewed universally held the perception that agritourism is, and will continue to be, important to the future economic viability of farming in New Jersey. In fact,

nine out of ten farmers stated specifically that agritourism is "very important" to farm viability (Figure 4). On a more localized basis, views of the importance of agritourism were somewhat more variable. For example, fewer farmers in the central and southern counties responded that agritourism would be "very important" to the economic viability of farms within their respective counties (Table 7). While statistical significance of these differences is not implied, the data do suggest potential regional variability in the growth opportunities for agritourism.

Figure 4: Farmers' Perceptions of the Importance of Agritourism to the Economic Viability of New Jersey Farms (n=48)



Views that agritourism may not be critical to farm viability were generally rooted in perceptions of other trends in agriculture occurring locally. For example, several farmers simply believed that agricultural decline was too advanced in their counties. In several localities farmers expressed concern that the increasing rate at which farms were being sold out of agriculture was effectively negating any opportunity for farming to remain viable. In other instances, farmers noted that "traditional" agriculture was transitioning to equine and nursery operations, which, they viewed, had less opportunity or need for agritourism. Many of these farmers qualified their responses, however, and stated that agritourism would play an important role in the viability of farms remaining in their county that can incorporate on-farm activities.

Table 7: Farmers' Perceptions of the Importance of Agritourism to the Economic Viability of Farms in Their County

	Region			
	All Counties (n=47)	**North** (n=14) (Bergen, Essex, Hunterdon, Morris, Passaic, Somerset, Sussex, Union, Warren)	**Central** (n=20) (Burlington, Mercer, Middlesex, Monmouth, Ocean)	**South** (n=13) (Atlantic, Camden, Cape May, Cumberland, Gloucester, Salem)
Very Important	75%	93%	60%	77%
Somewhat Important	19%	0%	35%	15%
Not at All Important	6%	7%	5%	8%

(Columns may not add to 100% due to rounding).

In addition to the immediate financial opportunities presented by expanding on-farm activities, farmers described several ways in which agritourism benefits the agricultural industry, the community, and the individual farmer. While farmers pointed out that agritourism is not without its downsides, most felt that the positive benefits agritourism provided far outweighed its negative aspects.

The most commonly cited benefit that agritourism provides the farming industry is exposure of the public to agriculture. Respondents noted that agritourism provides the public with a positive experience with farming, educates people about the business of farming and the issues facing agriculture, and instills an appreciation for where food comes from and how it is grown. It was widely felt that the types of interactions agritourism fosters between the agricultural and non-agricultural communities is critical in terms of maintaining public support of farmland preservation and other agricultural policies.

Several farmers noted that agritourism allowed them to keep their families involved on the operation. It gave these farmers some hope that their children might take over the business when they retire. Farmers also stated that the positive response they receive from the public often inspires them to continue farming, and can help with overcoming local issues that might arise with their operation. One farmer in the northern part of the state also felt that

agritourism, by extending his productive season, enabled him to provide more hours and income to his workers, making it easier to retain good employees on the farm.

Farmers also felt that agritourism provides benefits to their communities. One of the most commonly stated benefits was the protection of open space that farming provides local communities. This view reflected the belief that keeping farms profitable will lead to the retention of farmland. The benefits of maintaining productive farmland under private ownership identified by farm operators included providing scenic beauty, creating local jobs, and contributing positively to local tax bases. Respondents also noted that bringing farm visitors to the community was beneficial to other local businesses.

Negative Aspects of Agritourism

Participants in the study also identified several downsides of agritourism. One commonly stated concern was that some agritourism operations focus too much on the "amusement" aspects of agritourism and lose touch with production farming. Many felt that this would "cheapen" the image of farming and that agritourism needs to be balanced with agricultural production in order for it to provide the greatest benefit to the farmer and the industry. Another pervasive concern expressed by study participants is that farming's image would be tarnished as a result of public reaction to poorly run operations or publicized incidents on farms such as injuries or deaths. There was a prevailing sentiment that "a few bad apples", as one farmer put it, could damage the image of all farmers offering agritourism. Several agritourism operators specifically noted recent instances in other states of *E. coli* illnesses being linked to petting zoos.

The increased exposure to liability created by inviting the public onto a farm was seen as an obvious problem by most farmers. Farmers spoke often about the increasingly litigious public and the need to exercise greater responsibility to keep their operations safe for visitors. Most farmers reported direct experience with or second-hand knowledge of customers being injured or feigning injury during on-farm activities.

Loss of privacy and handling difficult customers were seen as largely unavoidable consequences of agritourism. Several farmers reported instances of visitors entering their private residences or other parts of the farm not intended for public access. Vandalism, product theft, and littering are also frequent problems with which farmers must contend.

There was often a general sense that future expansion of agritourism could lead to increased tension with neighbors and local government. Some farmers feared that increasing the "commercial" nature of their farms would incite neighbors who expected a more rural, passive ambience. Similarly, as will be discussed in further detail, farmers reported that the expansion of certain types of agritourism activities and events carried the risk of greater municipal regulation and, perhaps, opposition.

Nature and Evolution of Agritourism Activities in New Jersey

Agritourism has received a surge of attention in recent years as a potentially important economic development strategy for agriculture in many parts of the nation, most particularly in regions with increasing population and development pressure. While use of the label of agritourism has become somewhat more ubiquitous in agricultural development and policy discourse over the past decade, the concept is not new. In fact, nearly half (47 percent) of farmers participating in this study first began with some form of agritourism – most often direct marketing – more than 20 years ago (Table 8). Several farmers reported that they have been opening their farms to the public since the 1950s.

It is interesting to note that many farmers did not identify with the term "agritourism."[10] Over the course of farmer interviews, the majority of operators – especially operators of farm markets – tended to see the provision of on-farm recreational or educational activities as a marketing mechanism to draw more customers, rather than

[10] Farm visitors were not the focus of this study. Interestingly, however, a recent study in Pennsylvania found that only 34 percent of farm visitors recognized the term "agritourism." The authors concluded that "many visitors are not identifying with the niche market in which they are participating" (Ryan et al. 2006).

tourism. As noted previously, a small number of farmers actually felt that describing their activities as agritourism diminished the farming aspects of their operation.

Table 8: Distribution of Study Participants by Year Agritourism Activities Began

Year	Number of Farms	Percent of Farms
1950-1959	7	15%
1960-1969	6	13%
1970-1979	9	19%
1980-1989	13	27%
1990-1999	9	19%
2000 to present	4	8%
Total	**48**	**100%**

Most operators interviewed stated that their primary focus was the sale of agricultural products produced on the farm. Revenue generation from agritourism was relatively incidental. However, some farmers viewed the provision of an agricultural experience as an important, if not primary, "product" offering and source of revenue. For these operators, the amount of effort put into production itself may even be subordinate to the reception of visitors, the satisfaction of their needs, and the expectations for a positive farm experience.

Reasons for Involvement in Agritourism

A primary reason for developing agritourism activities identified by all farmers in the study is not surprising: additional revenue generation (Figure 5). The large majority of farmers, 92 percent, stated that increased revenue opportunities were "very important" in their decision to develop agritourism activities. The revenue impacts of agritourism among the farms participating in this study are substantial. As shown in Table 9, two thirds of farmers reported earning 50 percent or more of their farm income from agritourism activities.

Figure 5: Reasons for Engaging in Agritourism

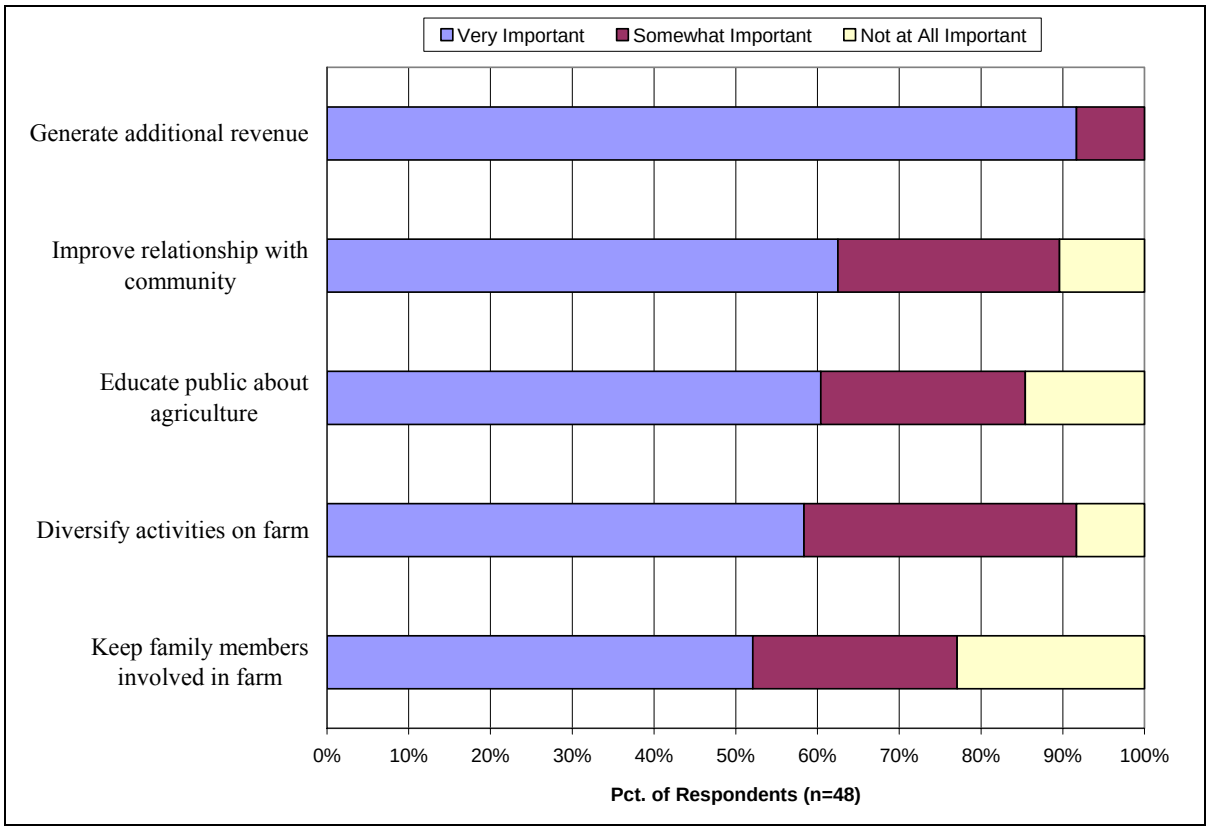


Table 9: Distribution of Operations in Study by Percentage of Total Farm Income Generated by Agritourism

Percent of Farm Income from Agritourism	Number of Farms	Percent of Farms*
1 to 24%	6	13%
25 to 49%	10	21%
50 to 74%	9	19%
75 to 99%	13	27%
100%	10	21%
All Operations	**48**	**100%**

(*Column may not add to 100% due to rounding).

Product diversification was seen as important by 92 percent of farmers (58 percent identified it as "very important"). In addition to product diversification, market diversification was another driving force that encouraged many farmers to enter agritourism.

All of the farms visited had some form of on-farm retailing of agricultural and related products. For many farmers, the transition toward on-farm sales of their products, including pick-your-own, was initially a response to the decline in wholesale prices for farm products or loss of wholesale market channels. For some, these pressures were exacerbated by difficulties associated with the availability and cost of labor. Several farmers specifically noted past increases in the minimum wage rate as an impetus for switching to less labor-intensive crops and marketing alternatives.

Respondents also viewed agritourism as an important opportunity for building more positive interactions with the non-farm public. The majority of the state's farms operate in areas that are now facing intensifying suburbanization pressures. This is reflected in the fact that 9 of 10 farmers interviewed rated improving relationships with their communities as an important (63 percent stated it was "very important") factor leading to a decision to incorporate some form of farm tourism into their business. Similarly, 85 percent of farmers view agritourism as an important opportunity to educate the public about their operation in particular and agriculture in general (60 percent felt it was "very important"). Several farmers noted the value of having informational literature or facts about New Jersey agriculture available for their customers.

In many cases, farm income is insufficient to support multiple generations within the farm family. This raises concerns about the intergenerational sustainability of agriculture.[11] Product-service diversification has emerged as one strategy to expand farm income and opportunities for younger family members to earn a living from farming. Seventy-seven percent of the farmers stated that keeping other family members involved in the operation was an important consideration in developing agritourism on their farms. Fifty-two percent identified it as "very important."

---

[11] Census of Agriculture data reveal that the average age of principal farm operators in New Jersey – defined as the primary day-to-day decision maker for the farm – was 55.1 years in 2002, and rising. Further, retirement age farmers outnumber "young" farmers, for current purposes defined as those 35 years of age and younger, by nearly 7 to 1.

Types of Activities Currently Offered

It was found that New Jersey farmers offer a remarkably diverse array of on-farm activities to the public (Table 10). Many activities cannot be classified purely as "educational" or "entertainment" but instead provide a multifaceted farm experience. However, to facilitate analysis and reporting, all agritourism activities were classified into five broad categories: outdoor recreation, educational, on-farm direct marketing, accommodations, and entertainment.[12] The number of farms offering each of these types of activities is provided in Table 11.

Table 10: Examples of Agritourism Activities on New Jersey Farms

Arts Festival	Harvest & Wine Education Day
Bakery	Haunted House
Bare-Foot Grape Stomping	Hay Pyramid
Bed & Breakfast	Hay Rides
Bee-Keeping Classes	Hiking
Bird Watching	Holiday Horse and Carriage Rides
Birthday Parties	Hunting
Bonfires	Kid's Day (make gifts for Mother's Day)
Bouncing Pit for Children	Lectures for Clubs
Bunny House (Easter)	"Let's Make a Difference Day" to Help Homeless People
Camping for Appalachian Trail Hikers	Made On-Site Food Products
Canning & Freezing Classes	Music Events
Clydesdale Horses	NJ Audubon Weekend
College Wine Education Classes	Nursery & Green House Activities
Cooking Using Fresh Produce Classes	Orchid Open House
Corn Mazes	Pedal Tractors for kids
Corporate Education & Training Events	Petting Zoos
Courtyard Obstacle Course	Pick Your Own
Crafts	Picnicking
Customer Appreciation Weekend	Pie-Making Demonstrations
Deli	Plant Auctions
Donut Eating Contest	Playground
Easter Egg Hunt	Pony Rides
Educational Barn	Private Parties
Educational Brochures	Private Tours
Educational Dairy Tours	Pruning Classes
Educational School Tours	Pumpkin Carving
Educational Themed Corn Maze	Read & Pick Program (Pre-School)
Face-painting	Retail Farm Stand
Fall Harvest Festival	Revolutionary War Re-Enactments
Family Fun Days	Sand Box
Farm Museum	Scarecrow Making Contest
Farm to School Programs	Scavenger Hunts
Farm Tours	School Farm Camp for Inner-City Kids
Farm Vacations	Seed Spitting Contest
Farm Work Experience	Seed to Sale and Tree Species Education
Father's Day Pig Roast	Story Barn (covering educational topics)
Festivals/Special Events	Tricycle Course
Fishing	Valentine's Day Wine Dinner
Floral Products	Vineyard Tours
Fundraisers for Organizations	Visual (Non-Petting) Zoo
Gardening Classes	Wagon Train Rides
Giant Hay Bales & Tunnel	Weddings & Receptions
Group Tours for 4-H Groups and Girl Scout Troops	Wine Tasting
Halloween Costume Contests	Winery Tours
Hands-on Activities About Farming	"You Cut" Christmas Trees

[12] This typology of activities is similar to those used in studies conducted in other states (e.g., Vermont).

Table 11: Participation in Agritourism by Major Classes of Activities

Category of Activity	Number of Farms Offering Activity	Percent of Farms Offering Activity
Direct marketing	***48***	***100%***
Retail farm stand	42	88%
Pick-your-own (PYO)	32	67%
Pumpkin picking	30	63%
Floral products	29	60%
Made on site foods	19	40%
You cut Christmas trees	6	13%
Educational tourism	***40***	***83%***
School trips	37	77%
Farm tours	21	44%
Farm work experience	7	15%
Winery tours	5	10%
On-farm entertainment	***36***	***75%***
Hay rides	30	63%
Corn mazes	24	50%
Festivals/special events	21	44%
Petting zoos	18	38%
Haunted house/hayrides	10	21%
Accommodations	***28***	***58%***
Picnicking	27	56%
Weddings and receptions	6	13%
Camping	2	4%
Bed & breakfast	1	2%
Farm vacations	1	2%
Outdoor recreation	***16***	***33%***
Hunting	12	25%
Fishing	7	15%
Bird watching	3	6%
Hiking	3	6%

On-Farm Direct Marketing

All farms visited over the course of field interviews offered some form of on-farm marketing of products directly to consumers. Assuming different forms and varying in size, 88 percent of operations interviewed sold products through an on-farm retail outlet. Some farm operators sell only products grown, raised, or processed on their own farms. Others expand their range of product offerings by purchasing products from other farms. Products sold include fresh produce, jams and jellies, homemade pies and cookies, wine, hay bales, pumpkins, decorative corn and dried stalks, cider, livestock products, and crafts, to name just a few.

Two-thirds of farms offered some form of pick-your-own opportunity to the public. In some cases, a small "membership" fee is charged in order to gain access to the farm. In several instances, a customer is provided a card that serves not only as a marketing mechanism (e.g., listing available crops), but also highlights safety and other rules. Examples of U-pick products include apples, pears, peaches and other tree fruit, strawberries, blueberries, and vegetables. Pumpkin picking, specifically, was offered by 60 percent of farms. Several operations offer customers the option of selecting and cutting their own Christmas trees.

Educational Tourism

On-farm educational tours and activities were offered by 83 percent of the farm operators interviewed. More than three-quarters of operations invited children onto the farm as part of school trips. School tours were often identified as a growth opportunity by farmers. Similarly, 44 percent of farms allowed farm tours to the general public. Several farmers reported public interest in on-farm work experiences that allowed non-farmers to assist with harvesting, livestock and poultry care, or other farm chores. In most cases – but not all – fees were charged for school trips, farm tours, and other educational activities offered on farms. Some farmers reported that they do not charge fees for tours, with the

belief that the benefits of educating the public about agriculture alone warrant offering the tours.

Interestingly, many farmers engaged in school tours noted that they want to develop more structured school tours and increase the number of tours they can accommodate. They realize that tours are a means for bringing in people who might not otherwise visit a farm. Farmers indicated, for instance, that children who participated in school tours often return with their families.

On-Farm Entertainment

On-farm entertainment activities were offered by 75 percent of the farms in this study. More than half of the operations visited offered hayrides to visitors, often in conjunction with another attraction (e.g., U-pick or U-cut activities). Half of the operations offered corn mazes. Mazes have become increasingly sophisticated because they have become a focal point of on-farm entertainment.

Nearly half (44 percent) of the farmers interviewed host at least one special event or festival at their farm. For many, these events and festivals promote the beginning of a harvest season or are organized to celebrate specific holidays (e.g., Halloween, Mother's Day, Easter, etc.). In some cases, farmers schedule special on-farm events in the winter and off-season in order to remain connected to their customers. A little more than half of the farmers charged a fee for their special events. Some operators noted, on the other hand, that they did not charge a fee because the event was used primarily to attract customers to the farm to purchase their products.

Over a quarter of the farms visited offered some form of petting zoo for visitors. In some cases, farmers have modified this concept to be a "looking zoo" in order to reduce the risk of injury or illness from having direct contact with farm animals. These activities were often free to visitors and children. Farmers also showed interest in offering haunted houses

or hayrides to their visitors, however, the time and cost of compliance with fire and other safety regulations were seen by some as prohibitive.

Accommodations

More than half of the farmers visited (58 percent) offered some form of accommodations for the public on their operation. Most commonly this took the form of picnicking opportunities. Relatively few farms hosted weddings and large receptions such as corporate events. A considerable number of farmers reported that they offer birthday parties and other private receptions on their farms. Many have developed party packages including activities and food. Only a handful of farms were presently found to be offering overnight accommodations, whether formally (e.g., bed and breakfasts) or more casually (e.g., camping).

Outdoor Recreation

One-third of operators indicated that they allow outdoor recreation activities on their farms. The most common activities offered were hunting (25 percent of farms) and fishing (15 percent). In many cases these were not advertised activities and farmers made arrangements with local hunting or fishing clubs. In some cases, farmers charged a fee for access. Few farmers that were visited offered bird watching or hiking as a formal activity on their operations, although the increasing demand for ecotourism may make these activities more popular in the future.

Plans for Future Agritourism Expansion

The majority of farmers – nearly 8 of 10 –believed that there would be "significant" or "moderate" growth in agritourism within their respective counties (Table 12). The roughly 20 percent of farmers that felt agritourism would experience little or no growth in their counties generally believed that (1) continued decline in agriculture would stifle growth

in agritourism, (2) farm operators interested in agritourism are already engaged in such activities, or (3) certain farm types are not necessarily conducive to agritourism. As one example of the latter point, some farm operators commented that it is unlikely that grain farmers with whom they are familiar would develop agritourism operations. This may, however, reflect a narrow view of agritourism and a prevailing assumption that agritourism is predicated upon on-farm provision of public entertainment or direct-to-consumer product retailing. It does not recognize, for example, that opportunities for outdoor recreational activities such as hunting, bird watching, or hiking may be highly suitable for such farms.

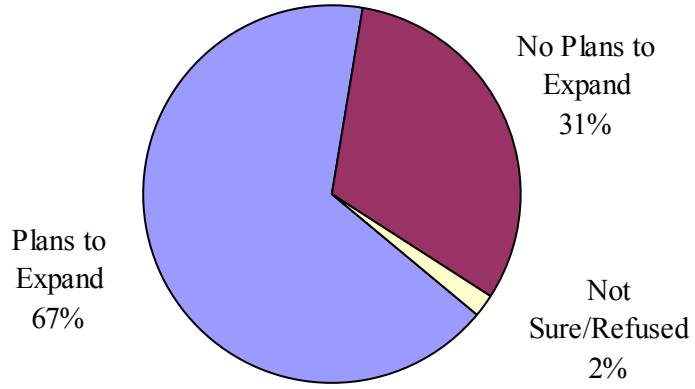
Table 12: Farmers' Perceptions of Local Growth Opportunities for Agritourism

	Region			
	All Counties (n=47)	**North** (n=13) (Bergen, Essex, Hunterdon, Morris, Passaic, Somerset, Sussex, Union, Warren)	**Central** (n=20) (Burlington, Mercer, Middlesex, Monmouth, Ocean)	**South** (n=14) (Atlantic, Camden, Cape May, Cumberland, Gloucester, Salem)
Significant Growth	34%	46%	15%	50%
Moderate Growth	45%	31%	55%	43%
Little Growth	15%	15%	20%	7%
No Growth	6%	8%	10%	0%

(Columns may not add to 100% due to rounding).

In terms of their own agritourism operations, most farmers reported that they perceive opportunities for continued growth. Among the farmers interviewed as part of this study, 67 percent plan on expanding their operations in the future (Figure 6). Planned expansions generally included: (1) diversifying or adding to the products currently produced, (2) investing additional resources to improve activities/attractions that have proven successful, (3) testing or adding new activities, (4) incorporating value-added products and facilities, or (5) constructing new facilities or expanding existing facilities to better accommodate a larger number of visitors.

Figure 6: Farm Operators' Plans to Expand Existing Agritourism Activities



Planning and Marketing Agritourism

Informational materials for farmers interested in starting an agritourism operation emphasize the importance of developing business and marketing plans to guide the development or expansion of enterprises.[13] A business plan articulates the mission and goals of an operation and guides management decisions. A good business plan sets strategic objectives required to advance the business toward the operator's business vision. It also identifies business challenges and opportunities related to the marketing and operation of the business, human resources, and financing. This assessment should consider factors both internal and external to the operation. A business plan also establishes a business profile that can be used to communicate with potential business partners, lenders, and customers. It also focuses employees, including members of the farm family, on a common set of objectives.

A business plan should also contain a specific plan for marketing the enterprise. A marketing plan will define the operation's products, services, and activities. It should identify the operation's unique selling proposition or key points of differentiation from competitors. The marketing plan also identifies key target markets and the most appropriate

[13] See, for example, The Minnesota Institute for Sustainable Agriculture (2003); Jolly (2000).

media for reaching them. The cost of marketing new operations or activities can be significant.[14] The return on these marketing investments needs to be evaluated on an on-going basis to determine the most effective marketing channels.

Business and market plan development requires the commitment of both time and financial resources. It is therefore not surprising that the majority (87 percent) of farmers in this study did not develop a formal business plan prior to developing their agritourism operations. Many described their entrance into agritourism as a natural evolution, integrating agritourism activities into their existing operation over time. Some farmers argued that they could not justify the creation of a formal business plan when their operations were constantly changing and each season was so variable. Others kept a mental plan of where they saw their operation heading, or relied on kitchen table discussions with family members to discuss changes to the operation.

A larger number (33 percent) of farmers reported that they did create some form of marketing plan for their agritourism operations. The extent of these plans was variable. At least one farmer conducted a demographic analysis of surrounding areas to explore opportunities for marketing to ethnic consumers. Several farmers attempt to evaluate the effectiveness of their marketing strategies. A larger number of farmers indicated that they make an effort to remain generally aware of what other farmers are offering in order to stay current with emerging trends. Many farmers interviewed relied on "trial and error" and changed their product/service offerings and marketing strategies in response to customer feedback or as different methods were found to be more successful than others.

Informational Resources Used by Farmers

In the absence of formal business planning, it is useful to understand the nature and extent of resources available to – and used by – farmers engaged in agritourism. While many of the farmers surveyed relied on their own creativity and ingenuity to develop their

[14] Jolly (2000) notes that marketing costs often range from 10 to 25 percent of total operating expenses in the early stages of agritourism development.

agritourism operations, many of them found the information and resources provided by various groups and organizations helpful (Table 13).

Table 13: Information Sources Utilized by Farmers to Develop Agritourism Activities

	Very Helpful	Somewhat Helpful	Not Helpful	Not Applicable
Other Farmers	73%	13%	6%	8%
Non-Governmental Agricultural Organizations	56%	27%	4%	13%
New Jersey Department of Agriculture	54%	23%	6%	17%
Rutgers Cooperative Research and Extension	52%	31%	10%	6%
New Jersey Farm Bureau	33%	38%	13%	17%
County Agriculture Development Board	17%	8%	19%	56%
State Agriculture Development Committee	13%	13%	17%	58%
County or Local Government	13%	17%	35%	35%
Other Sources	31%	4%	0%	65%

Nearly three-quarters of the farmers interviewed cited other farmers as being the most useful resource for developing agritourism activities on their own farms. Many operators traveled to farms in neighboring states to generate ideas that might be applicable to their own operations or consulted with other farmers to identify best practices for specific activities.

In addition to providing networking opportunities to farmers, respondents cited non-governmental agricultural organizations (i.e., commodity associations) as being valuable sources of information for agritourism. Organizations that were often mentioned as providing excellent information and opportunities for farmers include the Mid-Atlantic Direct Marketing Association, the Garden State Wine Growers Association, the National Christmas Tree Growers Association, and the New Jersey Horticultural Society. Farmers surveyed found many of the conferences and seminars held by these organizations useful in terms of providing information, resources, and ideas adaptable to their own operations.

The New Jersey Department of Agriculture and the New Jersey Farm Bureau both were noted as providing assistance and information to farmers, most often in the context of regulatory and legislative issues. Farmers also felt that the NJDA played an important role in

marketing and promoting the agricultural industry through the Jersey Fresh program and accompanying informational materials.

Rutgers Cooperative Research and Extension (RCRE) was often cited as a valuable resource for information, but generally within the context of production practices and problems. Some farmers stated that they felt that RCRE could be an even greater asset to farmers if it provided more resources and guidance on the business and marketing aspects of agritourism.

Organizations such as the County Agriculture Development Boards, the State Agriculture Development Committee, and county and local government were not considered important resources for farmers because they did not contact these entities frequently. Most of the farmers surveyed only had contact with the CADB or SADC if they entered into the farmland preservation program or they had a right to farm conflict. Some respondents (e.g., those in the Skylands region in particular) felt that their CADBs provided good assistance in marketing their operations by developing guides and maps of agritourism operations in the county.

Marketing and Promotion

While the majority of the farmers in this study did not have a formal marketing plan, these operators employed many different marketing venues and developed innovative marketing practices tailored to the needs of their agritourism operation. Table 14 summarizes farmers' perceived effectiveness of the more traditional forms and venues for marketing and promotion.

Farmers who have been offering agritourism activities for many years stated that the effectiveness of various forms of marketing had changed over the years. On one hand, they have noticed decreasing returns on investments from print media advertisements. On the other hand, they recognize the increasing importance of having a presence on the Internet. In

addition, many farmers customized their marketing efforts to specific activities and changed strategies in accordance with public feedback.

Table 14: Perceived Effectiveness of Marketing and Promotional Strategies

	Very Effective	Somewhat Effective	Not Effective	Not Used	Don't Know / Did Not Answer
Word of Mouth	94%	6%	0%	0%	0%
Road Signage	60%	25%	2%	10%	2%
Internet / Website	52%	21%	2%	21%	4%
Jersey Fresh Program	42%	42%	4%	13%	0%
Print Media	33%	44%	17%	6%	0%
Placement on Tourism Map	21%	31%	8%	33%	6%
NJDA Agritourism Database	19%	35%	17%	15%	15%
Radio Advertisements	17%	19%	15%	48%	2%
Brochures in Strategic Locations	17%	33%	2%	46%	2%
Television Advertisements	8%	15%	13%	60%	4%
NJ Division of Travel and Tourism	4%	8%	2%	77%	8%
Other	38%	2%	0%	0%	60%

Almost unanimously farmers surveyed stated that word of mouth provided the most effective form of marketing and promotion – 94 percent of all respondents stated word of mouth was a "very effective" mechanism for marketing their enterprises. This was seen as particularly true with respect to school tours, as children who visited a farm during the school week often returned with their families on the weekends.

Interestingly, this is consistent with a study done in Pennsylvania in which agritourism operators ranked "word of mouth" as the number one resource for marketing agritourism (Ryan, et al. 2006). However, the authors also found that "word of mouth" ranked only fifth among agritourism visitors in terms of resources used in trip planning. Visitors to Pennsylvania agritourism operations identified Internet websites as the most frequently used resource for identifying destinations.

Road signage was also seen as a highly effective form of marketing and advertising. Sixty percent of the farmers viewed it as a "very effective" tool. Road signage is often used

to attract drive-by business and alert customers to upcoming events or activities. Signs also played an important role in directing customers to farm locations and guiding safe egress and ingress. Given the importance of road signs – on local, county, and state roads – farmers often expressed frustration about the difficulty and cost associated with obtaining permission to post signage.

Slightly more than half (52 percent) noted that having a presence on the Internet and a website is a "very effective" mechanism for promoting agritourism operations. There is recognition of the growing importance of the Internet as a source used by consumers to research travel destinations. Several farmers reported that their websites were effective in reducing the number of phone calls the farm received requesting directions or hours of operation.

Roughly 20 percent of farmers interviewed did not have a website for their agritourism operation. Several farmers that currently do not have a website, as well as farmers that have underdeveloped websites, are now considering how to increase/improve their Internet presence.

Farmers also acknowledged that having their farm listed on other online directories and websites helped bring in customers. However, some expressed concern that many of these websites do not contain current information and are not kept up to date.

The maintenance of a centralized on-line agritourism marketing and promotion instrument in New Jersey was viewed as necessary infrastructure for further developing the industry. The NJDA's agritourism database was perceived to be an effective marketing tool by about half of the farmers interviewed, although many admitted that they were unsure as to how many farm visits it actually generated. Of those listed in the database, roughly one-third of operators interviewed believed that they were not in the database or did not know if they were listed.

Farmers frequently commented about the Jersey Fresh program and its effectiveness as a marketing and promotional tool for New Jersey agriculture. While the Jersey Fresh

program does not provide advertising for any specific operations, the program's promotional campaigns, logo, and signage have been important to agritourism operators, particularly farmers selling fresh fruits and vegetables directly to consumers. While many farmers praised the Jersey Fresh program, there were many that felt that the program could be more effective in promoting New Jersey agriculture and agritourism.

Print media was the most commonly used marketing tool used to promote agritourism operations which participated in this study. While 94 percent of farmers advertised in newspapers and other print media, only one-third viewed this as a "very effective" marketing avenue. Many farmers questioned the returns (i.e., customer traffic) generated by print media, expressing concern over decreasing newspaper circulations and increasing costs of advertising.

Some study participants did report that full-page directories or maps of farms printed by some newspapers during the harvest season (pumpkin picking, U-cut Christmas trees, etc.) are very effective in increasing customer volume. Several farmers stressed the value of building relationships with reporters (e.g., by responding to media inquiries about agricultural issues) because this often led to feature news stories about the farm.

Slightly more than half of the farmers interviewed felt that placing their farms on a map of agritourism operations (e.g., as has been done in Sussex County) benefited their business. Eighty-six percent of the farmers who were listed on a map found it to be an effective marketing tool. A few farmers stated that they found no measurable increase in business from being placed on a map. One farmer even complained that his farm location was inaccurately listed.

Radio advertisements were used by roughly half of farmers interviewed. Some relied heavily on radio commercials when they first started their agritourism operation in order to help build a customer base. Those using radio spots generally found them to be relatively effective, albeit expensive. Others noted that it was difficult to measure its impact on

customer volume. Similarly, most farmers did not purchase television spots due to the expense involved and the uncertain returns.

Only about half of the farmers interviewed developed brochures for their operations, although those that did generally viewed them as effective. One of the advantages of using brochures is that coupons can be easily incorporated which allows farmers to quantify the effectiveness of the brochures by the number of coupons that are redeemed. Farmers typically made brochures available at community farmers' markets, County Fairs, local restaurants, local convenience stores, New Jersey Turnpike rest stops, and their own farm stands. Most did not have any relationship with the New Jersey Division of Travel and Tourism and therefore were not able to take advantage of traveler welcome centers. One farmer felt that the state's travel and tourism program is "not on board with agritourism", a sentiment shared by several farmers in the study.

A number of other promotional mechanisms were used by agritourism operators with varying degrees of success. These included customer mail and e-mail lists and telephone calls to repeat customers. Several farmers reported that they send information to local schools to promote school tours, involve themselves with local fundraiser events, and offer to host various local events. Several farms have developed customized promotional items, including refrigerator magnets, key chains, coloring books, shopping bags, and T-shirts.

Farmers also identified specific programs that they feel provide positive public awareness of their operations. For example, several farmers participate in the New Jersey Agricultural Society's Farmers Against Hunger program (a gleaning program) which often results in local media coverage and demonstrate the operation's contributions to hunger relief efforts. The Special Supplemental Nutrition Program for Women, Infants and Children Program (WIC) and the Senior Farmers' Market Nutrition Program (SFMNP) were also cited by farmers as helpful to the development of their agritourism operation. These programs provide seniors and low-income families with vouchers redeemable for the purchase of fresh fruits and vegetables.

Cross-Promotion with Other Local Businesses

Several farm operators have created relationships with other local businesses (e.g., restaurants, hotels, and bed and breakfasts) in order to cross-promote their businesses. For example, some farmers sell restaurants fresh produce in return for the farm being promoted at the restaurant and in its menus. Some farmers have tried to create relationships with local hotels or bed and breakfasts in order to set up packages that combine local accommodations and activities for visitors on the farm. Others have made arrangements with local car dealerships to display cars on farms during special events or worked with local museums to coordinate events so that one admission fee provides access to both locations. One farmer posts a sign at his farm showing visitors other locations and attractions in the area, including parks and places to hike or picnic.

Challenges Facing Farmers in Agritourism

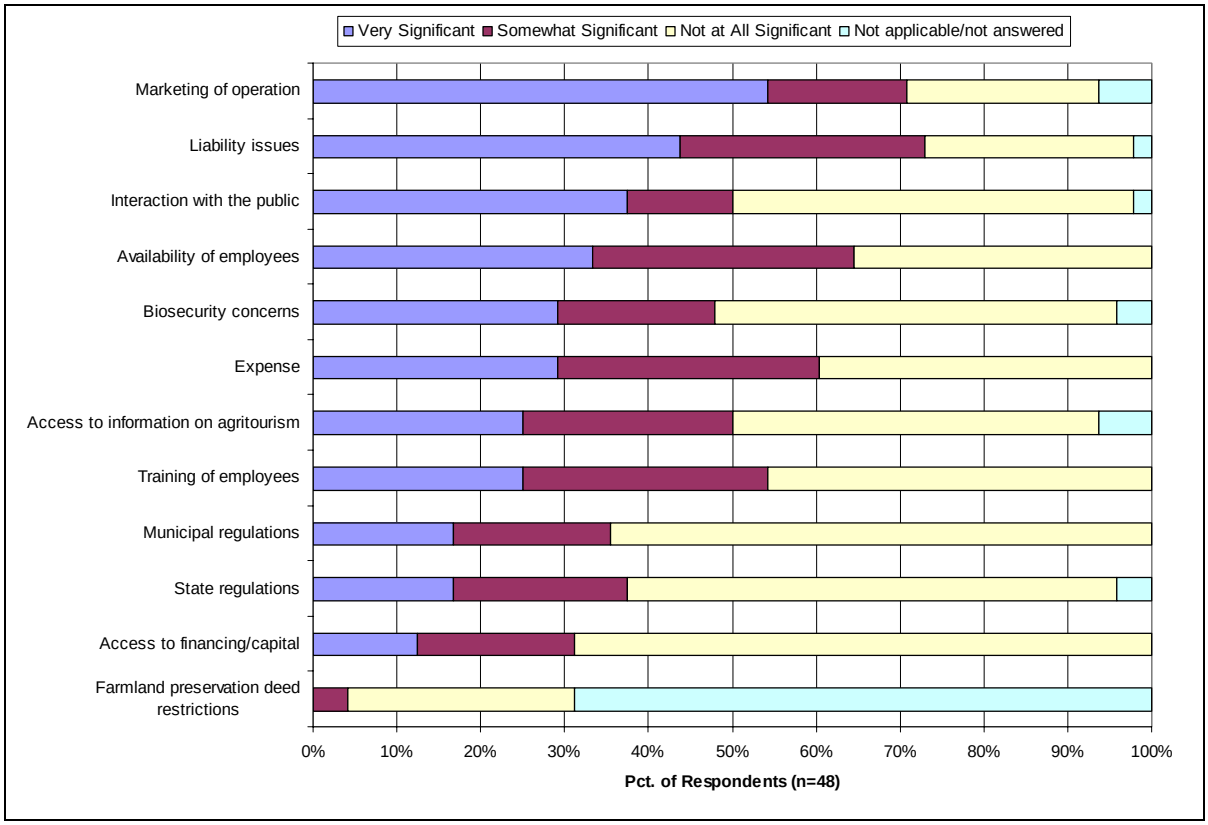
Farmers report that venturing into agritourism is not always an easy transition from more traditional forms of production agriculture. Transforming a farm from a predominantly wholesale business to one that relies on retail sales, services, and hospitality can be a daunting task. Farmers who decide to start agritourism activities on their farm can face a multitude of challenges. Some of these challenges arise during a farmer's initial entry into agritourism. Others present themselves years later as an operation evolves or the sociopolitical climate around the farm changes. While some challenges are intrinsic to the unique specifics of each farming operation, others are common among farmers entering agritourism.

This section summarizes the extent and nature of challenges farmers reported during the development of their agritourism operations. Each study participant was asked to rate the extent to which various issues presented a challenge to the development of their agritourism

operation using a scale of "very significant", "somewhat significant", or "not at all significant." A voluntary response of "not applicable" was also coded, as appropriate. Figure 7 shows the issues identified as most challenging by agritourism operators (i.e., determined by the percent of respondents identifying an issue as being "very significant"). These are:

- Marketing the operation (54 percent)
- Liability issues (44 percent)
- Interaction with the public (38 percent)
- Availability of employees (33 percent)
- Biosecurity concerns (29 percent)
- Expense (29 percent)
- Access to information on agritourism (25 percent)
- Training of employees (25 percent)
- Municipal regulations (17 percent)
- State regulations (17 percent)
- Access to financing/capital (13 percent)
- Farmland preservation deed restrictions (0 percent).

Figure 7: Issues Facing Farmers Starting Agritourism



Marketing of Operation

The most significant issue raised among farmers interviewed was the challenge of marketing their operation (identified as being "very" or "somewhat" significant by 71 percent of respondents). For many farmers, switching from a purely wholesale operation to a retail-oriented operation required the allocation of considerable time and money. Farmers noted that many of their decisions were made on a trial-and-error basis because of their inexperience and that the costs of advertising needed to build their customer base was considerable. One farmer responded that because he came from a wholesale farming operation, he had no idea how to promote and market his new retail business. Determining the most appropriate marketing and promotional venues – those providing the best return on generally small investments – was often characterized as "hit or miss" at best. A considerable number of respondents, for example, indicated that restrictive regulations governing the use of signage on local, county, and state roads made it more difficult to develop their agritourism activities.

As farmers adopted agritourism, many had difficulties because their operations competed not only with other farms that offered similar activities, but also non-farm recreational and retail outlets. Farmers reported, for example, that they find it difficult to compete with large supermarkets that can offer almost any type of produce year-round at a lower price. Farmers also commented that ever-changing consumer preferences and lifestyles were a challenge for direct-to-consumer marketing. For instance, understanding changing ethnic composition and cultural preferences is critical to the success of several farmers in the study group. Similarly, farmers realize the implications of consumers' busier lifestyles and the challenge presented by the trend toward "eating out" and buying prepared meals.

While marketing their operations was one of the most significant challenges facing agritourism operations, many farmers have drawn on their ingenuity to make their operations successful. Farmers often commented on the importance of finding a marketing niche and

the benefits of incorporating multiple forms of agritourism into their operation. Many farmers offer services and activities such as hayrides, corn mazes, festivals and special events in order to draw people onto the farm to buy produce or other farm products. Other farmers take advantage of the growing number of community farmers' markets or Green Markets to advertise their on-farm activities and products. They use flyers, coupons, or shopping bags with farm information printed on them. Still others rely heavily on education as a marketing tool to inform the public about the benefits of their products or production practices (e.g., organic production techniques). It is not uncommon for farmers to use school tours to educate young children about farming and to encourage return visits by their families.

The majority of farmers cited marketing as a key area in which state and county governments can assist farmers. Most farmers felt that statewide travel and tourism promotions typically exclude on-farm activities and are missing an opportunity to promote agriculture. The development and marketing of a statewide, centralized promotion venue for agritourism is seen as a necessary step for industry growth.

The farmers who reported that they give tours to school children often stated that they would like to customize the tours and develop curricula that are age specific. However, some of these farmers also noted that they need assistance identifying contacts in the school districts and obtaining information on relevant agricultural topics. A farmer in central New Jersey stressed this point when he noted that many schools require that class trips be related to the curriculum being taught. He felt that if he were able to appropriately tailor his school tour program, this would greatly improve his operation's marketability.

Liability Issues

Liability issues were cited as a "very" or "somewhat" significant challenge by 73 percent of respondents. Nearly all of the farmers participating in this study had insurance for their agritourism operation. For the most part, farmers did not experience any difficulty obtaining insurance for their agritourism operations and most felt that premiums for their desired level of coverage were reasonably priced. Only a few respondents reported having

trouble obtaining insurance for their agritourism activities. However, the threat of an incident that results in serious injury or death is a constant concern for most farmers.[15] One farmer in particular stated that liability concerns kept him from offering hayrides to the public.

Some farmers did express concern over the rising cost of insurance and stated that the premiums involved for certain types of activities have discouraged them from trying the activities on their farm. A few farmers have, or indicate that they will in the future, switch to non-agricultural insurance providers as their operations expand and incorporate more recreational activities.

Many farmers were also concerned that incidents at other agritourism operations could affect their business and adversely affect the image of agritourism operations in general. In particular, many farmers cited recent incidents at farms in other states such as a fire in a corn maze in Pennsylvania and an outbreak of *E. coli* among children who visited a petting zoo in Florida.

Despite taking precautions to eliminate hazards and make their farms safe for visitors, farmers recognize the possibility of being subject to a lawsuit, whether legitimate, frivolous, or even fraudulent. Several farmers shared that they have been sued – or faced the threat of a lawsuit – due to an incident on the farm. In some cases a visitor was legitimately injured. In other cases, visitors have attempted to feign injury to themselves, or in at least one instance, to a child. In most of the cases discussed, lawsuits were settled by the farmers' insurance companies.[16]

---

[15] Some farmers did report having difficulties either obtaining or maintaining insurance for their agritourism activities. A few operators reported being dropped from their insurance provider after adding agritourism activities. It is unknown whether, in these cases, policies were dropped because of the agritourism activities themselves or because of other unknown factors.

[16] An agritourism marketing specialist in one southern state reported that at least one insurance company encourages farmer clients to videotape the farm premises as proof that safety precautions were taken. While such action does not provide complete indemnification, it provides a level of documentation that efforts were taken to ensure the safety of farm visitors.

Even where farmers take every reasonable precaution to maximize the safety of visitors, accidents can still occur. Several states (e.g., Virginia, North Carolina) have passed limited liability laws to provide a layer of protection to agritourism operators who take proactive measures to promote safety on their farms (see Appendix B and C). Both states require farmers to post a sign at the farm entrance that explains that visitors are entering a farm that has certain inherent risks, and that there is no liability for any injury or death that may occur. The laws do not limit liability of farmers that act in a negligent manner.

New Jersey currently has a Landowner Limited Liability Act (N.J.S.A. 2a:42A-2 et seq.). This law does not extend to any activities for which a fee is charged, and provides specific protection only to pick your own operations and farmers who allow the use of motorized vehicles or horseback riding on their property. New Jersey also passed an Equestrian Activities Liability Act (N.J.S.A. 5:15-1-12) that gives limited liability protection to equine operations from the inherent risks associated with horses. This act requires an equine facility to post signs warning visitors that the owner(s) will not be liable for any injury or death associated with the inherent risks of equine animal activities, notwithstanding any negligence on the operator's part. At present time, New Jersey does not have a general agritourism limited liability law.

Availability and Training of Employees

Agritourism operations can present very different labor needs than traditional production operations. Nearly two-thirds (65 percent) of respondents identified the availability of workers with appropriate skills as a "very" or "somewhat" significant issue in the development of their agritourism enterprises.

The labor requirements of operations varied with the scale of operation and range of activities offered. Many smaller operations are able to reduce labor costs by relying primarily on family members and friends. Some of the larger operations employ a large number of hired employees in order to handle the volume of customers. Many operations have relied heavily on high school and college students. One farmer wants to form a

relationship with a regional high school in order to bring students interested in agriculture onto the farm to work and learn. Other sources of labor reported by farmers include stay-at-home mothers and retired persons seeking additional income.

While finding appropriate labor has been a significant challenge for some of the agritourism operations interviewed, other farmers stated that they decided to enter into agritourism because of labor issues. For example, many of the farmers who formerly were in wholesale fruits and vegetables decided to transition into Pick-Your-Own because of the declining availability and increasing expense of migrant labor. By inviting the public onto the farm to pick their own fruits and vegetables, farmers are often able to reduce the number of employees needed. In some cases, these operations were able to run solely with the help of family members and friends.

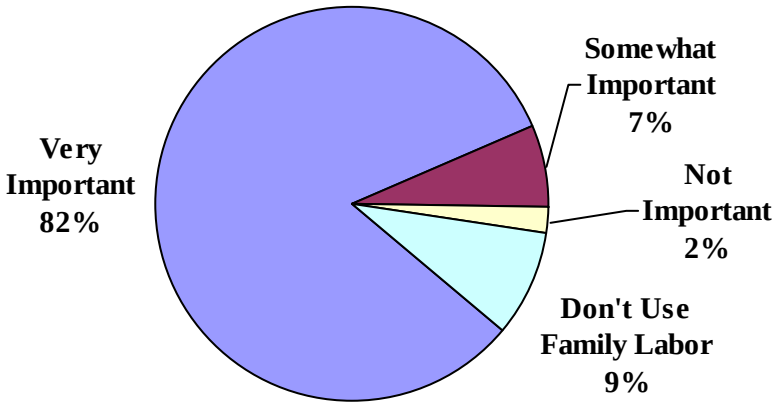
Most traditional production operations and wholesale operations rely heavily on migrant labor for fieldwork. Agritourism operations often require employees with retail and hospitality skills. Training of employees therefore is another key challenge for many farmers and was cited as "very" or "somewhat" significant by 54 percent of operators. One of the most commonly identified skills required is a customer-service orientation. Similarly, with regard to liability and safety concerns, employees need to be trained to handle emergencies on the farm and remain cognizant of any potential safety issues. Several farmers also noted a lack of basic work-readiness skills among young employees. The inability of some workers to accurately weigh produce, tabulate customers' bills, and provide appropriate change, in several instances, cut into farmers' profits.

Several farmers expressed concern over future immigration and migrant worker policies being considered at the federal level. Farmers also expressed concern over the state minimum wage. Some farmers will experience a nearly 40 percent increase in the cost of employing high school students hired to perform lower-skill functions such as crowd direction, play area monitoring, and stocking when the minimum wage increases in October 2006.

Importance of Family Labor

Most of the agritourism operations visited relied heavily on the use of family labor. Eighty-three percent of respondents cited family labor as "very important" to the success of their agritourism activities (Figure 8). As stated earlier, many farmers expanded into agritourism as a means of keeping family members involved in the farming operation. On the smaller operations, family members often provided the majority of the labor needs of the operation and extra help. When farmers need additional help, they often rely on extended family or friends. On many of the larger agritourism operations, family members often provide more of the managerial support and rely heavily on hired help.

Figure 8: Importance of Family Labor in Agritourism Operations (n=48)



Expense and Access to Financing and Capital

The development of agritourism attractions and activities may require new capital investments or increase a farm's labor and operating costs. These additional expenses were viewed as a significant issue by 61 percent of respondents. Some farmers did not incur large expenses when starting their agritourism enterprises, but as they expanded and their activities

diversified it became necessary to invest in capital improvements on the farm.[17] Most often these included the construction of a permanent farm market or the renovation of farm structures to accommodate new agritourism activities. Farmers who have expanded into value-added products, including the preparation of on-site food products, have needed to invest in kitchens, bakeries, or wineries.

Roughly one-third (31 percent) of the farmers interviewed found access to necessary financing to be a "very" or "somewhat" significant issue during the evolution of their agritourism operations. Farmers often reported that cash flow from the farming operation, off-farm income, personal credit, and loans were the primary funding sources during their initial startup or for subsequent business expansions. Very few farmers reported the use of grants in the development of their agritourism operation. Many farmers were unaware of suitable grant programs and requested that agricultural organizations provide more information on such opportunities and assistance in applying for them.

It was suggested that the State consider developing guaranteed low interest funding sources for farmers that target new farmers and those who lease land. For example, one farmer indicated that he had difficulty qualifying for loans from traditional lenders because he did not own the land he farmed. Some farmers also expressed concern that many lenders do not allow the use of equipment as collateral.

Interaction with the Public

The transition from a production-oriented business to a service-oriented business was a significant challenge for half of the farmers interviewed. For many, not only did it represent an entirely new business model, but it also required a much greater focus on hospitality and customer service. Overall, farmers generally have had positive experiences

---

[17] Oftentimes direct-to-consumer sale of farm products evolved from humble beginnings and minimal investment such as a tailgate market or produce sold off of a roadside wagon. As profitability increased, a number of farmers made investments in more permanent structures on the farm.

with farm visitors and have benefited from direct customer feedback regarding products and services.

While farmers agreed that the attraction of customers is critical to the success of their agritourism activities, they also recognized that attracting too many farm visitors has significant management implications. When the number of people that come to the farm exceeds the number that can reasonably be accommodated, farmers have to re-evaluate their labor needs and the organization of the activities. A farmer in a southern county, for example, had to redevelop the improvements on the site and revise the procedures that he used to manage customers who came to his corn maze and haunted house.

Several operators discussed situations when they experienced unexpected spikes in customer volume. In one instance, a large number of families arrived without notice at a central New Jersey farm to celebrate a religious harvest festival. This created parking and local traffic problems, trespass issues on adjacent residential properties, and serious litter problems.

Inviting hundreds or thousands of people to a working farm invariably leads to some difficulties. For some customers, the realities of a working farm are not consistent with their expectations, leading to discontent and complaints to the farmer. It was not uncommon for farmers to experience crop theft, vandalism, and unruly patrons. Several farmers also reported that some customers have sustained minor injuries or experienced pre-existing medical conditions while at the farm. As noted previously, others have had unscrupulous visitors report bogus injuries in an effort to reach an insurance settlement or other form of compensation.

For some of the pick-your-own operations, interacting with the public has become more challenging in recent years as their clientele has become more ethnically diverse. While catering to the demand generated by ethnic consumers is recognized as an important market opportunity, some farmers noted that they found it challenging to understand and

accommodate many different cultural preferences and customs. For example, some farmers have found it necessary to post signs in multiple languages and hire bilingual employees.

Some operators expressed the need for hospitality training opportunities. Conflict resolution and customer service skills were among the most commonly cited skills for agritourism operators and employees. Farmers conducting farm tours and other educational activities also identified public speaking as a necessary skill.

Access to Information

Limited access to or availability of information on developing agritourism activities was identified as a challenge by half of the farmers interviewed. Generally, it was those farmers that began offering on-farm activities prior to the 1990s that stated they had few resources available to them during the early years of their development. These farmers had to rely on their own ingenuity and imagination to come up with innovative activities to bring the public onto the farm. It was, and still is, common for farmers to obtain information and ideas from other farmers in terms of "what works." Farmers indicated that by consulting other operators they were able to reduce the amount of time needed to establish successful activities. Farmers also indicated that they obtained valuable information and developed extensive contacts at state and regional conferences such as the annual meeting of the Mid-Atlantic Direct Marketing Association.

Many farmers felt that there are plenty of informational resources available but that they often lack the time to search for them. Many states and agricultural organizations across the country have developed resources for farmers interested in agritourism. However, these resources are not well organized and easily accessible to farmers in New Jersey. Several farmers stated that the New Jersey Department of Agriculture, Rutgers Cooperative Research and Extension, or another agricultural organizations could provide a valuable service by compiling existing resources that are relevant to New Jersey farm operators. Similarly, most farmers surveyed were not aware of grant opportunities (e.g., USDA's Value-Added

Producer Grants) or other resources that can support the development or expansion of agritourism activities.

Biosecurity Concerns

Biosecurity concerns were raised as either a "very" or "somewhat" significant issue by 48 percent of agritourism operators. For purposes of this study "biosecurity" was defined as "protecting the health of visitors as well as crops and livestock." As previously noted, despite available sanitary precautions, many farmers cited the liability risk of petting zoos as the primary reason for not having them on their farms. Some farmers have instead opted to create "looking zoos" to mitigate the risk of visitors contracting an illness from an animal or possibly being bitten. Similarly, in an effort to mitigate against actual or perceived risks from pesticide exposure, several farmers have changed their spraying schedules or restrict access to certain fields after chemical applications.

Somewhat surprisingly, recent high profile issues such as foot and mouth disease, avian influenza, and mad cow disease were generally not concerns expressed by farmers in this study. Very few farmers expressed concern about the public bringing contagions or contaminants onto the farm and damaging their crops or livestock. However, farms with large numbers of livestock or poultry have taken proactive measures to prevent public contact with animals intended for production purposes.

Municipal and State Regulations

State regulation was perceived to be a "very" or "somewhat" significant issue by 38 percent of respondents as they began their agritourism enterprises. Municipal regulation was significant for 36 percent of those interviewed. Many farmers qualified their responses, stating that regulation of their agritourism activities has become more of an issue as their enterprises evolved and grew in scale. There was a common sentiment, even an expectation, that regulation at the state and, more particularly, local levels would likely become more restrictive or burdensome in the future.

The most adamant concern about State regulation was expressed by farmers in the southern part of the state, specifically those located within the Pinelands. One farmer felt that the Pinelands Commission has shown "a complete lack of cooperation" with his farm, while another farm operator stated that Pinelands regulations are "completely at odds with the concept of agritourism." These farmers felt that the Pinelands Comprehensive Management Plan is more focused on preserving the open space aspects of farmland and is less sympathetic toward the business needs of farms. One farmer complained that dealing with the Commission often requires an impractical process that is repetitive and time-insensitive to farmers' needs.

While most respondents stated that municipal regulations were not a major issue when starting their agritourism operations, many have had incidents with their respective municipalities as their operations expanded. As will be discussed later in this report, farmers were most concerned about zoning and building code restrictions on new buildings and the regulation of street signage for marketing operations. When conflicts did arise, farmers often reported that they resulted from municipal officials that were unaware of how farms operate and the protections afforded by the Right to Farm Act. In a relatively limited number of cases, farmers felt that municipal requirements were onerous and opted to abandon planned projects. Other farmers noted that their municipalities were supportive of their farming operations and were able to resolve issues concerning their agritourism activities through informal discussion with local officials concerning the protections provided under the Right to Farm law.

Farmland Preservation Deed Restrictions

Only 15 of the 48 operations examined in this study were on preserved farmland. Of these 15 farms, only two felt that deed restrictions created significant issues for the development of their agritourism operations. Both properties were preserved under programs other than the state farmland preservation program (e.g., a conservation organization or the Green Acres program). In both of these cases the farmers were not the owners of the land

and were operating with short-term leases that made it difficult to justify and plan capital improvements or major changes to their farming operation. The majority of the preserved farms entered the farmland preservation program after they had developed their agritourism activities (which were therefore built into the deeds of easement.)

Interestingly, a number of farmers that have not enrolled land in the farmland preservation program voiced concerns about the program's potential impacts on their businesses. Many of these concerns centered on the belief that the deed of easement would restrict future farm uses, uses that at this time are difficult to predict and therefore except out or build into a deed of easement. One farmer noted, "I never, ever, could have guessed that we would be doing some of the things we are doing now." Several farmers felt that the state farmland preservation program is not sufficiently flexible to accommodate many farm uses that contribute to farm viability.

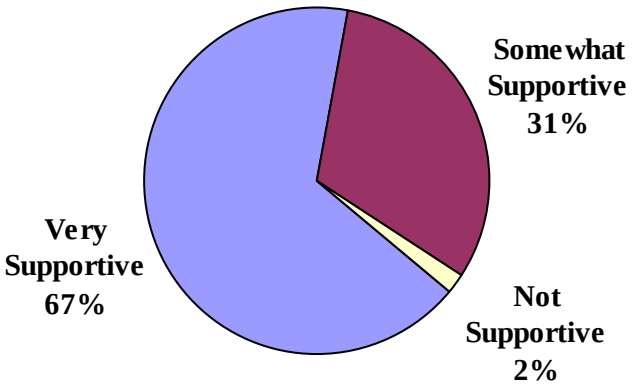
Municipal Support of Agritourism

New Jersey's home rule tradition grants municipal governments significant powers to regulate the use of land and shape local business climate. Zoning, as one example, directly affects what farmers can and cannot do with their land. Thus, it has a direct effect on farm businesses and, ultimately, farm viability.

For several decades, New Jersey's agricultural community has expressed concern over municipal regulation and what is often perceived as limited local support for farming. These concerns were raised in reports of the Blueprint Commission on the Future of New Jersey Agriculture (NJDA 1973), the Grassroots Initiative (NJDA and NJDEP 1980), the FARMS Commission (1994), and in the New Jersey Agricultural Smart Growth Plan (NJDA 2006). For this reason, the study team examined the relationships between farmers participating in this study and their respective municipalities, specifically, the extent to which local governments were perceived by farmers as supporting the development of agritourism.

The large majority of farmers interviewed described their municipalities as supportive of their current agritourism operations. In fact, 67 percent specifically noted that their municipality was "very supportive" (Figure 9). Only one operator felt that his town was "not at all supportive" of his agritourism activities.

Figure 9: Farmer Perceptions of Municipal Support for their Agritourism Enterprises (n=45)



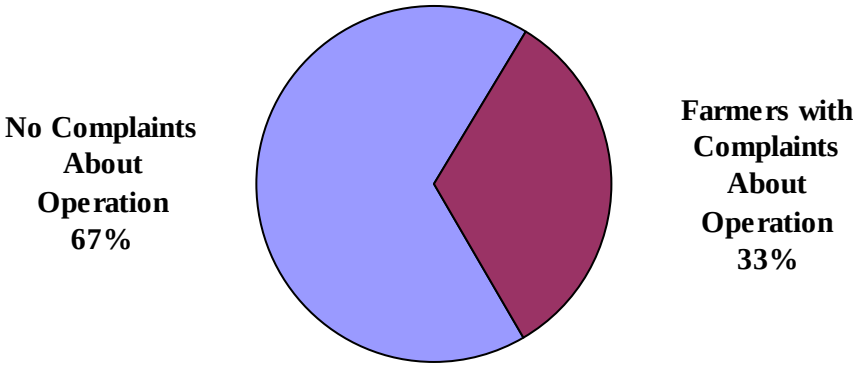
Several farmers qualified their responses by saying that their municipalities show their support by "leaving them alone." In other instances, farmers stated that municipal support of local agriculture was more actively demonstrated by local politicians who hold press conferences at farms or residents who supported preservation efforts in the town. Several farmers noted that while municipal governments oftentimes *want* to be supportive of farming, tangible action is limited.

A recurring sentiment among farmers – particularly those operating in more suburbanized communities – was that farmers need to be proactive in order to maintain good relationships with neighbors, local officials, and the broader community. They recognized that it is important to be involved in local government, host local events on the farm, invite municipal officials to farm tours, and make a conscious effort to be "good neighbors."

The majority of farmers stated that they have not had significant complaints from neighbors (Figure 10). Many respondents believed this was due, at least in part, to the proactive measures they took to avoid problems or to their responsiveness to concerns that neighbors expressed about their operations (e.g., litter, parking, farm visitors straying onto neighboring properties, noise, etc.). Several farmers reported that they organized activities in ways that limit the impacts on adjacent neighbors.

Approximately one-third of farmers reported that they had received actual complaints from neighbors or other local residents. In the large majority of cases, farmers noted that these complaints were fairly resolved by their municipalities. Complaints were often resolved when the municipality or County Agriculture Development Board explained that the farm practice or activity in question was an accepted agricultural practice, as defined under the state's Right to Farm Act. The few farmers who reported that their towns were unsupportive of their operations when complaints arose explained that this was largely because municipal officials were not aware that the farm activity was permitted and protected under the law.

Figure 10: Farmers Reporting Complaints from Neighbors or Other Local Residents Regarding Agritourism Activities



Given its importance, the issue of right to farm protection was examined further. The New Jersey Right to Farm Act protects farmers from municipal ordinances that may "unnecessarily constrain" farming, as well as private and public nuisance complaints about accepted agricultural practices. Among the specific permissible agricultural activities outlined in the Act is the ability to conduct "agriculture-related educational and farm-based recreational activities provided that the activities are related to marketing the agricultural or horticultural output of the commercial farm" (N.J.S.A. 4:1C–1 et. seq.). The Act also provides a conflict resolution process that is administered through the County Agriculture Development Boards and the State Agriculture Development Committee.

Roughly one in five (21 percent) of farmers reported that they have had a right to farm issue related to their agritourism activities. However, many of the issues reported by farmers were resolved without formal CADB or SADC intervention. When "formal" right to farm protection was not invoked, communication between the farmer and the complainant about the extent of right to farm protection and the permissibility of practices in question was often sufficient to resolve disputes.

Some farmers, however, reported issues that required the assistance of their CADB and, in some cases, third parties such as the New Jersey Department of Agriculture or New Jersey Farm Bureau. One farmer in central New Jersey, for example, began selling produce from an on-farm retail stand. Previously, he had sold products through his pick your own business. His township informed him that zoning regulations did not permit the sale of products from a farm stand. The farmer tried to resolve the issue with his municipality but failed and CADB mediation was required. Another central New Jersey farmer sought assistance from his CADB in order to get relief from municipal site planning requirements for a proposed farm stand.

The field research uncovered instances in which CADB or SADC involvement could have saved farmers time and resources spent trying to resolve a dispute or obtain permission to develop an agritourism activity. There also appears to be significant variability in the extent to which farmers are aware of the ability of CADBs to make site specific agricultural

management practice determinations and of the availability of the CADB conflict resolution and mediation process. Some farmers have circumvented procedural guidelines, attempting to invoke right to farm protections by simply asserting their ability to engage in a certain practice (per the Act) or citing the law's municipal preemption provision. This is arguably ill-advised on several grounds. For example, an activity or practice being advocated by the farmer may not be "generally accepted" or the farm itself may not meet the eligibility criteria for right to farm protection.

Issues with Municipal Regulation

In addition to exploring with study participants the effects of local regulation on their agritourism activities, the study team also conducted a review of master plans, land use codes, and right to farm ordinances in five municipalities to assess their compatibility with agritourism industry development. These reviews were conducted in (1) Washington, Morris County, (2) Upper Freehold, Monmouth County, (3) Plumsted, Ocean County, (4) White, Warren County, and (5) Lawrence, Mercer County. It was determined that agritourism was not generally considered as a mechanism for agricultural economic development. This is not surprising considering the general lack of local planning for agriculture in New Jersey (see, for example, Brooks 1986; Brooks 1990; Heinrich and Schilling 2005; Schilling 2006).

The majority of farmers interviewed felt that municipal regulation was not a significant challenge when they started their agritourism operations. However, many farmers acknowledged that the number of issues with their municipalities has risen with the increased visibility and growth of agritourism across the state. Almost all of the farmers interviewed, regardless of whether they have had issues with their townships in the past, fear that they will have problems in the future.

Eight specific areas of municipal regulation that were likely to affect agritourism were discussed with farmers. Overall, the majority of farmers indicated that most aspects of local regulation were generally supportive. However, as shown in Table 15, sign ordinances,

zoning regulations, and building codes were cited as being more restrictive than other municipal regulations.

Table 15: Farmer Experiences with Municipal Regulations

	Very Supportive	Somewhat Supportive	Somewhat Restrictive	Very Restrictive	Not Applicable/ Not Answered
Signage	38%	15%	23%	17%	8%
Zoning	35%	21%	15%	17%	13%
Building Code	23%	29%	29%	10%	8%
Parking	52%	19%	8%	6%	15%
Fire Code	48%	21%	13%	4%	15%
Noise Ordinance	48%	15%	6%	4%	27%
Health Code	42%	25%	15%	0%	19%
Odor Ordinance	47%	6%	0%	0%	47%

According to farmers, road signage is extremely important to the success of their agritourism operations because it attracts drive-by business or provides directional information for customers.[18] Sign ordinances specify the size, number, and placement of signs. In several instances, farmers reported that they were unfamiliar with local sign regulations and placed signs that were subsequently removed by township crews. Even in towns that had strict sign ordinances, farmers indicated that enforcement is often relatively lax. However, spurred by complaints or "abuses" by a single business, stricter compliance may be required of all businesses.

Several farmers also indicated that local building codes are restrictive to agritourism development. For example, several operators reported that proposals for the construction of a farm structure (e.g., most commonly a new barn or farm market) were treated as a commercial building in terms of building requirements. Several farmers also faced instances of local restrictions when a farm building normally dedicated for one use was used in a different manner for agritourism purposes (i.e., a storage barn used for educational lectures or Halloween events).

---

[18] Municipal regulations were not the only challenge identified by farmers with regard to road signage. Many farmers reported even greater difficulty with getting permission to post road signs for their businesses on county or state roads.

Farmers developing agritourism activities may be required to submit either a formal application for development or a simple conceptual plan that addresses issues such as location and type of building, drainage and parking. In contrast to a simple hand drawn conceptual plan, an application for minor or major site plan development ordinarily is prepared by an engineer or architect. It requires more time before the local board and can be expensive. Though the Right to Farm Act limits municipal site plan review to buildings and parking connected with farm markets, field research suggests that townships (and farmers) are not aware of this and may initiate a more involved municipal review than is necessary.

Among the farmers interviewed, 38 percent reported that their municipalities required site plan reviews for projects related to agritourism. Most of these farmers did not experience inordinate difficulty going through the process. In some cases, farmers were only required to provide a sketch of their proposed changes. Nevertheless, several respondents believed site plan reviews were "probably not needed" given the nature and scale of their proposed projects.

Some farmers did report having significant difficulty going through their municipality's site plan review process. When trying to construct a farm market, one central New Jersey farmer was presented with various local regulatory requirements regarding setbacks, paving, entrances and exits, handicap parking, and lighting. He was also required to spend $1,800 on a soil conservation plan and felt he was being treated as a residential builder by being charged impact fees. Ultimately the farmer sought mediation through his CADB in order to get relief under the Right to Farm Act.

Another farmer in northern New Jersey was required to go through major site plan review to construct a retail farm market. The farmer reported that he was forced to spend upwards of $20,000 to acquire municipal approvals (to construct a $50,000 building) and was delayed for two years. This same farmer was also required to go through a major site plan review for temporary structures he was constructing.

Field interviews suggest that many farmers (and municipalities) are unaware of New Jersey's Farm Building Code. The code was created by the New Jersey Department of Community Affairs and the New Jersey Department of Agriculture under the Uniform Construction Code (UCC) in order to "enable the agriculture sector to expand and to remain competitive with growers and producers in other states by making construction less burdensome to the farm community" (New Jersey Department of Agriculture 2004). The Farm Building Code allows farmers to submit a sketch plan to meet the site plan requirements for a building permit under the UCC; however, the municipal zoning ordinance may still require a separate site plan before a building permit can be issued. The code does not apply to farm markets which must meet the requirements of the Mercantile Code. In addition, other types of farm buildings may be classified as "special amusement" buildings because of their use.[19]

Closely related to municipal building code requirements, farmers also had problems with municipal zoning provisions. Approximately one-third of the farmers stated that municipal zoning provisions limited the number and type of permitted uses allowed on their farms. Most often they noted that certain agritourism activities such as farm markets and petting zoos were not permitted uses in their zoning district. A shared sentiment among many farmers is that their townships will become more restrictive in the future as agritourism operators establish new and creative activities that do not conform with municipalities' views of "acceptable" agricultural activities.[20]

Farmers also indicated that compliance with other regulations such as fire, parking, noise, and health provisions was sometimes burdensome and increased costs. However, they noted that these provisions were no more restrictive for farming than for other businesses. In

---

[19] Special amusement buildings are defined as "any temporary or permanent building or portion thereof that is occupied for amusement, entertainment, or educational purposes and contains a device or system that conveys passengers or provides a walkway along, around or over a course in any direction so the means of egress path is not readily apparent" (New Jersey Department of Agriculture 2004).

[20] Several of the farmers interviewed also expressed concern over reductions in permissible building densities in zones containing agriculture. So-called "down-zoning" was seen as a disincentive by some farmers to invest in their agricultural operations, and in come cases, an action that weakened the farm's financial position.

some instances, farmers expressed frustration in the way provisions were applied or enforced by township personnel. It was particularly difficult when personnel changed such as when the township hired a new building inspector or a different fire marshal was appointed. For example, one farmer explained that his township's fire marshal closed down a straw maze in the middle of a busy day without warning. Yet, this farmer did not have any further such problems when the fire marshal was replaced.

Special Use Permits

A municipality may also require a special use permit for certain activities on the farm. In some townships, the decision to require a permit is left to the discretion of the zoning officer. Depending on the type of event, a township may charge a fee for the permit.

Seventeen percent of the farmers interviewed reported that their municipalities require them to obtain a special use permit for certain agritourism activities, such as a holiday event. Typically, the permit is required for events that attract a large number of visitors and require police, fire, or emergency services. According to some farmers, special permits have also been required to bring in food from outside sources if it is intended for sale on the premises. In general, farmers did not find this permit requirement burdensome for events held infrequently. However, several farmers indicated that if they had to obtain a special use permit for more regular agritourism activities that it could affect the activities they provided and become quite costly.

RECOMMENDATIONS FOR AGRITOURISM INDUSTRY DEVELOPMENT

The findings of this study provide the foundation for proposed recommendations for addressing the needs of New Jersey farmers involved with agritourism. This section advances eleven categories of recommendations to support agritourism industry development in New Jersey. They are based on specific suggestions raised by agritourism operators and farm leaders, as well as the study team's analysis of challenges and areas of opportunity uncovered by this research. Recommendations are organized in the following categories:

- Marketing and Promotion
- Liability Protection and Insurance
- Agritourism Industry Development Program
- Regulatory Guidance for Agritourism Operators
- Municipal Outreach
- New Jersey Agritourism Industry Advisory Council
- Training and Informational Workshops for Farmers
- Protections for Farms in the Pinelands Regional Planning Area
- Role of County Agriculture Development Boards
- Agritourism Development Resources
- Educational Materials and Information for School Tours

A. Marketing and Promotion

One of the most frequently cited challenges facing agritourism operators in this study was the marketing and promotion of their operations. Farmers discussed the need for a centralized agritourism promotion system, additional information resources, and in-state personnel to assist them with the development marketing of their agritourism operations.

1. Create a single comprehensive directory of agritourism operations in New Jersey. There are presently numerous directories that vary in terms of accuracy and comprehensiveness. Further, many existing directories are not regularly updated.

2. Develop a New Jersey Agritourism Marketing Website that (1) provides an interactive and user-friendly interface for consumers to research and plan farm visits and (2) allows farmers to update information on their operations in real-time. The website will incorporate the centralized agritourism directory described above and also ensure an Internet presence for farmers without their own websites.

3. Increase the availability and use of Jersey Fresh point-of-sale/promotional materials at farm retail outlets and develop additional materials to effectively promote agricultural awareness among the public (e.g., "New Jersey Agricultural Facts").

4. Identify and establish resources necessary to assist counties and regions in funding agritourism promotion. There is currently significant variability across counties in the availability and quality of promotional and informational agritourism materials.

5. Identify resources to encourage better inclusion and integration of agritourism into New Jersey Division of Travel and Tourism marketing materials, maps, and economic impact studies.

6. Strengthen linkages between farm direct marketers and (1) the State's Women, Infant and Children program (WIC) and (2) Senior Farmers Market Nutrition Program (SFMNP). Need exists to educate providers of these assistance programs (at the federal, state, and local levels) about the opportunities for their clients to redeem vouchers at farm retail outlets.

7. Explore grant opportunities available through the State's Women, Infant and Children program (WIC) to expand farm retail opportunities at high-concentration centers of WIC and/or low-income senior clients.

8. Encourage farmers to participate in current New Jersey Department of Agriculture programs aimed at linking school lunch providers with local food producers. This also gives farmers the opportunity to establish contacts with school districts that can be leveraged for scheduling school farm tours.

9. Develop a statistically valid estimate of the economic impact of agritourism in New Jersey. This may be modeled after the 2002 Vermont study conducted by the New England Agricultural Statistics Service. Such information will be useful in conveying the economic importance of agritourism for New Jersey farms and the state.

10. Examine consumer preferences and demand for agritourism in New Jersey. States such as Pennsylvania, Tennessee, and California have conducted studies to profile agritourists in order to better market farm destinations.

B. Liability Protection and Insurance

Liability exposure, insurance costs and availability, and general farm safety issues are key issues in the development and maintenance of agritourism operations. Liability and related concerns can be barriers to future expansion.

1. Develop a New Jersey Agritourism Limited Liability act modeled after recent laws passed in Virginia and North Carolina to protect farmers from lawsuits. New Jersey's Landowner Limited Liability statute and the Equestrian Activities Liability Act provide some protections to farmers engaged in certain activities. However, a comprehensive set of liability protections for farmers engaged in agritourism is presently lacking.

2. Explore ways to reduce the cost of liability insurance by (1) working with Farm Family and other insurance providers to reduce premiums by proactively addressing

safety issues on agritourism operations and (2) investigating the possibility of establishing agritourism liability insurance tax credits (e.g., as was done in Kansas) for registered agritourism operations.

C. Agritourism Industry Development Program

Several states have established a program – often in the state department of agriculture or Cooperative Extension – to promote and coordinate agritourism industry development.

1. Establish a state-level Agritourism Industry Development program. Key aspects of the program should include a capacity to support regional agritourism initiatives, develop training, promotional and informational materials, conduct market research and analysis (e.g., current and emerging agritourism trends or niches), and assist agritourism operators with marketing and promotion.

D. Regulatory Guidance for Agritourism Operators

Farmers identified a need for assistance with regulatory issues specific to agritourism. As one example, greater clarification is needed on the extent to which specific activities are protected under Right to Farm.

1. Engage in proactive communication with farmers about regulations relevant to common agritourism activities. In many instances, agritourism operators are not fully aware of the regulatory requirements that apply to their activities/operations.

2. Educate agritourism operators about the requirements and protections specified under the New Jersey Right to Farm Act. Outreach is also required to ensure that farmers are familiar with the statutory procedures required to receive relief from regulations that "unnecessarily constrain" agricultural activities and nuisance complaints.

3. Convene an inter-governmental agency working group to address impediments to the effective use of signs on state, county, and local roads by agritourism operators.

E. Municipal Outreach

Municipal regulation is a concern for farmers conducting agritourism activities. Municipal officials and residents are largely unaware of the social and economic effects of regulation on agricultural operations and the potential benefits of agritourism in their communities. Similarly, local officials are often not familiar with the agricultural protections under the Right to Farm Act.

1. Convene educational workshops for local elected officials, municipal planners, and zoning and planning board members. Workshops should focus on evaluating the costs and benefits of agritourism development, identifying the role of municipalities in promoting agritourism, and assessing the compatibility of local codes and ordinances with agritourism development.

2. Integrate information on agriculture and, more specifically, agritourism into professional development programs for municipal officials and planners.

3. Develop a formal program to assist municipalities to (1) develop and adopt agricultural retention elements in their master plans, (2) design regulation supportive of agritourism, and (3) adopt the State Agriculture Development Committee model Right to Farm ordinance.

F. New Jersey Agritourism Industry Advisory Council

The New Jersey Agritourism Industry Advisory Council serves an important role by channeling the input of agritourism operators, the New Jersey Department of Agriculture, Cook College, the New Jersey Division of Travel and Tourism, the New Jersey Farm Bureau

and other important stakeholders to promote agritourism industry development in New Jersey.

1. Expand the New Jersey Agritourism Industry Advisory Council's membership to include a municipal planner and establish three-year terms for Council members to ensure a continued infusion of new expertise, experience, and ideas.

G. Training and Informational Workshops for Farmers

Comprehensive in-state assistance is needed for agritourism industry development. In many cases, information and other resources are already developed and need to be compiled and made accessible to New Jersey farmers.

1. Develop a hospitality training workshop for farmers – offered multiple times each year – in order to develop the skills necessary to ensure a more positive experience for farm visitors. Topics should include cross-cultural hospitality training in order to assist farmers with responding to the ethnic diversity of consumers.

2. Develop an agritourism marketing strategies workshop to provide farmers with information on the availability and efficacy of various marketing alternatives. Topics should also include information on conducting local market assessments, customizing promotional activities, and cross-promoting with other local businesses.

3. Provide a forum for farmers interested in starting agritourism to interact with established agritourism operators from New Jersey and other states.

4. Develop issue-specific agritourism workshops. Possible topics include: liability issues and protection, municipal regulation of agritourism, grant opportunities, agritourism in the Highlands and Pinelands regions, site plan review, traffic issues, sign regulation, Right to Farm issues, farmland preservation, and biosecurity.

H. Protections for Farms in the Pinelands Regional Planning Area

Farmers operating in the Pinelands expressed concern that regional planning efforts were not supportive of agritourism development.

1. Work to address farmer concerns about the extent to which the Pinelands Comprehensive Management Plan is limiting opportunities for agritourism development in the region.

2. Work with the Pinelands Commission to identify alternatives to balance growth management and preservation objectives with the opportunities to enhance farm viability through agritourism.

I. Role of County Agriculture Development Boards

County Agriculture Development Boards (CADBs) can support agritourism development directly through their existing programs. For example, several farmers in this study could have avoided the time and costs associated with municipal compliance issues had they been more familiar with Right to Farm provisions in the state. Similarly, several operators voiced concern that participation in the farmland preservation program could impose restrictions on current or future agritourism activities. Farmers can currently negotiate exceptions to deed restrictions when entering into the farmland preservation program. However, agritourism operators voiced apprehension about enrolling property in the program because they cannot predict the nature of future agritourism activities and their permissibility under easement terms established today.

1. Examine farmland preservation deed restriction policies in order to identify and address any constraints to agritourism development, recognizing the evolving nature of New Jersey agriculture and the flexibility required by farmers to adapt to changing market opportunities. This may involve consideration of special provisions for future

agritourism activities and related structures in deed restrictions or the ability for farmers to revise deeds of easement in order to incorporate new agritourism activities.

2. Provide outreach to agritourism operators and municipal officials about Right to Farm protections. This should include, for example, a review of the applicability of Site Specific Agricultural Management Practices as a mechanism for protecting agritourism activities.

3. Provide education and outreach to municipal officials about the impacts of municipal regulations on agritourism.

4. Develop a model long-term lease for farmers renting preserved farmland in order to provide them with the opportunity to plan for the development of agritourism activities.

5. Host "Agriculture in Action" open houses and tours at agritourism operations, such as those offered by the Somerset County Agriculture Development Board and County Board of Agriculture. These events can showcase agritourism operations and educate the public and local officials about farming and the needs of agritourism operators.

6. Encourage municipal adoption of the State Agriculture Development Committee's model Right to Farm ordinance. Adoption of the model ordinance will provide legal recognition of a farmer's right to engage in on-farm recreational and educational activities.

J. Agritourism Development Resources

Access to informational and business development resources was cited as a significant challenge by farmers. In order to assist farmers interested in starting agritourism activities on their operations, the following resources should be compiled or, when necessary, developed.

1. Develop a website featuring "how-to" guidance for current and potential agritourism operators. Similar on-line resources have been developed in other states. Examples include sites maintained by the University of California at Davis, Kansas Agritourism Advisory Council, and Cornell University.

2. Create an agritourism innovation fund in order to provide grants or low interest loans to farmers interested in developing or expanding agritourism activities. Similar programs are offered in Rhode Island, Vermont, and New York.

3. Assist agritourism operators in identifying and obtaining grant funding to support agritourism development.

K. Educational Materials and Information for School Tours

A growing number of farmers recognize the potential benefits of hosting educational tours for school children. However, many farmers need information resources to identify schools interested in scheduling farm tours, as well as suitable educational materials that meet curricula standards.

1. Identify and compile farm-related curriculum requirements for different grade levels in order to allow farmers to design farm tours to meet the educational requirements of school groups.

2. Promote opportunities for farmers to participate in school programs focused on agriculture education.

3. Develop "fast facts about New Jersey agriculture" literature to educate farm visitors about New Jersey farming.

CONCLUSIONS

The New Jersey farming industry is facing decreasing profitability because of declining returns to production agriculture. The future sustainability of many farm operations is linked to the ability of farmers to generate supplemental income from existing farm resources. The purpose of this study is to understand agritourism as a strategy to promote agricultural economic development in New Jersey. It is intended to inform policy makers and farmers about the nature of agritourism activities and the extent to which these activities enhance agricultural viability. Importantly, the study identifies the major challenges facing agritourism operators that constrain industry growth and expansion.

Study findings are based on a series of forty-eight interviews with farmers engaged in agritourism. In addition, agricultural leaders were interviewed about their views of agritourism, including industry needs. Agritourism development efforts in other states were also examined to identify strategies that may be applicable to New Jersey.

Several general conclusions can be made based on the findings of this study. First the research shows that farmers, over the years, have adopted a large number of agritourism activities. They continue to modify existing activities in response to changing market opportunities and are enthusiastic about developing new ones in order to achieve the most suitable agritourism attractions for their farm operations.

Second, data show that agritourism is financially beneficial to New Jersey farm operations. Farmers recognize the contributions – in some cases the essentiality – of agritourism to the continued viability of their operations. Agritourism is a means for diversifying farm products and market channels and generating additional income. In many cases, agritourism enables farmers' children to remain on the farm.

Third, the data clearly show that farmers need specific assistance and resources in order to successfully develop and integrate agritourism activities into their farm operations.

This report conveys a series of recommendations, organized across eleven different categories. The recommendations address the specific needs, challenges, and opportunities identified within the state's agritourism industry.

The development of agritourism in New Jersey represents a natural progression in the evolution of many farm operations and is consistent with past and current state policies to support the farming industry. Equally as important, agritourism is a natural complement to production agriculture. The full potential of agritourism has not been realized in New Jersey. Tremendous opportunity exists to cultivate agritourism development in the state through proactive policy and strategic investment of resources that alleviate constraints facing farmers interested in providing on-farm recreational or educational activities to the public.

REFERENCES

21st Century Rural America: New Horizons for U.S. Agriculture. The Farm Credit Council. Washington. January 2006.

Aaron Brooks, F. "Conflicts between Commercial Farmers and Exurbanites." Farm Work and Fieldwork. Ed. Michael Chibnik. Ithaca: Cornell University Press, 1987. 244-266.

Adelaja, O. Adesoji., and Listokin, Barbara., eds. Enhancing Opportunities for Rural Tourism in New Jersey. Ecopolicy Center for Agriculture, Environmental and Resource Issues. NJAES, New Brunswick, NJ: Rutgers University, June 1995.

Agriculture Retention and Development Act. N.J.S.A. 4:1C –11 et. seq. 1983.

Agritourism Industry Development & Potential. Agritourism. Purdue Tourism Hospitality Research Center. Purdue University.5 May 2006.

Agritourism. UK Cooperative Extension Service. University of Kentucky, College of Agriculture. 2004. http://www.uky.edu/Ag/NewCrops/introsheets/agritourism.pdf

Agritourism in Maine: Opportunities, Challenges and Linkages. Maine Agricultural Center. The University of Maine. 5 May 2006. http://www.mac.umaine.edu/projects/Proporsals%20for%20web/MAC%20071.htm

Ballenger, Nicole, and Blaylock, James. Consumer-Driven Agriculture: Changing U.S. Demographics Influence Eating Habits. Amber Waves, April 2003. http://www.ers.usda.gov/Amberwaves/April03/Features/ConsumerDrivenAg.htm

Brooks, F. J. A. It's a Hard Row to Sow: Responses of Commercial Family Farmers to Urban Development. Unpublished Dissertation. (1986).

Brooks, F. "The Regulation of Agriculture and Farmland Preservation." Resoliving Rural Development Conflicts. Ed. Floyd Dykeman. New Brunswick: Mount Allison University, 1990. Chapter 2.

Brumfield, G. Robin., and Mafoua K. Edouard. Agricultural Tourism as Income-Based Risk Management Strategy for Greenhouse and Nursery Producers. Rutgers Cooperative Research & Extension. NJAES. New Brunswick, NJ: Rutgers University, May 2002.

Che, Deborah., et.al. Michigan Agritourism: Strengthening Michigan's Agriculture and Tourism Industries. Western Michigan University. Departments of Geography and Marketing. http://www.ams.usda.gov/tmd/FSMIP/FY2001/MI0337.pdf

DRAFT Agri-tourism Agricultural Management Practice (AMP). New Jersey State Agriculture Development Committee. 4 October 2005.

Escherichia Coli O157:H7 Outbreaks Associated With Petting Zoos, N Carolina, Florida And Arizona, 2004-2005. Medical News Today. 29 December 2005. http://www.medicalnewstoday.com/medicalnews.php?newsid=35463

Freedgood, Julia, et al. Cost of Community Services Studies: Making the Case for Conservation. Farmland Information Center. Northhampton, MA: American Farmland Trust, 2002.

Glass, Martha. Letter. North Carolina Department of Agriculture and Consumer Services. Agritourism Office. 6 February 2006. http://www.ncagr.com/agritourism/documents/2005SurveyWithLetter.pdf

Govindasamy, Ramu., et.al. Income Distribution Comparison of Farms With Innovative Activities: A Probabilistic Approach. Rutgers Cooperative Extension. New Brunswick, NJ: Rutgers University, January 1998.

Issue White Paper: Establishment of an Agri-tourism Industry in Kentucky. Kentucky Agri-Tourism Working Group. 2001. http://www.kyagr.com/mkt_promo/agritourism/documents/whitepaper.doc

Jensen, Kim., et. al. Agri-tourism in Tennessee: Current Status and Future Growth, 2003-2004. Report to the Tennessee Agri-Tourism Steering Committee. Department of Agricultural Economics, Institute of Agriculture. University of Tennessee. 13 July 2005. http://extension.tennessee.edu/publications/pbfiles/PB1754_ch1.pdf

Jerardo, Alberto. "The U.S. Ag Trade Balance…More Than Just A Number." Amber Waves: The Economics of Food, Farming, Natural Resources, and Rural America. February 2004. Retrieved May 11, 2006. http://www.ers.usda.gov/amberwaves/February04/Features/USTradeBalance.htm

Jolly, Desmond. Creating a Business Plan. University of California Small Farm Center. Davis, California.

Jolly, Desomond. Marketing Your Enterprise. University of California Small Farm Center. Davis, California. November 2000.

Lobo, Ramiro. Helpful Agricultural Tourism (Agri-tourism) Definitions. Small Farm Center. University of California. UC Cooperative Extension. http://www.sfc.ucdavis.edu/agritourism/definition.html

Musser, Wesley., et.al. Alternative Agriculture in Maryland: A Guide to Evaluate Farm-Based Enterprises. Department of Agricultural and Resource Economics. University of Maryland. 31 May 1999. http://agmarketing.extension.psu.edu/Business/PDFs/farmaltworkbk.pdf

National Survey on Recreation and the Environment (NSRE):2000-2002. The Interagency National Survey Consortium, Coordinated by the USDA Forest Service, Recreation, Wilderness, and Demographics Trends Research Group, Athens, GA and Human Dimensions Research Laboratory, University of Tennessee, Knoxville, TN.

New Jersey Department of Agriculture. Economic Development Strategies. New Jersey: 2005.

New Jersey Image Study. Winning Strategies Advertising. New Jersey Office of Travel and Tourism. D.K. Shifflet & Associates Ltd.

New Jersey 2004 Overnight Leisure Visitor Profile. D.K. Shifflet & Associates, Ltd. Excellence in Travel Intelligence. March 2005.

The New Jersey Tourism Satellite Account, A Comprehensive Understanding of the Economic Contribution of Travel & Tourism in the State of New Jersey. Global Insight, Inc. June 2005.

North Carolina Agritourism Survey Results 2005. North Carolina Department of Agriculture and Consumer Services. http://www.ncagr.com/agritourism/

Reeder, J. Richard., and Brown, M. Dennis. Recreation, Tourism, and Rural Well-Being. Economic Research Report Number 7. USDA. Washington.

Right to Farm Act. N.J.S.A. 4:1C –1 et. seq. 1983. http://www.state.nj.us/agriculture/sadc/righttofarmact.pdf

Russel, Brittany. Agri-Tourism Workbook. Agri-Business Council of Oregon. January 2003.

Ryan, Susan., DeBord, Kristy., and McClellan, Kristin. Agritourism in Pennsylvania: An Industry Assessment. The Center for Rural Pennsylvania. California University of Pennsylvania. March 2006. http://www.ruralpa.org/agritourism2006.pdf

A Snapshot of Tennessee Agritourism: Results from the 2003 Enterprise Inventory. Center for Profitable Agriculture. The University of Tennessee. PB1747, October 2004. http://cpa.utk.edu/pdffiles/PB1747.pdf

Sorensen, A. Ann, Richard P. Green and Karen Russ, Farming on the Edge. DeKalb, Illinois: American Farmland Trust and Center for Agriculture in the Environment. Northern Illinois University, 1997.

State Planning Act. N.J.S.A. 52:18A-196 et seq. 1985.

Targeting School Groups for Agritainment Enterprises: Summary of a Schoolteacher Survey in Tennessee. Agricultural Extension Service. The University of Tennessee. PB 1669. http://www.utextension.utk.edu/publications/pbfiles/pb1669.pdf

Walker, Bill. "Is Agritourism Right for You?" New Jersey Department of Agriculture. http://www.state.nj.us/agriculture/agritourism.htm

Wilson, Joshua., Thilmany, Dawn., and Sullins, Martha. Agritourism: A Potential Economic Driver in the Rural West. Economic Development Report. Cooperative Extension. Colorado State University. Department of Agricultural and Resource Economics. February 2006. http://dare.agsci.colostate.edu/csuagecon/extension/docs/impactanalysis/edr06-01.pdf

"U.S. Agricultural Trade Surplus Grows to $3 Billion in First 5 Months of Fiscal Year 2006." U.S. Agricultural Trade Update. Electronic Outlook Report from the Economic Research Service. USDA. 13 April 2006. http://usda.mannlib.cornell.edu/reports/erssor/trade/fau-bb/text/2006/fau112.pdf

United States Department of Agriculture. 2002 Census of Agriculture. New Jersey: State and County Data. Vol.1. June 2004.

United States Department of Agriculture. Vermont Agri-Tourism 2002. New England Agricultural Statistics Service. Concord, NH. April 2004. http://www.nass.usda.gov/nh

United States Department of Agriculture. ECS-Recreation and Tourism Policy, Objectives, and Responsibilities. General Manual (GM). 190 –ECS. Natural Resources Conservation Service. 30 January 1997. http://www.nrcs.usda.gov/Technical/RESS/altenterprise/recreation_policy.pdf

United States Department of Agriculture. For Higher Profits and Healthier Land. Alternative Enterprises. Natural Resources Conservation Service. http://www.nrcs.usda.gov/Technical/RESS/altenterprise/Alternatvbroch.pdf

United States Department of Agriculture. Taking the First Step: Farm and Ranch Alternative Enterprise and Agritourism Resource Evaluation Guide. Southern Maryland Resource Conservation and Development Board, Inc. Natural Resources Conservation Service. Resource Economics and Social Sciences Division. January 2004. http://www.nrcs.usda.gov/Technical/RESS/altenterprise/FirstSteps.pdf

Related Websites

Kansas Agritourism. http://www.kansasagritourism.org

Maryland Department of Agriculture.
http://www.mda.state.md.us/md_products/agritourism_sites-farms/index.php

Michigan's Agricultural Tourism. http://www.michigan.gov/agtourism

North Carolina Department of Agriculture & Consumer Services.
http://www.ncagr.com/agritourism/

Office of Agricultural Marketing & Product Promotion. Division of Agritourism.
http://www.kyagr.com/mkt_promo/agritourism/index.htm

Southern Maryland Agricultural Development Commission.
http://www.somarylandsogood.com/smhd/index.asp

The University of Tennessee. Extension.
http://www.utextension.utk.edu/publications/marketing/default.asp#value

The University of California at Davis's Small Farm Center.
http://www.sfc.ucdavis.edu/agritourism/definition.html

Virginia Cooperative Extension. http://www.ext.vt.edu/pubs/agritour/310-003/310-003.html

APPENDIX A

Field Research Protocol

{INTRODUCTION}

Agritourism is the business of making farms travel destinations for educational and recreational purposes. Examples of agritourism opportunities in New Jersey include direct marketing (i.e., farm stands and pick-your-own operations), school tours, hunting and fishing, hiking, farm festivals, haunted hayrides, and corn mazes to name just a few.

I. FARMER'S AGRITOURISM OPERATION

1. What is the primary farm commodity produced on your farm?

   {ENUMERATOR - Mark a "1" for primary activity and "X" for all others.}

   ☐ Grain (wheat, corn, soybean, etc.)
   ☐ Other Field Crops
   ☐ Vegetables, Melons, Potatoes
   ☐ Fruits & Nuts
   ☐ Horse / Other Equine
   ☐ Nursery / Greenhouse
   ☐ Beef Cattle, Hogs, Sheep
   ☐ Poultry
   ☐ Dairy
   ☐ Other Livestock
   ☐ Christmas Trees

2. Please tell me what agritourism activities you offer and whether you charge a fee for them.

Offer	Charge Fee	
		Outdoor Recreation
☐	☐	Hunting
☐	☐	Fishing
☐	☐	Bird watching
☐	☐	Hiking
☐	☐	Cross country skiing
☐	☐	Other: _____
☐	☐	Other: _____
		Educational Tourism
☐	☐	School trips
☐	☐	Winery tours
☐	☐	Farm tours
☐	☐	Farm work experience
☐	☐	Other: _____
☐	☐	Other: _____
		On-Farm Sales of Products Direct to Consumers
☐	☐	Pick-your-own
☐	☐	Pumpkin picking
☐	☐	Retail farm stands
☐	☐	"You Cut" Christmas trees
☐	☐	Made on-site food products
☐	☐	Floral products
☐	☐	Other: _____
☐	☐	Other: _____

Offer	Charge Fee	
		Accomodations
☐	☐	Bed and breakfast
☐	☐	Farm vacations
☐	☐	Camping
☐	☐	Picnicking
☐	☐	Weddings and receptions
☐	☐	Other: _____
☐	☐	Other: _____
		Entertainment
☐	☐	Petting zoos
☐	☐	Haunted house/hayrides
☐	☐	Festivals / special events
☐	☐	Corn mazes
☐	☐	Hay rides
☐	☐	Other: _____
☐	☐	Other: _____
		Other Agritourism
☐	☐	Specify: _____
		_____
		_____
		_____
		_____
		_____
☐	☐	Specify: _____
		_____
		_____
		_____
		_____
		_____
		_____

3. In what year did you first begin offering on-farm recreational/educational activities, including direct marketing, to the public?

   YEAR: _____

4. How important were the following factors in your decision to become involved in agritourism?

REASON	**Very Important**	**Somewhat Important**	**Not at All Important**
Generate additional revenue			
Improve relationships with community			
Diversify activities on the farm			
Educate public about agriculture / your operation			
Keep other family members involved in operation			
Other (specify):			

5. How significant were the following issues when starting your agritourism operation?

CHALLENGE	**Very Significant**	**Somewhat Significant**	**Not at all Significant**	**Not Applicable (VOLUNTARY)**
Expense				
Access to financing / capital				
State regulations				
Municipal regulations				
Interaction with the public				
Marketing your operation				
Liability issues				
Availability of employees with proper skills				
Training of employees				
Farmland preservation deed restrictions				
Access to information needed to properly develop activity / operation				
On-farm "Biosecurity' concerns*				
Other:				

***{ENUMERATOR –** If asked, biosecurity is protecting the health of visitors as well as crops and livestock.**}**

6. Which of these issues would you consider your primary challenge?

7. How would you characterize your experience with your municipality with regard to the following issues since you began your agritourism operation?

ISSUE	Very Supportive	Somewhat Supportive	Somewhat Restrictive	Very Restrictive	Not Relevant / Not Applicable
Zoning					
Building Code					
Fire Code					
Health Code					
Noise ordinance					
Odor ordinance					
Parking					
Signage					
Other:					

8. Has your municipality required your operation to undergo a site plan review or obtain a special use permit for any of your agritourism activities?

   ☐ Site Plan Review ☐ Special Use Permit ☐ Not Applicable/Not Relevant

9. Have you had any "Right to Farm" issues regarding your agritourism activities?

   ☐ Yes ☐ No

10. How would you describe your municipality's response to any complaints about your agritourism activities from neighbors or other local residents?

    ☐ I have not had any such complaints ☐ Very Supportive ☐ Somewhat Supportive

    ☐ Not at All Supportive ☐ Municipality Not Involved

11. Overall, would you describe your municipality as supportive of your present agritourism activities?

    ☐ Very Supportive ☐ Somewhat Supportive ☐ Not at All Supportive

    ☐ Not sure/Refused **(VOLUNTARY)**

12. How important is the use of immediate family labor to the success of your agritourism activities?

    ☐ Very Important ☐ Somewhat Important ☐ Not at All Important

    ☐ Don't Use Family Labor for Agritourism ☐ Not sure/Refused **(VOLUNTARY)**

13. Do you have insurance for your agritourism operation, and what have been your experiences obtaining it?

☐ No ☐ Yes **(If yes, what have been your experiences obtaining it?)**

14. How helpful were the following organizations in developing your agritourism operation?

ORGANIZATION	**Very Helpful**	**Somewhat Helpful**	**Not at All Helpful**	**Not Applicable**
Rutgers Cooperative Research and Extension				
Farm Bureau				
New Jersey Department of Agriculture				
County Agriculture Development Board				
State Agriculture Development Committee				
County / Local Government				
Other farmers				
Non-government agricultural organizations (i.e. – commodity group, Vegetable Growers Assoc., Direct Marketing Association, etc.)				
Other:				

15. How did you fund the development of your agritourism enterprise?

Source	**Initial Start-Up**	**Current Operation**	**If Applicable, Future Expansion(s)**
Annual income / cash flow			
Loans			
Grants			
Savings			
Other (specify):			

16. Before you started your agritourism operation did you develop a formal business plan?

☐ Yes ☐ No

17. Before you started your agritourism operation did you develop a marketing plan?

☐ Yes ☐ No

18. How effective are the following in promoting your agritourism operation?

PROMOTION	**Very Effective**	**Somewhat Effective**	**Not at All Effective**	**Not Used**
Word of mouth				
Print media (i.e. – newspaper, magazine)				
Internet / website				
Television commercials				
Radio commercials				
Placement on a map of tourism destinations				
Brochures in strategic locations				
New Jersey Division of Travel and Toursim				
Jersey Fresh Program				
Road Signage				
NJ Department of Agriculture Agritourism Database				
Other:				

19. Have you created any relationships with other local businesses in order to cross-promote your businesses?

☐ Yes ☐ No

20. Do you have a plan for future expansion or changes to your agritourism activities?

☐ Yes ☐ No

II. FARMER PERSPECTIVE OF AGRITOURISM INDUSTRY

21. What trends do you see in agritourism in **your county**? Do you foresee:

    ☐ Significant growth ☐ Moderate growth ☐ Little growth ☐ No growth

    ☐ Not sure/Refused **(VOLUNTARY)**

22. How important do you think agritourism is to the economic viability of **New Jersey's** farming industry?

    ☐ Very Important ☐ Somewhat Important ☐ Not at All Important

    ☐ Not sure/Refused **(VOLUNTARY)**

23. How important do you think agritourism is to the economic viability of farming in **your county**?

    ☐ Very Important ☐ Somewhat Important ☐ Not at All Important

    ☐ Not sure/Refused **(VOLUNTARY)**

24. What do you think are the biggest benefits of agritourism?
    {ENUMERATOR - Prompt: Benefits to agriculture? To you the farmer? To the community?**}**

25. What do you think are any negative aspects of agritourism?

III. DEMOGRAPHICS

26. How many years have you been farming?
_____ years

27. How many acres do you currently farm?

_____ total acres

_____owned acres

_____leased acres

28. Do you consider yourself to be a full-time or part-time farmer?

☐ Full-time ☐ Part-time ☐ Refused **(VOLUNTARY)**

29. Does farming generate 50% or more of your household income?

☐ Yes ☐ No ☐ Refused **(VOLUNTARY)**

30. What percentage of your total farm operation income would you estimate is from agritourism?

☐ 0%
☐ 1% - 24%
☐ 25% - 49%
☐ 50% - 74%
☐ 75% - 99%
☐ 100%
☐ Refused **(VOLUNTARY)**

31. What is your total gross farm income?

- ☐ Less than $10,000
- ☐ $10,000 to $49,999
- ☐ $50,000 to $99,999
- ☐ $100,000 to $249,999
- ☐ $250,000 to $499,999
- ☐ $500,000 or more
- ☐ Refused **(VOLUNTARY)**

IV. FUTURE USE OF DATA

32. Would you like us to pass your information on to the NJ Department of Agriculture to be added to their Agricultural Tourism Database?

    ☐ Yes ☐ No

    Address:_____
    _____
    _____
    _____

    Telephone:
    _____

33. If you are not on a tourism map now, would you be interested in placing your operation on a regional or county map of tourism operations?

    ☐ Yes ☐ No

34. Would you like to be sent a copy of the final report for this study?

    ☐ Yes ☐ No

APPENDIX B

North Carolina Limited Liability Law for Agritourism Activities

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

SESSION LAW 2005-236
HOUSE BILL 329

AN ACT TO LIMIT LIABILITY ARISING FROM CERTAIN AGRITOURISM ACTIVITIES.

The General Assembly of North Carolina enacts:

SECTION 1. Chapter 99E of the General Statutes is amended by adding a new Article to read:

"Article 4.
"Agritourism Activity Liability.

"**§ 99E-30. Definitions.**

As used in this Article, the following terms mean:

(1) Agritourism activity. – Any activity carried out on a farm or ranch that allows members of the general public, for recreational, entertainment, or educational purposes, to view or enjoy rural activities, including farming, ranching, historic, cultural, harvest-your-own activities, or natural activities and attractions. An activity is an agritourism activity whether or not the participant paid to participate in the activity.

(2) Agritourism professional. – Any person who is engaged in the business of providing one or more agritourism activities, whether or not for compensation.

(3) Inherent risks of agritourism activity. – Those dangers or conditions that are an integral part of an agritourism activity including certain hazards, including surface and subsurface conditions, natural conditions of land, vegetation, and waters, the behavior of wild or domestic animals, and ordinary dangers of structures or equipment ordinarily used in farming and ranching operations. Inherent risks of agritourism activity also include the potential of a participant to act in a negligent manner that may contribute to injury to the participant or others, including failing to follow instructions given by the agritourism professional or failing to exercise reasonable caution while engaging in the agritourism activity.

(4) Participant. – Any person, other than the agritourism professional, who engages in an agritourism activity.

(5) Person. – An individual, fiduciary, firm, association, partnership, limited liability company, corporation, unit of government, or any other group acting as a unit.

"§ 99E-31. Liability.

(a) Except as provided in subsection (b) of this section, an agritourism professional is not liable for injury to or death of a participant resulting from the inherent risks of agritourism activities, so long as the warning contained in G.S. 99E-32 is posted as required and, except as provided in subsection (b) of this section, no participant or participant's representative can maintain an action against or recover from an agritourism professional for injury, loss, damage, or death of the participant resulting exclusively from any of the inherent risks of agritourism activities. In any action for damages against an agritourism professional for agritourism activity, the agritourism professional must plead the affirmative defense of assumption of the risk of agritourism activity by the participant.

(b) Nothing in subsection (a) of this section prevents or limits the liability of an agritourism professional if the agritourism professional does any one or more of the following:

> (1) Commits an act or omission that constitutes negligence or willful or wanton disregard for the safety of the participant, and that act or omission proximately causes injury, damage, or death to the participant.
>
> (2) Has actual knowledge or reasonably should have known of a dangerous condition on the land, facilities, or equipment used in the activity or the dangerous propensity of a particular animal used in such activity and does not make the danger known to the participant, and the danger proximately causes injury, damage, or death to the participant.

(c) Nothing in subsection (a) of this section prevents or limits the liability of an agritourism professional under liability provisions as set forth in Chapter 99B of the General Statutes.

(d) Any limitation on legal liability afforded by this section to an agritourism professional is in addition to any other limitations of legal liability otherwise provided by law.

"§ 99E-32. Warning required.

(a) Every agritourism professional must post and maintain signs that contain the warning notice specified in subsection (b) of this section. The sign must be placed in a clearly visible location at the entrance to the agritourism location and at the site of the agritourism activity. The warning notice must consist of a sign in black letters, with each letter to be a minimum of one inch in height. Every written contract entered into by an agritourism professional for the providing of professional services, instruction, or the rental of equipment to a participant, whether or not the contract involves agritourism activities on or off the location or at the site of the agritourism activity, must contain in clearly readable print the warning notice specified in subsection (b) of this section.

(b) The signs and contracts described in subsection (a) of this section must contain the following notice of warning:

'WARNING

Under North Carolina law, there is no liability for an injury to or death of a participant in an agritourism activity conducted at this agritourism location if such injury or death results from the inherent risks of the agritourism activity. Inherent risks of agritourism activities include, among others, risks of injury inherent to land, equipment, and animals, as well as the potential for you to act in a negligent manner that may contribute to your injury or death. You are assuming the risk of participating in this agritourism activity.'

(c) Failure to comply with the requirements concerning warning signs and notices provided in this subsection will prevent an agritourism professional from invoking the privileges of immunity provided by this Article."

APPENDIX C

Virginia Limited Liability Law for Agritourism Activities

VIRGINIA ACTS OF ASSEMBLY -- CHAPTER

An Act to amend the Code of Virginia by adding in Title 3.1 a chapter numbered 27.7, consisting of sections numbered 3.1-796.137, 3.1-796.138, and 3.1-796.139, relating to agritourism activity liability.

[S 38]

Approved

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Title 3.1 a chapter numbered 27.7, consisting of sections numbered 3.1-796.137, 3.1-796.138, and 3.1-796.139, as follows:

CHAPTER 27.7.
AGRITOURISM ACTIVITY LIABILITY.

§ 3.1-796.137. Definitions.

As used in this chapter, unless the context requires a different meaning:

“Agricultural products” means any livestock, aquaculture, poultry, horticultural, floricultural, viticultural, silvicultural, or other farm crops.

"Agritourism activity" means any activity carried out on a farm or ranch that allows members of the general public, for recreational, entertainment, or educational purposes, to view or enjoy rural activities, including farming, wineries, ranching, historical, cultural, harvest-your-own activities, or natural activities and attractions. An activity is an agritourism activity whether or not the participant paid to participate in the activity.

"Agritourism professional" means any person who is engaged in the business of providing one or more agritourism activities, whether or not for compensation.

“Farm or ranch” means one or more areas of land used for the production, cultivation, growing, harvesting or processing of agricultural products.

"Inherent risks of agritourism activity" mean those dangers or conditions that are an integral part of an agritourism activity including certain hazards, including surface and subsurface conditions; natural conditions of land, vegetation, and waters; the behavior of

wild or domestic animals; and ordinary dangers of structures or equipment ordinarily used in farming and ranching operations. Inherent risks of agritourism activity also include the potential of a participant to act in a negligent manner that may contribute to injury to the participant or others, including failing to follow instructions given by the agritourism professional or failing to exercise reasonable caution while engaging in the agritourism activity.

"Participant" means any person, other than an agritourism professional, who engages in an agritourism activity.

§ 3.1-796.138. Liability limited; liability actions prohibited.

A. Except as provided in subsection B, an agritourism professional is not liable for injury to or death of a participant resulting from the inherent risks of agritourism activities, so long as the warning contained in § 3.1-796.139 is posted as required and, except as provided in subsection B, no participant or participant's representative is authorized to maintain an action against or recover from an agritourism professional for injury, loss, damage, or death of the participant resulting exclusively from any of the inherent risks of agritourism activities; provided that in any action for damages against an agritourism professional for agritourism activity, the agritourism professional shall plead the affirmative defense of assumption of the risk of agritourism activity by the participant.

B. Nothing in subsection A shall prevent or limit the liability of an agritourism professional if the agritourism professional does any one or more of the following:

1. Commits an act or omission that constitutes negligence or willful or wanton disregard for the safety of the participant, and that act or omission proximately causes injury, damage, or death to the participant;

2. Has actual knowledge or reasonably should have known of a dangerous condition on the land or in the facilities or equipment used in the activity, or the dangerous propensity of a particular animal used in such activity and does not make the danger known to the participant, and the danger proximately causes injury, damage, or death to the participant; or

3. Intentionally injures the participant.

C. Any limitation on legal liability afforded by this section to an agritourism professional is in addition to any other limitations of legal liability otherwise provided by law.

§ 3.1-796.139. Warning required.

A. Every agritourism professional shall post and maintain signs that contain the warning notice specified in subsection B. The sign shall be placed in a clearly visible location at the entrance to the agritourism location and at the site of the agritourism activity. The warning notice shall consist of a sign in black letters, with each letter to be a minimum of

one inch in height. Every written contract entered into by an agritourism professional for the providing of professional services, instruction, or the rental of equipment to a participant, whether or not the contract involves agritourism activities on or off the location or at the site of the agritourism activity, shall contain in clearly readable print the warning notice specified in subsection B.

B. The signs and contracts described in subsection A shall contain the following notice of warning:

"WARNING: Under Virginia law, there is no liability for an injury to or death of a participant in an agritourism activity conducted at this agritourism location if such injury or death results from the inherent risks of the agritourism activity. Inherent risks of agritourism activities include, among others, risks of injury inherent to land, equipment, and animals, as well as the potential for you to act in a negligent manner that may contribute to your injury or death. You are assuming the risk of participating in this agritourism activity."

C. Failure to comply with the requirements concerning warning signs and notices provided in this section shall prevent an agritourism professional from invoking the privileges of immunity provided by this chapter.