

DOWNTOWN FARMERS' MARKET

Market Rules & Guidelines 2016 ~ 2017

Grow Local – Buy Local
Support your local Farmers

The Downtown Farmers' Market is sponsored as a FOOD BANK PROGRAM under the umbrella organization of the Food Bank of the Golden Crescent.

Mission:

The Mission of the market is to provide opportunities for farmers to sell their produce directly to consumers while providing consumers opportunities to buy locally grown produce directly from farmers. By doing this, the market increases the local food supply and production, and hopes to create, expand and enhance the economic strength and viability of farmers in the eleven counties of the Golden Crescent area while also contributing to providing access to fresh, locally grown produce, nourishing and safe foods for all people including children, the elderly and families with lower incomes. We strive to serve culturally and economically diverse populations.

Vision:

Our vision is to bring together families, neighbors, visitors and local food producers to create a sense of community and social gathering, enhancing our quality of life and strengthening our economy.

Please carefully read all current Market Rules & Guidelines

WHAT DO WE CONSIDER LOCAL?

Market-Sold Items must be sourced, grown, harvested and/or crafted within the Golden Crescent Area. In certain cases, other Texas-harvested/crafted and nearby regional products may be deemed acceptable, subject to and pre-approved by the Market Manager. For the purpose of the Downtown Farmers' Market, the Golden Crescent area will consist of the following counties: Calhoun, Colorado, Dewitt, Lavaca, Goliad, Gonzales, Jackson, Matagorda, Refugio, Wharton and Victoria. These are the same counties served by the Food Bank of the Golden Crescent.



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ITEMS WHICH MAY BE SOLD INCLUDE

It shall be unlawful for any person to sell any goods for purposes of resale at a farmer's market. Fruits and vegetables shall be sold in a fresh, unprocessed or canned/preserved state. Honey and syrup must be acquired only from an approved source in a container bearing an approved label under the guidelines of the TX DSHS Law. Additional items that may be sold include container plants, fruit and nut trees, and vegetable plants, agricultural commodities of ornamental nature (dried and ornamental gourds, ornamental corn, and dried flowers), homemade soaps, eggs, honey, syrup, herbs, and nuts. Only canned, preserved and baked items that follow the Texas Cottage Food Law (<http://texascottagefoodlaw.com/>) may be sold. Egg producers selling ungraded eggs to consumers at the farmers', market are exempt from licensing by the Texas Department of Agriculture, but must be permitted by the local retail food authority. The eggs must be stored at a temperature of 45 degrees or less, and meet labeling requirements specified in applicable *Texas Food Establishments Rules Section 229*.

MEMBERSHIP

Membership is on the calendar year (January through December). An annual Application for Membership, Permits, and Licenses necessary for business operation should accompany the nonrefundable yearly membership fee of \$25.00 during the first week of January, to comply with the verification schedule. Reminder: Until your annual membership is paid, you will not be eligible to participate at the Farmers' Market until annual fees are received. Membership dues are not prorated (no seasonal rates.) Vendors must allow adequate time for review and approval of completed Market Vendor Packets by the Association Board. The Market Manager will officially email notification of their approval status. *Please Note: Time does not permit reviewed and/or approval at the beginning of or on a market day, so please do not ask.* Booth fees must be paid no later than Thursday prior to Saturday's market day. No payments will be taken on site. *See Vendor Application below.*

The Downtown Farmers' Market is a grower's / producer's market, open to all members of the FBGC Farmers' Market Association, who grow/produce within the eleven counties served by the Association. Vendors of prepared and processed foods, local artist, craftspeople, community organizations, and non-profits, may apply. Items put on the application are considered a benefit to the market. Other items not listed on original applications will not be allowed.

MARKET TIMES, DAYS & LOCATION: The market will be open October through July every available Saturday from 9 a.m. to 1 p.m. (Approval from City of Victoria – Parks & Rec Dept.) All Markets will be held in Downtown Victoria preferably at DeLeon Plaza located at 101 N Main Street Victoria, TX 77901. Market will open at 9 am with the sound of the opening bell.

GENERAL INFORMATION

1. All vendors must be in compliance with federal, state, county and municipal regulations pertaining to products sold, wares or services. Vendor must abide by the health department regulations for producing, sampling and labeling food. Vendors are responsible for the quality of their products. Please make certain that you are familiar with all applicable health, safety and regulatory laws governing the particular items you wish to sell at local farmer's markets. See links to new Cottage Food Production Operations regulations found at:

<http://www.dshs.state.tx.us/foodeestablishments/cottagefood/default.aspx>

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2. If using canopies, they must be appropriately secured and weighted to ensure safety. *Refer to Vendor Set-up and Parking.*
3. Vendors are expected to behave courteously to customers, other vendors, volunteers, and market staff. Vendors are not to publicly disparage other vendors, products, or markets. No shouting or other objectionable means of soliciting trade.
4. Absolute honesty and integrity are the lifeblood of the market. No vendor may knowingly misrepresent any product offered for sale.
5. All members and their agents must read and sign the Acknowledgment form before setting up at the market.
6. Vendors may not sell before market opening times listed in Rules and Regulations.
7. Live animals may not be given away or sold at the market.
8. All vendors selling by weight must use scale certified for legal trade by TDA.
9. No reselling permitted.
10. Vendors should be prepared for all types of weather.
11. Do not assume you can sell anything other than what is on your original application.

FARMERS, PRODUCERS and GARDENERS

Downtown Farmers' Market is a Grower's / Producer's market. Members selling at the market must be a grower/producer. The produce must be fresh and of good quality, this trust is what makes the market work. Without that Bond of Trust, the market would cease to exist. **No reselling** of agricultural produce allowed. Only producers, their family members, or their authorized agents are allowed to sell agricultural products.

Provision is made for the sale of an absent member's produce, as well as for neighborhood and rural cooperative endeavors, at the discretion of the Board of Directors and Market Manager.

If an agent is selling for a producer, that agent should be knowledgeable about the product, its use, and its method of production, and be able to communicate that knowledge clearly to customers.

All farms are subject to inspection, conducted by the market manager or agent appointed by the market manager and may include two others growers/producers. Refusal of inspections may result in suspension and could lead to termination. Producers must have signage indicating the name and location of the farm.

Organic products have strict production and labeling requirements. Certification **MUST** be presented to and Approved by the Farmers Market Association **BEFORE** products can be labeled with "organic" as it pertains to the USDA Organic guidelines.

<https://www.ams.usda.gov/sites/default/files/media/Labeling%20Organic%20Products.pdf>

Producers must be in compliance with all federal, state, and local health and licensing regulations and requirements. All relevant documentations, and produce itself, is subject to inspection by health officials or an agent of the Downtown Farmers' Market Association at any time.

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PREPARED FOODS

Vendors of prepared foods must meet all federal, state and local codes of regulations governing their products, and are responsible for obtaining any all necessary licenses. Please see the Texas Food Establishment Rules and Vendor Food Service Requirements.

Ingredients must be all natural and a full list of ingredients must be printed on packaging. Please refer to information regarding stored and displayed food products according to state and local health codes or the *Texas Cottage Foods Law (HB970)*.

FOOD SAFETY is our Number 1 Priority! A *current Food Handlers Permit* is **REQUIRED** for ANY vendor who handles food products or shares product samples with customers. This includes any vendor who processes, prepares or served food items at or for the Farmer's Market. Please include in your Vendors Application Packet, a copy of your current food handlers permits and/or any other health or industry related licensure or certificates required for your market products. Food Handler Permits and other certification documents are subject to inspection by the Market Manager. For additional information contact the Market Manager. Food Handlers' Permit is required for all vendors.

LIABILITY

Vendors shall not hold the City of Victoria responsible for any liabilities. Vendors shall not hold FBGC Farmers' Market Association or The Downtown Farmers' Market responsible for any liabilities.

VENDOR APPLICATIONS

Please Send Completed Vendor Packet to: The Food Bank of the Golden Crescent c/o FBGC Farmers' Market Association. ~ 3809 E. Rio Grande Victoria, TX 77901. Be sure to include all applicable forms with your Vendor Application Fee of \$25.00, cash, check or credit card. Checks should be made out to FBGC.

VENDOR SET-UP & PARKING

Vendors must set up booths at least 30 minutes prior to market opening and must be ready to sell to market customers at opening time. The Market Manager will be on site at 7:30 a.m. to help facilitate market set up. All members are expected to arrive early to set up prior to opening. No early departure is permitted without the prior approval of the market manager. If you are unable to attend or will arrive late, please notify a member of the Board of Directors or the Market Manager. Vendors are permitted to drive vehicles near their booths to unload and reload goods at market's end. After unloading, please remove vendor vehicles to designated parking areas.

Please be respectful and keep the area clean and free of trash. If you provide samples, you must also provide trash receptacles for customers.

Vendors are not required to set up under a covered canopy, although shelter from sun and inclement weather may be welcome. Vendors should bring their own pop-up canopy shelters. This is allowed only and if: 1) NO product advertisement/logos, etc. are printed on the canopy [except for the Vendor's own market-based business]; and 2) The canopy is securely anchored without using stakes which may be damaging to DeLeon Plaza grounds. [*For Example:* Tent legs secured by sand bags or placed in large buckets with sand or water, etc.] **ALL VENDORS are responsible for** bringing their own tables, chairs and other needed supplies.

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CLEANLINESS

Appropriate health permits shall be displayed in full view for all persons to view.

Foods must be handled in a sanitary manner and in compliance with existing health laws.

Vendors must be clean and dress in an appropriate manner while handling food.

Each vendor is responsible for cleaning his/her rental space. All space for which the vendor is responsible must be free of empty cartons, pallets, expired produce, trash and all other debris at the end of the day. Anything left will be removed by the Market Manager at the expense of the vendor.

The Market Manager shall have final approval for each vendor's table, equipment, contents and appearance.

All produce must be kept at least six inches above the pavement as per local health department codes.

TRASH DISPOSAL

Please bring your own disposable bags for trash items [especially created from sharing samples, produce scraps or otherwise]. Be sure to properly dispose of these trash bags in appropriate trash receptacles at the time of market break down.

NO SMOKING or ALCOHOL CONSUMPTION ALLOWED: By vendors or their representatives. (Wine/Beer tastings are exempt.) Please report any abuses to the Market Manager.

CHILDREN OF VENDORS

Your children are welcome to join you on market days. However, vendors are responsible for supervising their children at all times. If problems arise concerning children, behavioral or otherwise, please address these concerns to the Market Manager in writing, as for any other grievance procedure.

VOLUNTARY SALES DISCLOSURE

At the end of each market day, we need to keep a tally of total market sales. Sales disclosure is not mandatory for vendors. However, the statistics collected will help our market keep tabs on estimated sales and get a better sense of the market's financial health throughout the seasons and from year to year.

Voluntary sales disclosures from individual vendors will be kept **confidential** and will not be shared outside of the Association Board. However, demographic information will be used for the purpose of publicity, funding, grant writing, reporting and strategic planning by The Downtown Farmers' Market Planning Committee, the Main Street Program and/or The Food Bank of the Golden Crescent.

GRIEVANCE PROCEDURE: Any market-related grievances must be made in writing and addressed to the Market Manager outside market operation hours.

VIOLATIONS: The Market Manager may at any time request a vendor to remove any non-approved or other items deemed inappropriate or unsafe for customer consumption. Once a request has been made, any additional request will be considered repeat violations and may be cause for suspension (temporarily or permanently) as vendors at the Farmers' Market. If a violation is a serious health and/or safety concern and/or a behavioral issue, vendor or vendors may be asked to leave without prior warning at the discretion of the Market Manager and/or the Board.

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Serious Violations – A serious violation is a violation that poses an immediate threat or hazard to the health or safety of other vendors, consumers, or any other public person. The Market Manager shall enlist the help of local law enforcement to implement removal of the vendor if deemed necessary for public safety. In case of a serious violation, the Market Manger and Board can expel said vendor from the Market indefinitely.

Other Violations – In case of other violations the Market Manager shall:

For First offense: Serve a written warning to the appropriate person(s) outlining the infraction and indicating the steps necessary to correct the problem and result in the compliance with the Farmer's Market Rules and Guidelines.

For Second offense or failure to comply with First Offense request:

The Market Manager may terminate the privilege to occupy space at the Farmer's Market. Market privilege may be reinstated upon written application to the Association Board addressing termination and corrective measurements will be taken prior to reinstatement.

For Third or subsequent violations:

The Market Manager may evict such violators from the Farmers' Market for the entire season or permanently if necessary.

APPEAL PROCESS

Vendors who have had their privileges revoked by the Market Manager may appeal to the Association's Board. All appeals must be made in writing within 72 hours of the revocation notice. The appeal should be a brief statement of reasons for revocation, and reason(s) for appeal. During the appeal, the vendor may not participate at the Farmers' Market location. Upon receipt of the appeal, a time shall be set for a hearing not less than 3 days and no more than 30 days after the appeal has been filed. After hearing the appeal, the Board may affirm the revocation or reinstate the vendor's market privileges. **All Board decisions are final.**

MARKET MANAGER RESPONSIBILITY

The Market Manager will oversee and be responsible for all Market activities. The Market Manager has the authority of Market oversight; collection of all applicable fees and enforce compliance of all published Market Rules and Regulations.

Vendors with a history of good attendance at the market will be given first priority and will receive a regular space. Reserved spaces not occupied 30 minutes prior to the opening of the market may be re-assigned. Vendors may request and pay for two spaces if available.

Maintain a record of all daily transactions, with copies of fee receipts.

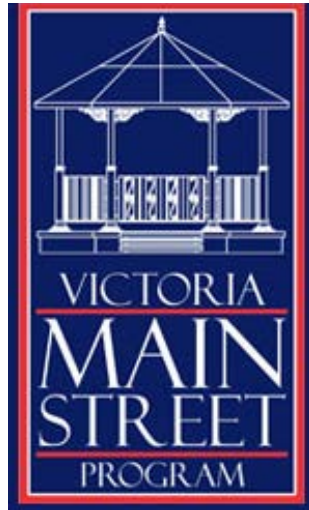
Enforce the opening and closing times of the Market and all other applicable duties as assigned by the Board.

Amended May 16th, 2016 to include Organic certification.

Amended September 12, 2016 to include update on year.

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Sponsors of the Downtown Farmers' Market



FBGC Farmers' Market Association Board of Directors

President	Robin Cadle	361-578-0591 or 361-655-1607
Vice-President	Helen Sisco	361-578-0591
Secretary-Treasurer	Shannon Lewis	361-578-0591 or 361-484-9020
At-Large Member	Morgan Rath	361-485-8008

The Association reserves the right to suspend or cancel the privileges of any member and/or agent of members who have violated the Downtown Farmers' Markets rules.