

VICTORIA FARMERS' MARKET

CUERO DOWNTOWN FARMERS' MARKET DAYS

2019 Market Rules & Guidelines

Grow Local – Buy Local
Support Your Local Farmers

The Victoria Farmers' Market and Cuero Downtown Farmer's Market Days are sponsored as a FOOD BANK PROGRAM under the umbrella organization of the Food Bank of the Golden Crescent.

Mission:

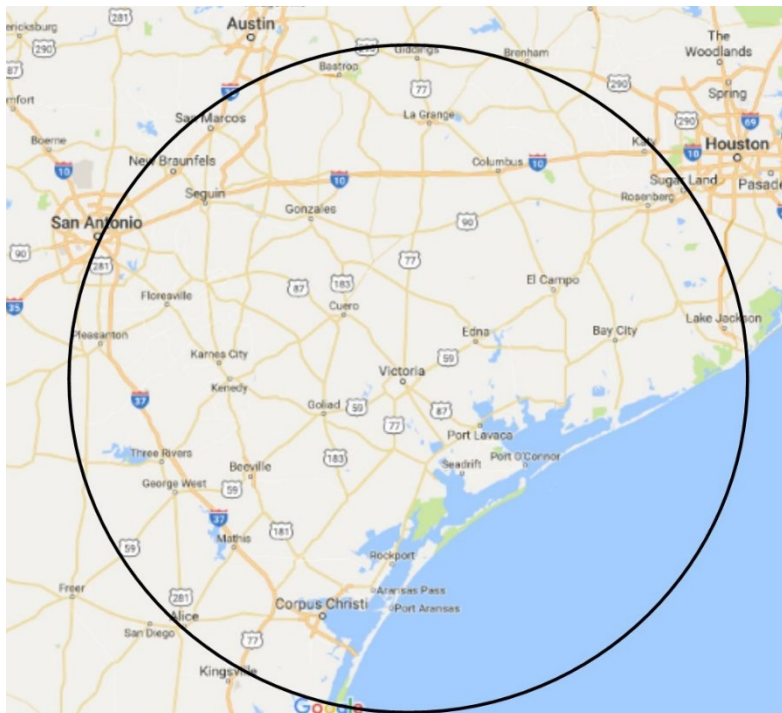
The mission of the market is to provide opportunities for farmers to sell their produce directly to consumers while providing consumers opportunities to buy locally grown produce directly from farmers. By doing this, the market increases the local food supply and production and hopes to create, expand and enhance the economic strength and viability of farmers within a 100-mile radius of Victoria, 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.

WHAT DO WE CONSIDER LOCAL?

Items offered at our market must be sourced, grown, harvested and/or crafted within a 100-mile radius of Victoria, Texas. In certain cases, other Texas-harvested/crafted and nearby regional products may be deemed acceptable, subject to pre-approval by the market manager.



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ITEMS WHICH MAY BE SOLD

It shall be unlawful for any person to sell any goods for purposes of resale at a farmers' 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 Texas Department of State Health Services law. Additional items that may be sold include container plants, fruit and nut trees, vegetable plants, agricultural commodities of ornamental nature (dried and ornamental gourds, ornamental corn, and dried flowers), meats, eggs, honey, syrup, herbs, dried spices, nuts and handmade artisan items. Canned, preserved and baked items that follow the Texas Cottage Food Law (<http://texascottagefoodlaw.com/>) may be sold. Vendors who wish to sell items that fall outside the Texas Cottage Food Law must have the appropriate permits from the Victoria City-County Health Department. 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 Victoria City-County Health Department. 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) and grants vendors the opportunity to sell at the Victoria Farmers' Market as well as the Cuero Downtown Farmers' Market Days. In addition to the nonrefundable yearly \$35.00 membership fee, vendors will submit an annual application for membership along with any permits and licenses necessary for business operation in order to participate at the farmers' market. 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 review and/or approval at the beginning of or on a market day, so please do not ask.* Booth fees of \$25 may be prepaid or paid on the day of the market.

For growers who would like the opportunity to sell excess produce when they have it, but who might not grow enough to sell at the market consistently, we do offer a Backyard Gardener membership. Backyard Gardeners may sell only produce and may attend a maximum of 15 markets per year. The fee for Backyard Gardeners is \$5 per market and no annual membership fee is required.

The Victoria Farmers' Market and Cuero Downtown Farmer's Market Days are a grower's/producer's market, open to all members of the FBGC Farmers' Market Association who grow/produce within a 100-mile radius of Victoria. Vendors of prepared and processed foods, local artists and craftspeople may apply. (As we are primarily a food market, we have a limited number of spaces for craft vendors.) Items put on the application are considered a benefit to the market. Other items not listed on original applications will not be allowed; however, applications can be amended at any time.

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MARKET TIMES, DAYS & LOCATIONS

The Victoria market will be open every Saturday from 9:00 am to 1:00 pm as approved by Victoria County. All markets will be held in the parking lot of the Pattie Dodson Public Health Center at 2805 N. Navarro St, Victoria, TX 77901. The market will open at 9:00 am with the sound of the market bell.

Cuero Downtown Farmers' Market Days are coordinated by Sandra Osman of the Cuero Main Street Program and occur on the 4th Saturday of each month from March through October at the Cuero Marketplace Pavilion, 207 E. Main Street, Cuero TX, 77954. Market hours are from 9:00 am to 1:00 pm.

GENERAL INFORMATION

1. All vendors must be in compliance with federal, state, county and municipal regulations pertaining to products sold, wares or services. Vendors 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 farmers' markets. See links to new Cottage Food Production Operations regulations found at:
<http://www.dshs.state.tx.us/foodestablishments/cottagefood/default.aspx>
2. If using canopies, they must be appropriately secured and weighted to ensure safety, otherwise the canopy must be removed. *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 the market opens at 9:00.
7. Live animals may not be given away or sold at the market.
8. All vendors selling by weight must use scales certified for legal trade by TDA.
9. No reselling permitted.
10. Vendors should be prepared for all types of weather.
11. Vendors may not sell anything other than what is listed on their original application. Applications may be amended pending approval by the Market Manager.

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FARMERS, PRODUCERS and GARDENERS

The Victoria Farmers' Market and Cuero Downtown Farmers' Market Days are a grower's/producer's market. Members selling produce 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 Victoria Farmers' Market Association at any time.

PREPARED FOODS

Vendors of prepared foods must meet all federal, state and local codes of regulations governing their products, and are responsible for obtaining all necessary licenses. (Google: Texas Food Establishment Rules and Vendor Food Service Requirements.) Prepared foods must be labeled in accordance with the Texas Cottage Foods Law. Please refer to information regarding stored and displayed food products according to state and local health codes or the Texas Cottage Foods Law.

FOOD SAFETY is our number one priority! A current Food Handler card is **REQUIRED** for any vendor who processes, prepares or serves food items at or for the Farmer's Market. Vendors selling **only whole produce** (not cut up or processed into jellies or other products) are not required to have a Food Handler card, per the Victoria City-County Health Department. Please include with your vendor application a copy of your current Food Handler card/s 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.

LIABILITY

Vendors shall not hold Victoria County, the FBGC Farmers' Market Association, the Victoria Farmers' Market or Cuero Downtown Farmers' Market Days responsible for any liabilities.

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VENDOR APPLICATIONS

Please send completed vendor packet to: FBGC Farmers' Market Association, 3809 E. Rio Grande, Victoria, TX 77901. Be sure to include all applicable forms with your vendor application fee of \$35.00, cash, check or credit card. Checks should be made out to FBGC.

VENDOR SET-UP & PARKING

Vendors must be ready to sell to market customers at opening time. The market manager will be on site at 8:00 a.m. to help facilitate market set up. All vendors 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 the market manager. Vendors are permitted to sell out of their vehicles if they wish.

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 canopies, which must be free of product advertisement/logos, except for the vendor's own market-based business, and must be securely anchored using weights. Any canopy not anchored with weights must be removed for the safety of everyone at the market. All vendors are responsible for bringing their own tables, chairs and other needed supplies.

CLEANLINESS

- Appropriate health permits shall be displayed in full view of customers.
- 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.

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CHILDREN OF VENDORS

Your children are welcome to join you at the market. 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 Victoria Farmers' Market and Cuero Downtown Farmer's Market Days Planning Committee 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 respective 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, the vendor or vendors may be asked to leave without prior warning at the discretion of the market manager and/or the Board.

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 manager 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.

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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 enforcing compliance of all published Market Rules and Regulations. In addition, the market manager will:

- 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

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.

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SPONSORS



FBGC Farmers' Market Association Board of Directors

| | | |
|---------------------|--------------------|------------------------------|
| President | Robin Cadle | 361-578-0591 or 361-655-1607 |
| Vice-President | Juan Perez-Trevino | 361-578-0591 |
| Secretary-Treasurer | Meridith Byrd | 361-578-0591 or 361-218-9246 |
| At-Large Member | Sandra Osman | 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 rules of the Victoria Farmers' Market and Cuero Downtown Farmers' Market Days.