

## Farmers' Market Rules, Regulations, and Bylaws

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### 1. Application, Contract, Permits

- a. Vendors must complete and sign the Application, Contract, Acknowledgement and initial the Agreement of Liability Waiver.
- b. These must be returned to the City of Texarkana, Texas Attn: Farmers' Market Volunteer Team, 220 Texas Blvd., Texarkana, Texas 75501. Signed contracts must be on file before booth set-up or any Market participation. THERE ARE NO EXCEPTIONS TO THIS RULE.
- c. Every City of Texarkana, Texas Farmers' Market vendor must have the necessary permits and licenses from the Health Department to sell items requiring Health Department permits. Contact the Texarkana, Texas Environmental Health Department (903) 798-3250 to determine if a permit is required.

### 2. Booth Spaces

- a. A standard vendor booth space is 10 foot X 10 foot. Booth space rental is \$15.00 for Saturdays with electricity available. Payment for the full market season can be made for \$100. Payments for market booths can be paid after acceptance of application.
- b. **Booth spaces shall be on a first-come, first-served basis according to approval of application and fee payment, with these exceptions:**
  - i. **Fifty-one percent of all spaces will be reserved for Texas vendors in accordance with the requirements of the Texas Department of Agriculture.**
  - ii. **Two or more vendors will be farmers growing their own produce in accordance with the requirements of the Texas Department of Agriculture.**
- c. Booth space assignments and allocations are at the discretion of the City of Texarkana, Texas. The Market Manager, or designee, will assign booth spaces to best accommodate vendors, booths, and vehicles to ensure health, safety, and welfare of patrons in the best interests of the Market.
- d. Vendors will provide their own shade structure, tables, chairs, signs, refrigeration and storage.

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**Texarkana, Texas Farmers' Market, 305 Texas Boulevard, Texarkana, Texas**

**Market Open May – August, 7am – Sold Out Tuesdays & Saturdays**

Market Management Team: Holden Fleming, David Orr, and Adra Hallford

City of Texarkana, Texas 220 Texas Blvd, Texarkana, TX 75501

Email: [farmersmarket@txkusa.org](mailto:farmersmarket@txkusa.org) \* Facebook: [Texarkana, Texas Farmers' Market Group](https://www.facebook.com/TexarkanaTexasFarmersMarketGroup) and

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### 3. Hours of Operations

- a. The Market will be open Saturday mornings from 7am until 12pm or until sold out.
- b. Vendors may arrive no earlier than 6am for morning markets to set up and get ready to greet their customers for the opening of the Market at 7am.

### 4. Health and Safety

- a. Vendors determine the pricing and display of their products; however,
- b. Vendors shall only sell items that City Staff, or designee, has approved. City staff has the discretion to add or delete items from the list.
- c. Texarkana, Texas Environmental Health Division Permit (if needed) must be visible during each market day.
- d. **All agricultural products sold must be of merchantable quality produce in accordance with the requirements of the Texas Department of Agriculture and all applicable Health and Safety regulations.**
- e. All items intended for human consumption must be kept off the ground above six (6) inches at all times and be in safe and sound condition. The vendor is solely responsible for damages resulting from the sale of unsafe, unapproved or unsound goods. Vendors supply all materials and containers for customer sales.
- f. Once the Market has begun, no moving vehicles, other than vendors, are allowed within the Farmers' Market area as a safety precaution.
- g. Samples may be given out, provided proper health and safety standards have been followed.
- h. Vendors must clean their areas at the end of each market. Vendors should not use public trash receptacles for disposal of produce boxes or unsold produce.
- i. There is a \$25 fee per booth space when City staff has to clean up at the close of the Market. *That fee is payable, in cash, before the vendor can sell at the Market again.*

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### 5. Food and Produce, Fresh and Value Added

- a. Vendors will sell their own locally grown produce.
- b. No wholesalers will be allowed.
- c. Value-added goods are allowed at the market with prior approval. Again, all items must be of merchantable quality, contain mostly locally grown ingredients, follow all applicable health and safety rules, and be properly labeled. Preserved foods should follow the food safety guidelines. Contact your local County Extension Office for more details on food preservation.
- d. In some instances, produce not grown by the vendor will be allowed, with the provisions that the vendor obtains the proper permits through the Health Department, receives Market Manager approval and posts an easily read list of items and their sources at their booth. The keys here are health, safety, and transparency in all transactions as well as meeting the needs of customers and expanding the range of items at the market.
- e. Absolutely no items grown and/or raised outside of the United States will be permitted for sale.
- f. All prepackaged foods must be properly labeled.
  - i. **Egg Products:** An egg producer that sells only un-graded eggs from their own flock will not be exempt from licensing from the Texas Department of Agriculture and must obtain a Temporary Food Establishment Permit prior to sell. The eggs must be stored at 40°F or less, meet specific labeling requirements (name and address and be labeled as ungraded). Recycled egg cartons are allowed as long as the label clearly identifies the correct seller/distributor. Eggs must be kept at 40°F or less (but above 32°) and stored in a container with commercial ice. Vendor must also hand out safe handling information with each purchase.
  - ii. **Meat Products:** Any vendor selling meat products must have the meat processed under USDA regulations. Specific labeling requirements must also be met (Safe Food Handling Instruction; name and address of distributor or packer). Meat must be stored at 0°F or less.
  - iii. **Seafood:** All seafood must be prepackaged. Specific labeling requirements must also be met (Safe Food Handling Instruction; name and address of distributor or packer). Requirements for Selling Seafood

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1. All seafood must be prepackaged. Specific labeling requirements must also be met (Safe Food Handling Instruction; name and address of distributor or packer).
  2. Seafood shall be obtained from source according to law and the requirements specified in the U.S. Department of Health and Human Services, Public Health Service, Food and Drug Administration, National Seafood Sanitation Program Guide for the Control of Seafood.
  3. Seafood that is recreationally caught may not be received for sale or service.
  4. All Seafood shall have a shell stock tag/harvesters tag or label that is designed to accommodate each dealer's identification; dealer's name, address and certification number; the dealer's information shall be listed first.
  5. Seafood must be stored at 0°F or less and packed in commercial ice.
- iv. Produce and spices: source/location must be documented.
- g. All closed consumer containers and prepackaging shall be labeled with the following:
    - i. The name of the producer, address where production took place, and phone number.
    - ii. A list of all the ingredients, with the highest proportion ingredients listed first in descending order.
    - iii. Allergy warnings should be plainly visible if nuts, peanuts, wheat, or eggs are potentially present, even in minute quantities.
  - h. Produce sampling may be provided only when:
    - i. Produce samples are kept in clean and covered containers.
    - ii. Clean, disposable plastic gloves are used when cutting produce samples.
    - iii. Produce intended for sampling is washed in potable water to remove any soil or other material so that it is safe for consumption.
    - iv. Utensils and cutting surfaces are smooth, nonabsorbent, and cleaned or disposed of as approved by the local or state enforcement agency.
  - i. No finished product may be bought and resold.
  - j. Cooking items is only allowed if the proper Health Department Permit is obtained with the recommendation of the Market Manager.

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### 6. General Rules

- a. Handcrafted items will be allowed, provided some locally grown, produced, and or recycled element is incorporated in the craft.
- b. Each Vendor is responsible for obtaining a Sales Tax Number (if required by the State) and collecting and paying any sales taxes assessed on their products. The City of Texarkana, Texas does not involve itself in collection, audit or other related sales tax activities.
- c. No firearms, alcoholic beverages, smoking or drugs will be allowed at the Farmers' Market.
- d. No smoking is allowed in the Farmers' Market area.
- e. All vendors shall conduct themselves in a professional manner while at the Farmers' Market.
- f. Violation of any provision of the Texarkana, Texas Farmers' Market Rules and Regulations shall be a material breach and default by the vendor. The vendor will be asked to vacate the premises immediately without refund of paid fees. Failure to vacate may subject the vendor to civil and/or criminal remedies.
- g. Vendors are expected to resolve issues with patrons, vendors, or City Staff with civility and consideration in the best interests of the patrons and Market. Violations of Market rules and complaints that are not immediately resolved shall be resolved by the City of Texarkana, Texas staff.
- h. Vendors agree to abide by the final decisions of the City of Texarkana, Texas staff and/or designee.
- i. City staff shall reserve the right to revise the Farmers' Market rules and operations at any time it deems appropriate and shall post notice of such revisions for vendors.

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