



## **ELGIN FARMERS' MARKET ASSOCIATION Rules and Regulations**

All members must pay an annual membership fee of \$50 to sell at the market and a stall fee of \$15 each time they attend to sell. Spaces will generally be first come, first served. If there is a dispute, vendors will be assigned a space by the market manager to sell at the Farmers' Market. Each vendor is responsible for contacting the market manager (or representative) the day before Market or at the latest by 8 am on Market day, if they will not be present. This prior announcement will enable their usual space to be re-assigned.

\*The annual fee covers from November 1, 2019 to December 31, 2020 after which the member fee will be on a calendar year basis. Members joining in July 2020 through December 2020 will pay a partial annual fee of \$25.00.

Stall fees are to be paid to the Treasurer or market manager (or designee) at the beginning of each market day. Members not paying stall fees will not be allowed to sell. In addition, weekly sales reports are due to the Treasurer within 24 hours of the farmers market.

Market Day & Time: Elgin – Thursday 5 PM - 8 PM, October 2019 - April 2020 the market will be held at the Depot Museum parking lot 14 Depot St. and May 2020 - September 2020 at Veterans' Memorial Park, 109 Depot St.

Other seasonal times and markets as determined by the Board

- Safety around selling area: Vendors must keep the walkways free and clear for customer's right of entry. Tents, signs, and posts must be adequately tied and weighted down with 30 lb of weight on each leg of their tent. No stakes are to be utilized for securing vendors tents.
- Members must grow their own produce and make their own products. Selling goods not grown or made by a market member is prohibited without prior approval of the EFM board.
- Members must conduct themselves in a courteous and professional manner at all times and treat customers and other vendors with respect.
- All food items should be stored at least 6 inches off the ground. You must provide a trash container at your site for public use if you have samples or other waste materials.
- Members must leave their area clean and free of litter, produce and trash.
- As a courtesy, the last vendor to leave the market is requested to leave the market in good order.
- PUBLIC HEALTH Rules state: 25TAC §229.167 Only service animals are allowed in the food area. ALL other animals must be on a leash & 15 ft. away from food areas. It is the duty of ALL MEMBERS to keep in compliance of this rule.
- Members who are certified organic must comply with all federal, state, county and city regulations.
- Prior to selling at the market, members must provide a copy of all licenses, sales tax certificates, and other required forms to sell any/all items they present at the market. In addition, members must display licenses and sales tax certificates so that customers may view them.
- No smoking or consumption of alcoholic beverages or drugs is allowed in the selling area during market hours.

A. Who May Sell:

1. Farmers. Members whose farm or facility has been inspected and certified by representatives of the market may sell at the market. Farmers may be represented at the market by their employees, agents or family (the names of all sellers must be on the application).

Market members must:

- Grow your own local product that you sell.
  - Fill out and sign a vendor application at least two weeks before you plan to begin selling at the market.
  - Determine your own prices of your products and prices must be displayed in at your table.
  - Members should keep a fair price on their product -- no price gouging.
  - All sellers will provide their own means of display, necessary bags, approved calibrated scales (if using scales), and keep their space free of trash.
2. Value-added Vendors and Craft Vendors. A member may be a Value-Added Vendor if their own Value-Added Product is made in accordance with state and federal regulations and approved by the market representative.

B. Products You May Sell:

1. Agricultural Products:

- Any vegetables grown by the seller from seeds, sets, or seedlings.
  - Any fruits, nuts or berries grown by the seller from trees, bushes, or vines on the seller's farm.
  - Any plant grown by the seller from seed, seedling, transplant or cutting.
  - Bulbs propagated by the seller.
  - Nuts harvested from the seller's trees (shelled or unshelled).
  - Sprouted seeds and grains. (in compliance with state and federal regulations)
  - Mushrooms produced and cultivated by the seller.
  - Eggs produced by the seller's poultry.
  - Fish or meat from animals raised on the vendor's premises.
  - Honey produced by the seller's bees.
  - Fresh cut flowers grown by the seller.
  - Firewood from vendor's property.
2. Meat, fish, dairy and eggs. Farmers are allowed to sell meat, fish, dairy products and eggs at the market that they have raised/grown themselves on their farm. All members of these products must be in compliance with the regulations of the State of Texas, County of Bastrop, and City of Elgin.
  3. Flowers and nursery products. Members are permitted to sell plants and trees, fresh and dried flowers, herbs and decorative vegetation grown or legally gathered by them. Nursery and cut flowers require a state inspection certificate from the Department of Agriculture. All vendors selling flowers and nursery products must also carry a tax identification number for sales tax purposes.
  4. Value-Added Products.
    - Dried herbs, spices, dried tea mixes, beans, grains, fruits, nuts and vegetables grown by the seller and as required processed by the seller in compliance with all health regulations. Refer to the Texas Cottage Food Bill
    - Shelled nuts from seller's trees, including those which have been salted, roasted or flavored.

- Dried or silk flower arrangements and wreaths. The arrangements and wreaths produced solely by the seller.
- Herbal products including salves, lotions, soaps, teas, etc

Vendors must have appropriate permits and licenses to sell the following:

- Jams, preserves, vinegars, salsas, pesto, oils and flavored oils, baked goods and other edible products that are prepared by the seller.
  - Other products approved by the market and consistent with the intent of the market purpose to give regional producers direct access to customers.
5. Artisans. Crafters and producers of crafts must comply with the following rules:
    - All crafts offered for sale must be handmade. Any craft or artwork sold must be the work of the vendor or a family member.
    - All crafts must be examined and approved by the market representative before they are admitted for sale at the market.
  6. Animals. Live animals, such as rabbits, chickens, birds, etc. that the vendor has raised/grown themselves on their farm, may be sold at the market with the approval of a market representative.

Members may sell other members products so long as they are in compliance with the EFM rules and any federal, state, county or city regulations. If members choose to aggregate their booths then all other vendors within that booth must be members of the market (pay the membership fee), pay a weekly stall fee (\$15) and all display items must distinctly notate which products belong to which vendors.

THE PRESIDENT AND DIRECTORS OF ELGIN FARMERS' MARKET WILL ENFORCE ALL RULES OF THE MARKET AND RUN THE MARKETS IN A MANNER THAT IS FAIR TO ALL SELLERS & CUSTOMERS.

Each vendor must read the Application and the Rules and Regulations before signing the Application. The Indemnity Agreement on the application must be signed.

The Board of Directors may deny the admittance or expel ANY vendor should they determine that it would be in the best interest of the Market.

Indemnity Agreement. Each member shall indemnify, keep and save harmless the Elgin Farmers' Market and all agencies that the Market has agreements with including, but not limited to the State of Texas and the city where the market is located from and against any and all claims and demands, whether for injuries to persons, or loss of life, or damage to property, on or off the premises, arising out of the use or occupancy of the premises by member and shall defend at vendor's own expense any actions brought against the Elgin Farmers' Market and any of the above mentioned organizations or any other person or organization with which Elgin Farmers' Market has a contractual relationship by members acts or omissions.

Copy of By-Laws available at <http://elginfarmersmarket.com/>

For additional information contact:  
Elgin Farmers' Market, Austin Moline, President (512) 281-6093

Rev: 2019/kv