



ELGIN FARMERS' MARKET ASSOCIATION

Rules and Regulations

Market Day & Time

Veterans' Memorial Park | 109 Depot Street | Elgin, TX 78621 | 4 PM to 7 PM

There may also be other seasonal times and markets as determined by the Board.

Membership and fees

- All members must pay an annual membership fee of **\$50** to sell at the market. The annual fee covers from January to December 31 after which the member fee will be on a calendar year basis. Members joining in July through December will pay a partial annual fee of **\$25**.
- A booth fee of **\$15** will also be charged each time they vend at the market.
- Fees are to be paid to the Treasurer or Market Manager (or designee) during each market. Members not paying stall fees will not be allowed to sell.
- **In addition, weekly sales reports are due to the Treasurer within 48 hours of the farmers market.** This information is for fulfilling a quarterly report requirement in the EFM lease agreement with the City of Elgin. Sales figures are aggregated and individual sales information is not shared.

Market layout

Each booth space is assigned on a weekly basis. The layout will be sent to you within 24 hours before the Market. 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) by no later than 8 am on a Market day if they will not be present.

Market safety and behavior

- 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.
- All sellers will provide their own means of display, necessary bags, approved calibrated scales (if using scales), and keep their space free of trash.
- 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.
- Offering samples

- Sample containers should only be handled by staff members running the booth, gloves are preferable but not required. This limits the number of hands touching the jar/container and helps prevent the spread of germs. It also ensures samples aren't contaminated accidentally or otherwise by a member of the public.
- Samples should be placed on a disposable spoon or other utensil and handed to the customer
- Customers should have direct access to a trash can or bag
- There is no requirement for samples to be temperature controlled unless they are a food that should already be temperature controlled (i.e. milk, cheese, yogurt etc)
- 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 and 15 ft. away from food areas. It is the duty of ALL MEMBERS to keep in compliance with this rule.
- No smoking or consumption of alcoholic beverages or drugs is allowed in the selling area during market hours.

Who can sell

The Elgin Farmers' Market strives to keep a balance of at least 51% producers to other vendors such as crafters, artisans, bakers, makers, etc. A 'producer' is defined as an agricultural producer such as a farm, ranch, nursery or garden i.e. a vendor who grows all or part of what they sell.

- Members must grow their own produce and/or make their own products. Selling goods not grown or made by a market member is prohibited without prior approval of the EFM board.

Guidance for products not made by a vendor:

- Directly related products like chips at a salsa vendors booth, or a coffee grinder from coffee seller are acceptable but a variance must be requested and granted by the board
- Items of local interest are acceptable but a variance must be requested and granted by the board
- In all cases grown and handmade products must be the focus and make up at least 70% of the seller's products
- Brand merch is acceptable but again they must be the minor rather than the major product
- Advertising other products with flyers / QR codes etc is acceptable and does not require a variance
- 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.
- Members must determine your own prices of your products and prices must be displayed at your table.

- Members should keep a fair price on their product – no price gouging.

A. Who can and can't sell:

1. Agricultural Producers (farmers, ranchers, nurseries)
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).
2. Cottage Food 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.
3. Non profit organizations
Non profit organizations may be offered a free booth at the market to raise awareness for their organization, and to raise money via donations. Booth space is at the board's discretion and must be non-partisan and secular.

If a non profit wishes to sell products they must join the market as a fee paying member. At no time can a non profit organization give away for free, or at a reduced price, products which are sold elsewhere in the market.

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 the 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.

Booth aggregation

Members may sell other members' products. If members choose to aggregate their booths then all vendors within that booth must be members of the market (paying the annual membership fee), however only one booth fee is chargeable. All display items must differentiate which products belong to which vendors.

NON-COMPLIANCE POLICY

In signing this document you are agreeing to adhere to the rules and regulations of the Elgin Farmers' Market as well as any relevant federal, state, county or city regulations.

Non-compliance with any of these requirements for participation in the Elgin Farmers' Market may result in enforcement of the following three-strike policy:

- 1- Verbal warning
- 2- Vendor will not be allowed to sell at the next market
- 3- Membership to the farmers' market will be revoked without a refund.

In addition 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. The President and Directors of Elgin Farmers' Market will enforce all rules of the Market and run the Market in a manner that is fair to all sellers and customers.

Each vendor must read the Membership Agreement and the Rules & Regulations before signing the Membership Agreement. The Indemnity statement on the Rules & Regulations must be signed and dated.

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.

Name (printed): _____

Name (signature) _____

Date:_____

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

For additional information contact:
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