



APPLICATION FOR BROWNSVILLE FARMERS' MARKET (Food Vendor)

RULES AND REGULATIONS

The Brownsville Farmers' Market (BFM) is a program of the Brownsville Wellness Coalition (BWC). The BWC Board of Directors mission is to cultivate healthy food and lifestyle.

GUIDING PRINCIPLES

- Provide a setting in which community members can purchase local products from local producers;
- A diverse mix of products, encouraging selection, vitality, and freshness.
- Preference for products produced organically or through environmentally responsible practices.
- Preference for animal products from animals that are sustainably raised or harvested, and humanely handled and processed
- Strong preference for healthy foods
- Provide educational opportunities to learn about the products made and grown in our community;
- Promote the local economy by connecting food producers and consumers;
- Reduce barriers to entry for new entrepreneurs and small businesses;
- Promote sustainable farming practices and environmental stewardship while educating the public about these practices and
- Strengthen ties between community members by creating a sense of place.

VENDOR RULES & REQUIREMENTS

The Brownsville Farmers' Market is a producer-only market. A producer-only market is defined as a market in which all items sold/offered are made, baked, or prepared personally by the vendor. Limited exceptions will be considered on a case-by-case basis.

- The BFM is a local market. Only products created within a 100-mile radius of Cameron County are allowed for sale. Limited exceptions may be granted for agricultural products that are not available locally.
- Resale of items is not allowed
- Distributor products are not allowed
- Items with purchased elements must be "significantly transformed" from their original state to be eligible for sale at the Brownsville Farmers' Market.

- All Vendors must have a valid Texas Sales Tax ID number to participate in the BFM. (Excludes produce sellers.)
- Sales Tax ID numbers can be obtained online at: <http://www.window.state.tx.us/taxpermit/>
- Social Security Numbers cannot be accepted as a substitute for a Sales Tax ID number.

LENGTH OF MARKET

The Brownsville Farmers Market is a year round market weather permitted. BFM Staff will notify vendors one day prior if market will be cancelled due to weather. Vendors are not allowed to set up at Linear Park outside of the operating hours of the BFM. Fines may apply.

ATTENDANCE REQUIRED

Vendors are required to attend the Market year-round, unless stated a seasonal vendor. All seasonal vendors must note this on their initial vendor application. Market Manager should be notified of expected absences a day prior to the BFM. Vendors may be revoked of privileges to sell at the BFM if there are recurrent absences.

SPECIAL EVENTS

The Brownsville Farmers’ Market hosts special events that have extra promotion and vendor and visitor activities and involvement. A list of events will be posted online for the most up-to-date list of activities via our social media and website. Vendor can notify Market Manager if they would not like to participate during any Special Event.

RELIGIOUS AND POLITICAL ORGANIZATIONS

The Brownsville Farmers’ Market does not allow organizations with a political or religious affiliation to join the BFM as vendors. We welcome visitors of all political and religious backgrounds and want everyone to feel welcome at the BFM.

APPLICATION

Vendor applications are accepted on quarterly basis throughout the year. All applications are reviewed by the Programs Committee of the BWC Board of Directors. Download the application on website at www.brownsvillewellnesscoalition.com.

FEES AND PAYMENTS

- All interested vendors are required to pay a non-refundable application fee of \$30.00.
- All vendors are required to pay a market fee, due upon receipt at the Brownsville Farmers Market. No Exceptions. All fees will be paid via cash or credit card at BFM table. Fees are as follows:

Farmers/Backyard Gardener \$10.00 per Saturday

Valued Added Products \$15.00 per Saturday

BWC reserves the right to change or modify any fee of the market. Also ask us about discount fees if paid quarterly.

AGRICULTURAL PRODUCES + FARMERS

Agricultural Producers and Farmers are an integral part of the Brownsville Farmers’ Market. We welcome new and returning local and regional producers of agricultural products throughout the season.

Agricultural Producer / Farmer Defined: 75 percent of the vendor’s sales at the Market are from agricultural products. All agricultural items must be grown and processed within 100 miles of Brownsville. To sell a product

that you produce that is outside the 100-mile radius of Cameron County, your product must first be approved by the Brownsville Wellness Coalition Board, Market Manager, and/or designated representative.

- Fruit and vegetables
- Plants and flowers
- Herbs (dried or fresh)

APPROVAL

The board has the final say on all items approved or disapproved. Vendor must identify all items for sale on their initial vendor application. The Board reserves the right to deny an item or product at their discretion. All new product offerings by current vendors must be pre-approved in writing by the Market Manager or Board.

Permitted value-added food items for sale WITH approval:

Prepared foods must include local ingredients and be processed, produced, or made by the vendor

- Individually wrapped food or dairy items meeting state regulations;
- Ready-to-eat, individually portioned food;
- Prepared foods that are made from at least 80% local agricultural products. All prepared foods, their ingredients, the ingredients' origination, and whether such ingredients are local agricultural products must be designated on the application;
- Other prepared foods may be allowed upon prior written approval by the Market Manager.

BROWNSVILLE HEALTH REQUIREMENTS

COTTAGE FOOD VENDORS

Cottage Food Vendors are required to have a valid Texas Food Handler Certificate. This can be obtained online. The class and certificate is taken online: <https://dentontx.foodhandlerclasses.com/default.aspx>. Please email Brownsvillewellnesscoalition@gmail.com an image of the Food Handler Card before your first Market day.

Cottage Food Vendors may sell the following items:

- Healthy breads, pastries and pies
- Nuts and unroasted nut butters
- Fruit butters, jams and jellies
- Dehydrated fruits, vegetables and beans
- Popcorn and popcorn snacks
- Granola and cereal
- Roasted coffee
- Tea, herbs and herb mixes
- Dry mixes
- Pickles

Cottage Food Vendors must follow all labeling requirements of the State of Texas

- Name and physical address of the Cottage Food producer
- Name of the product aka "pickled onions"
- List of major allergens in the product including: "wheat, dairy, nuts, peanuts, eggs"
- Statement of non-inspection: "This food is made in a home kitchen and is not inspected by the Department of State Health Services or a local health department."
- Cottage Food Vendors must follow all labeling requirements of the Brownsville Wellness Coalition

- List of all possible allergens in the product including corn: “corn, soy, wheat, dairy, nuts, peanuts, eggs”.

Ingredient List:

- A list of ingredients must be available to the consumer at all times; this includes an ingredient list of the ingredients. Ex: Baking powder (cornstarch, sodium bicarbonate)
- Please have a binder that is always available upon request that includes a list of all cottage food items in your booth and all ingredients.

WHY DO WE REQUIRE THE INGREDIENT LIST?

This requirement is primarily for allergen concerns. We want our visitors to be informed about the ingredients in your products so they can make informed buying choices. The consumers know the many names that their allergen is known by, but as the producer you may not. For example, did you know that caramel color and citric acid are made from industrial corn? Did you know that baking powder can contain wheat and corn; and margarine can contain corn? Thank you for helping make the Market a place that consumers can make informed food choices.

Read the Cottage Food Law (HB #970):

<http://www.legis.state.tx.us/tlodocs/83R/billtext/html/HB00970F.htm>

For more information on Cottage Food products and practices: <http://www.texascottagefoodlaw.com/>

Allergen information:

Wheat/Gluten: www.celiac.com/list

Corn: <http://goo.gl/I4pMxb>

Dairy: <http://www.webmd.com/allergies/guide/milk-allergy>

Nuts/Peanuts: www.foodallergy.org/nuts

Soy: <http://www.foodallergy.org/allergens/soy-allergy>

Eggs: www.foodallergy.org/egg

ELECTRICITY

- Electricity is available to vendor upon approval.
- Vendors must provide their own extension cord.
- Proximity to electricity will be considered when determining your booth placement.
- All electric cords should be run along the ground together behind vendor booths.
- In walkways, all electric cords should be placed under the shared cable cover.

SET-UP & TAKE-DOWN

- Vendors must be completely set up and ready for visitors at 8:45 a.m.
- On arrival at the market, Vendors should check in with the Market Manager to confirm tent placement for the day. This is not a first come first basis market.
- Vendors may not arrive on site before 7:30am, all tents and tables will be set up designated by 8:30am (while supplies last) by the Market Manager. If the vendor is not on location by 8:45 the tent will be reassigned to another vendor. For safety reasons, neither setup nor breakdown may occur during market hours. Vendors shall keep their displays and inventory within the boundaries of their tent spaces. Tent areas are 10 ft by 10 ft.
- Each Vendor will be responsible for keeping her/his area clean and picked up during and after the market.
- The Brownsville Wellness Coalition requires hand wash stations for Food Vendors who offer food samples.

DISPLAY

The Market Manager may require a Vendor to change his or her display if it is deemed a safety risk or otherwise does not comply with BFM rules.

- Tent displays shall include clear signage for: Vendor or farm name; product prices; name and location of any Secondary Product producers. Vendors are encouraged to post the locations (towns) of their farms or farm-related businesses. Labeling for any packaged or processed products shall comply with the State and local Board of Health requirements.
- Vendors shall have on site all applicable licenses; any required Brownsville Health department, federal, and state permits; and USDA or other organic certification documents, if relevant.
- Certified products (Organic, USDA National Organic Program, Texas Department of Agriculture Organic Certification, etc.) shall be clearly labeled as such. No products may be labeled “Organic” without proof of valid certification.

DESIGNATED VENDOR PARKING AREA

- Vendors must park in the designated vendor parking lot.
- By 8:50 a.m. all vendor vehicles must be moved from the loading-only zones to the designated vendor parking lot. No exceptions.
- Loading-only zones include all on-street and perimeter parking at The Market site, excluding the handicapped parking spaces
- Do not use the handicapped parking spaces as a loading zone.
- On-street parking is not allowed, unless you are transporting a trailer.

Miscellaneous

- The BFM participates in the federal Supplemental Nutrition Assistance Program (SNAP) year round and WIC (Feb-Oct). Vendors who participate in SNAP and WIC programs should display notice of their participation at their market tent.
- Vendors may not accept expired vouchers. Vendors may not be reimbursed for vouchers accepted for ineligible products.
- Vendor may not give cash back for voucher unless otherwise noted on the voucher.
- Each vendor must be responsible for their own ways of accepting payments i.e. cash, credit/debit cards. Each vendor must have their own petty cash. We have a courtesy cash box for change, but at times availability is limited. Vendors should use this on an as-needed basis and generally bring enough petty cash for themselves.
- No Vendor shall engage in solicitation, collection drives, political or religious activities in the market.
- Vendors shall provide an approved covered trash receptacle when selling ready-to-eat items.
- Vendors are strongly encouraged to use compostable food containers, cups and utensils when selling ready-to-eat items.

Signature and Hold Harmless

I, the undersigned Vendor (hereinafter, “Vendor”), in consideration of being provided a space at the Brownsville Farmers' Market, and other valuable consideration the receipt and sufficiency thereof is hereby acknowledged, agree to the following:

Vendor acknowledges the receipt of the Rules of the Brownsville Farmers' Market as enforced by Market Management (the "Market Rules") and agrees to abide by the Market Rules, as well as any related laws and regulations established by the city, county, state and federal government.

Vendor agrees to and shall indemnify, defend and hold harmless The Brownsville Wellness Coalition, Brownsville Community Foundation, the City of Brownsville, its City Commission, boards and other commissions, officers, agents, employees and volunteers from and against any and all loss, damages, liability, claims, suits, costs and expenses, whatsoever, including reasonable attorneys' fees, regardless of the merit or outcome of any such claim or suit, arising from or in any manner connected to the willful misconduct or negligent acts, errors or omissions of Vendor, its agents and employees, in connection with their participation in the Brownsville Farmers' Market, and in the performance of services, work or activities under this Agreement and the Brownsville Farmers' Market Rules.

VENDOR:

Signature _____ Name (print) _____

Name of Business: _____

Description and detail of items selling:

Vendor Role in production of items: _____

What qualifies food items as food options: _____

Date: _____ Phone # _____

BWC Representative: _____ Date: _____

Approved date: _____

Reason Denied: _____