



Market Manager:	Alexandra Dill
Email:	adill@visitbrenhamtexas.com
Office Phone:	979-337-7581
Cell Phone:	469-363-4425
Mailing Address:	115 West Main Street Brenham, TX 77833

----- *Market Schedule* -----

**Market Day:** 1<sup>st</sup> Friday of each month (excluding January!)

**Market Location:** Baylor and Park Streets next to the Washington County Courthouse

	SUMMER HOURS	WINTER HOURS
<b>MONTHS</b>	<b>April 7</b> <b>May 5</b> <b>June 2</b> <b>July 7</b> <b>August 4</b> <b>September 1</b>	<b>February 3</b> <b>March 3</b> <b>October 6</b> <b>November 3</b> <b>December 1</b>
<b>MARKET OPEN HOURS</b>	4 pm - 7 pm	3 pm - 6 pm
<b>MARKET SETUP</b>	2 pm - 3:30 pm	1 pm - 2:30 pm
<b>MARKET TEARDOWN</b>	7 pm - 7:15 pm	6 pm - 6:15 pm
<b>MARKET LOADOUT</b>	7:15 pm - 8:30 pm	6:15 pm - 7:30 pm

---

## ----- *Market Vendor Rules & Requirements* -----

---

- Application must be submitted and approved by the Brenham Farmer and Artisan Market Committee prior to market day. One application per calendar year is required.
- Vendor applications are reviewed prior to approval. All applicants will receive an email from staff regarding their acceptance status. Acceptance does not automatically place you in the market. In some cases vendors may be placed on a waiting list in the case of excess vendors of a similar type, spacing concerns, logistical issues, electricity needs and more.
- As a small, local market, priority may be given to vendors who are from Washington County and the surrounding areas over vendors from further away. This is subject to the market committee's discretion.
- Payment of \$15 per 10' x 10' space must be paid prior to market day. See "Vendor Fees" section.
- A tent is required to set up at the market. Vendors are required to provide their own tents.
- Spaces are for 10' x 10' tents. Larger tents need to indicate their space needs on the application.
- Tents are required to have weights secured to each leg with a minimum weight of 30 lbs. per leg.
- Vendors requiring a trailer at their booth for sale of their items will be considered, pending space availability. Please indicate need for a trailer on your application.
- It is the responsibility of the vendor to abide by all state and federal regulations which govern the production, harvest, preparation, preservation, labeling, and/or safety of products offered for sale at the market. Vendors are liable for their own product.
- The vendor is responsible for having all required permits, licenses, and insurance policies and have copies with them at the market.
- Vendor releases the City of Brenham from all liability. A signature on an indemnity agreement MUST be signed at the time of application submittal.
- Vendor must make or grow their own products. No re-selling of mass-produced products. Resale items are not permitted at the market and vendors found selling unapproved items may be asked to remove their booth from the market and leave immediately.
- Vendors must represent their products in an honest manner at all times. It is expected that vendors or their representative be courteous and professional at all times to customers and other vendors. No hawking of items is allowed.
- No smoking or alcoholic beverages are allowed by vendors at the market.
- No live animals or vendor pets permitted. Vendors requiring a service animal should notate this need on the application.
- We frequently have the help of our local Citizens on Patrol (COP's) to assist with traffic, street crossings and load-in/load-out questions. PLEASE follow their directions and be respectful - they are VOLUNTEERS and crucial for us to have a successful and safe market.
- Any vendor producing excess trash in the selling of their product must have their own trash receptacle.
- All vendor produced trash is to be taken off-site for disposal. City trash cans near the market are not for vendor trash.
- Electricity is available to some spots but must be requested in advance by the vendor. Vendors must supply own extension cords to connect. Quiet generators are considered - please mention this on your application for approval.
- Unless an emergency occurs or you have made prior arrangements with the Market Manager, do not leave or tear-down your booth before the end of the market. We aim to offer our shoppers a full and robust market. If vendors are not present during advertised hours, customers may not come back.

- Vendors may only sell products listed on their application. However, they can expand their product line by submitting a new application to the Committee at least 48 hours prior to a market day.
- All vendor spaces are assigned by the Market Manager prior to market day. In the event of a vendor absence, reassignment of the booth space will be done with Market Manager consent only. Vendors may not relinquish their space to another vendor without first consulting the Market Manager.
- Situations not covered in this document will be handled at the discretion of The City of Brenham.
- By signing the Vendor Application, vendor or vendor representative agrees to abide by the rules and requirements of this handbook.

---

----- *Vendor Fees* -----

---

- 10ft x 10ft booth spaces are \$15 each and must be paid online by 5pm on the Thursday prior to market day. A payment link will be sent to vendors prior to market day.
- If a late payment of a booth fee is accepted by the Market Manager, a \$5 late fee in addition to the booth fee may be charged.
- If a vendor is absent from a market and does not give notice to the Market Manager by 5pm the Thursday prior to a market, the paid booth fee is not refunded.
- Any individual or business that sets up in a vendor space without proper payment and/or application approval will be asked to leave immediately.

---

----- *Market Days* -----

---

## Arrival & Setup

- Please follow all traffic rules and one-way traffic patterns in Downtown Brenham.
- When you arrive, follow this set-up pattern:
  - pull in as close to your booth as possible
  - remove your tent and sale items from your vehicle and place within your booth area - DO NOT set up your booth while your vehicle is in the market!
  - remove your vehicle from the market area
    - parking is available at locations designated on your map
  - return to your booth and begin setup of your area

### *Why do we require this set-up pattern?*

Due to the fact that our market is located on busy Downtown Brenham streets, we have to keep the roads as clear as possible. When vendors choose to set up their booth completely before moving their vehicle, that can create a backup that leaves vehicles lined up waiting to get into the market. If ALL of our vendors adhere to this plan, we can eliminate backups and traffic problems.

- Vehicle access to the market area will end at 30 minutes before the market is officially open.
  - Vendors who arrive after this time must park their vehicle outside of the market area and bring their items to their booth on foot.
- Vehicles must be removed from the market area by 15 minutes til market opening

## Tear-Down

- Immediately following the close the market, vendors will have 15 minutes where they can tear down their booths to prepare for loadout. You do not have to have tear down complete within these 15 minutes. NO CARS ARE PERMITTED IN THE MARKET AREA DURING THIS TIME!
- After the dedicated 15 minutes of teardown, streets will open to permit vendors to drive in to their booth. Please tear down in the following pattern:
  - pack your remaining items, tear down tables, dispose of trash, bring down tent, etc.
  - get your vehicle and pull it into the market. Park as close to your booth as you can.
  - load your vehicle
  - safe travels home!
- Please ensure your booth space is clear of all your items and trash is placed in provided trash receptacles.

## Inclement Weather

- We aim to host our market rain or shine. However, in the case of severe weather and safety concerns per the National Weather Service, we will close the market. Severe weather that may close/cancel a market include excessive levels of rain, high winds, lightning, hail, tornadic activity, hurricane activity, icy conditions, etc. We will notify all vendors as soon as any weather-related cancellations/closures occur.

---

### ----- *Late Arrival/No-Show Policy* -----

---

- We understand that things can change, and you may not be able to attend a market that you signed up for. As a courtesy, please let the Market Manager know by 5pm the Thursday before the market (see front for contact information).
- We understand that situations may arise that might cause you to run late. In these cases, please let the Market Manager know prior to the market closing to vehicular access.
- “Late” is considered an arrival AFTER the market area has closed to vehicular traffic.
- Two (2) no-shows to a market will result in a vendor not being given priority to attend future markets.
- Two (2) late arrivals to a market may result in a vendor not being given priority to attend future markets.

---

### ----- *Rule Violations* -----

---

- In the event a vendor does not comply with a rule listed in this handbook, they will be issued a warning and informed of the rule that was violated. This warning may be issued in-person at the market or via call/email after the market.
- Vendors only receive one (1) warning for non-compliance with any market rule.
- If an additional infraction occurs, for any of the market rules and at any time after the first warning, a vendor may be asked not to return to a future market.
- Serious violations that occur during a market may cause a vendor to be asked to shut down their booth and depart the premises immediately.

***Please read this handbook thoroughly and ask questions to help prevent rule violations.***

---

----- *Important Dates for Vendors* -----

---

**On or near the 15<sup>th</sup> of each month:**

RSVP form for the next month's market OPENS and is emailed to all eligible vendors.

**Sunday before each market:**

RSVP form for the next month's market CLOSES. Late applicants can email [adill@visitbrenhamtexas.com](mailto:adill@visitbrenhamtexas.com) but may not be permitted unless space allows.

**Monday before each market:**

Vendors who said they would attend on the RSVP form will be emailed (a) to let them know if they are accepted to attend the next market and (b) a link to pay their booth fee online.

**Wednesday before each market:**

Booth layouts and a booth fee reminder will be sent to attending vendors.

**Thursday before each market:**

Vendor booth payments are due by 5pm. Late payments will incur a \$5 late fee per booth.

---

----- *Vendor Types & Guidelines* -----

---

## COTTAGE FOOD VENDORS

Cottage Food Vendors are bakers & producers who sell certain items that are made in a home kitchen. The Texas Cottage Food Law is your primary resource for what you can bring to the market and how to properly sell them. A great resource for information can be found at <https://texascottagefoodlaw.com/>.

### Cottage Food Items:

- Cakes, candy, cookies, breads, pastries, and pies that do not require refrigeration
- Un-roasted nuts & nut butters
- Candy
- Dehydrated fruits, vegetables and beans
- popcorn, cereal and granola
- roasted coffee, dry tea, and dried herb mixes
- fruit batters, jams and jellies
- pickled fruits and veggies with a pH of 4.6 or less
- fermented veggies with a pH of 4.6 or less

Per the law, Cottage Food Vendors are REQUIRED to have their food handler's training. Be sure to keep your certification up to date and able to display

### Labeling Requirements:

- Name and physical address of the cottage food production operation
- Name of product (may be handwritten)
- List of all potential allergens in the product (eg: wheat, eggs, nuts, soy, peanuts, milk, wheat, fish, shellfish)

- 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.”

## ARTS & CRAFTS VENDORS

Arts and crafts vendors will be selected based on the quality of the craftsmanship and the source of materials. Preference will be given to vendors who source their materials locally or naturally.

Crafts are required to be handmade; purchased elements must be significantly transformed from their original state to quality for sale at the market. No resale items are permitted.

- Ex: soaps, candles, knitted, crocheted or homemade sewn items, handmade jewelry, etc.

## AGRICULTURAL VENDORS

Agricultural vendors are those vendors who sell locally grown or wild-harvested fruits, vegetables, eggs, honey, or meat products.

---

### ----- Frequently Asked Questions -----

---

Taken from: <https://www.dshs.state.tx.us/foodestablishments/farmersmarkets/faq.aspx>

#### **What is the definition of a farmer?**

A farmer is a person who has ownership of, or financial and/or productive responsibility for producing, an agricultural product intended for use as a food or raw material. The term usually applies to people who do some combination of raising field crops, orchards, vineyards, poultry, aqua-culture or some other form of livestock. A farm is usually owned by that person or under direct control of that person.

#### **What is the definition of a farmers' market?**

A farmers' market is a designated location used primarily for the distribution and sale of food directly to consumers by farmers and other producers.

#### **What is a farm stand?**

A farm stand is defined as a premise owned and operated by a producer of agricultural food products at which the producer or other persons may offer for sale produce or foods.

#### **Is a farmers' market a food service establishment?**

No. A farmers' market is not a food service establishment.

#### **Do I need a temporary food establishment permit to sell food at a farmers' market?**

A temporary food establishment permit is not required to sell whole, intact unprocessed fruits and vegetables and pre-packaged non-potentially hazardous food/time temperature for safety foods.

A temporary food establishment permit is required to sell all other potentially hazardous food/time temperature control for safety foods.

#### **What is a potentially hazardous food/temperature controlled for safety food (PHF/TCS)?**

A potentially hazardous food (PHF) is a food that requires time and temperature control to limit pathogen growth or toxin production. In other words, a potentially hazardous food must be held under proper temperature controls, such as refrigeration to prevent the growth of bacteria that may cause human illness. A PHF/TCS is a food that: contains protein, moisture (water activity greater than 0.85), and is neutral to slightly acidic (pH between 4.6 -7.5).

#### **May I provide/distribute samples at a farmers' market?**

Yes.

To provide samples of food at a farm or farmers' market, you must:

- Distribute the samples in a sanitary manner
- Have potable water available
- Wash any produce intended for sampling with potable water to remove any visible dirt or contamination

- When preparing the samples, either wear clean, disposable plastic gloves or observe proper hand washing techniques immediately before preparation.
- Use smooth, nonabsorbent, and easily cleaned (i.e., metal or plastic) utensils and cutting surfaces for cutting samples or use disposable utensils and cutting surfaces.
- Samples of cut produce and other potentially hazardous foods shall be maintained at a temperature of 41°F or below and discarded within two hours after cutting or preparation.
- A permit is not required to provide samples at a farmers' market.

**What is a sample?**

A sample is defined as a bite size portion, not a full serving.

**Do I need a temporary food establishment permit to provide samples at a farmers' market?**

No. A temporary food establishment permit is not required to provide samples at a farmers' market.

**What are proper hand washing techniques?**

- Vigorous friction on the surfaces of the lathered fingers, fingertips, areas between the fingers, hands and exposed arms (or vigorous rubbing the surrogate prosthetic devices for hands and arms) for at least 10 to 15 seconds, followed by;
- thorough rinsing under clean, running warm water; and
- immediately following the cleaning procedure with thorough drying of cleaned hands and arms (or surrogate prosthetic devices) using individual, disposable towels

**What are the requirements for performing a cooking demonstration at a farmers' market?**

For a farmers' market cooking demonstration, the following is required:

- A person with a certified food manager's license supervising the demonstration; and
- Compliance with the requirements for a temporary food establishment permit.

**What are the requirements for providing sample as a part of a cooking demonstration at a farmers' market?**

A farmers' market may distribute samples as part of the cooking demonstration if:

- the samples are a part of the "bona fide educational purpose"; and
- the samples are disposed of within 2 hours of preparation.

**Do I need a temporary food establishment permit to perform a cooking demonstration at a farmers' market?**

Cooking demonstrations conducted by a farmers' market for a "bona fide educational purpose," are exempt from having to obtain a temporary food establishment permit.

**What is a 'bona fide educational purpose'?**

A bona fide educational purpose means the cooking demonstration made in good faith or made with earnest intent to instruct and educate.

**Can raw milk be sold at a farmers' market?**

No. Raw milk cannot be sold at a farmers' market.

**Will the Department of State Health Services conduct inspections at farmers' market?**

Yes. The Texas Department of State Health Services has the authority to conduct inspections of all food vendors who are required to obtain a temporary food establishment permit at a farmers' market.

**Will the Department be required to write rules concerning farmers' markets in a separate chapter outside the Texas Food Establishment Rules?**

Yes. The department is in the process of developing the rule concerning the regulation of farmers' markets to comply with the requirements of Senate Bill 81 of the 2nd Legislative session and House Bill 1382 of the 83rd legislative session.

**Do I need to have food handler's card or food manager certification to sell food at farmers' market?**

No. A temporary food establishment operating under the jurisdiction of the Department of State Health Service is not required to obtain a food handlers card or a certified food manger certificate. If the food vendor is associated with a 'bona fide' cooking demonstration, the farmers' market must have a certified food manager.

**Can a cottage food production operation sell food at a farmers' market?**

Yes. Foods produced at a cottage food production operation (CFPO) may be sold at farmers' market The CFPO must comply with the guidelines as required in the law concerning Cottage Food Production Operations.

**Can I sell yard eggs at a farmers' market?**

Yes. To sell farm eggs at a farmers' market the following is required:

- You must have a temporary food establishment license; and
- Eggs must be maintained at an ambient air temperature of 45°F and below; and
- Eggs must be properly labeled as "ungraded" with safe handling instructions.

**May I sell honey at a farmers' market?**

Yes. Honey may be sold at a farmer's market. In order to sell honey as food in Texas, you will need to follow the rules for Good Manufacturing Practices (GMPs) 25 TAC §§229.210-229.222 and obtain a food manufacturing license.

Also, a small honey production operation may sell honey directly to consumers at the beekeeper's home, a farmer's market, a farm stand, or a municipal, county, or nonprofit fair, festival or event according to the Health and Safety Code Chapter 437, Section 437.001(7). The honey sold or dispensed must be labeled in accordance with Subchapter E, Chapter 131, Agriculture Code. The label must include: the net weight of the honey expressed in both the avoirdupois and metric systems; the beekeeper's name and address; and the statement, "Bottled or packaged in a facility not inspected by the Texas Department of State Health Services."

**May I sell my own cattle or poultry that I have slaughtered at a licensed and inspected facility?**

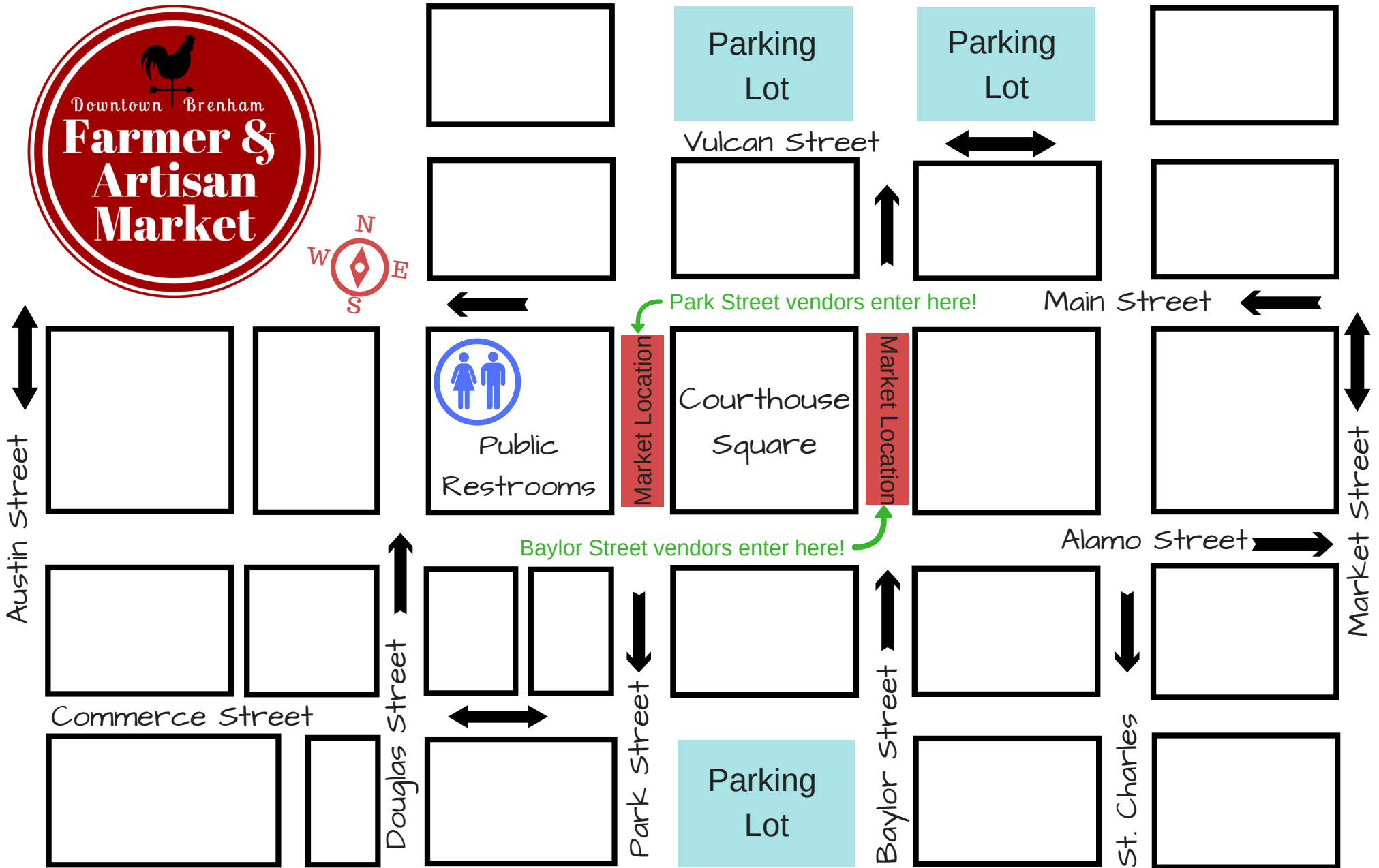
Yes. Meat or poultry products must come from animals processed in compliance with the regulations for livestock processing (Texas Health & Safety Code Chapter 433) and a temporary food establishment permit is required.

**May I sell fish and other aquatic species at a farmers' market?**

Yes. Commercial fishermen must possess a license from the TPWD, or the fish and other cultured species must be produced and raised in a facility that has an aquaculture license from TDA and a temporary food establishment permit is required.

The Committee reserves the right to dismiss a vendor temporarily or permanently when the Committee has determined that the above rules have not been adhered to.





Vendor parking is available in any of the lots shown or in spaces along streets.

Parking in Downtown Brenham is FREE!

Please follow normal flow of traffic. Watch for one-way traffic!

Do not block intersections.