



## MARKET GUIDELINES & APPLICATION

Dayton Farmers Market at THE CROSSROADS will take place from 8 am to 12 pm on the second Saturday of each month at 111 N Church St Dayton, TX (HWY 90 at N Church St).

Dayton Farmers Market guidelines can be found at [www.daytontx.org](http://www.daytontx.org).

### FOR MORE INFORMATION:

Shylah Shewmake, Dayton Planning Department 936-258-2642 ext 1128 or [sshewmake@daytontx.org](mailto:sshewmake@daytontx.org).

### VISION:

The Dayton Planning Department is committed to offering a Farmers Market located at the Crossroads to support local consumers and farmers. The Liberty County AgriLife Extension Office can be contacted for your FAQ'S at 936-334-3230 or online at <https://liberty.agrilife.org/>

# Vendor Categories

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**Farmers:** Fruits, vegetables, herbs, flowers, and other agricultural products. Honey sales are included.

**Cottage Food:** The Dayton Farmers Market will observe the “Cottage Food” regulations defined by the Texas Department of State Health Services. Please read the attachment “Cottage Food Production Operation” for further information or visit <http://www.dshs.state.tx.us/foodestablishments/cottagefood/faq.aspx>.

**Backyard Gardener:** Residents with seasonal produce from their backyard.

**Fresh Farm Eggs:** Eggs that are produced by a backyard flock. For fresh egg sales regulations please go to <https://dshs.texas.gov/foodestablishments/farmersmarkets.aspx>.

**Meat & Poultry:** Vendors with cattle and poultry that are raised on their own land.

**Specialty Food Items:** Any vendor who prepares food in an approved production facility to be consumed off-site or to be used as an ingredient.

**Green/Sustainable Living Products:** Vendors with items that encourage self-sustainable living and green practices may participate in the market on a first come-first serve basis by reservation in advance. (Examples: “Green” household cleaners, rain barrels, compost, etc.).

**Artisans:** Artist or craftsperson who produces originally designed hand-crafted products that are unique and of high-quality, to include crafts, artwork, inedible products such as herbal products, personal care and beauty products.

# Market Procedure

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**A. General Requirements:** All vendors must comply with all applicable city, county, state, and federal health regulations and permits at all times. It is each vendor's responsibility to provide current copies to Market Management as well as to keep copies at the market to be available for inspection by government/ municipality officials.

- I. The vendor must be knowledgeable about the product, how it is used, grown or produced and be able to clearly communicate to customers.
- II. Vendors must represent their products in honest and non-deceptive manner at all times, both in written form on signs and in oral form during conversation.
- III. Every vendor should be prepared for all types of weather including cover for rain or sun and weights for winds.
- IV. Cancellation: Vendors are required to send a written cancellation by email to [sshewmake@daytontx.org](mailto:sshewmake@daytontx.org) or in person at 111 N. Church St. Monday-Friday, 8 a.m. to 5 p.m., by the end of the day Thursday prior to market weekend before the next upcoming Farmers Market. If vendor does not attend the market without appropriate notice, the vendor will not be able to return to the market as a vendor two consecutive market dates. Exception to the rule will be made on an individual basis.
- V. Liability insurance for all vendors is strongly recommended.

**B. Farmers/ Dayton Backyard Gardeners:** Farmers and Dayton Backyard Gardeners are responsible for cleaning produce before displaying them.

- I. Vendors with fruits and vegetables as organic must carry the USDA organic seal. Vendors must show proof of the USDA organic certification. Guidelines are available [www.ams.usda.gov/nop/nop/standards.html](http://www.ams.usda.gov/nop/nop/standards.html)
- II. Any produce leftover needs to be placed in the dumpster provided by Dayton Planning Department.
- III. Sales price of the displayed produce must be visible and easy to read for the customer.

**C. Honey Sales:** Honey for wholesale or over the internet must be processed and properly labeled by an entity that has a food manufacturer's license. Please visit <http://dshs.texas.gov/food/forms.aspx> for more information.

Exemptions: "small honey producers", defined as a beekeeper that:

- I. Produces less than 2500 pounds of honey each year. 2. Sells the honey personally or honey is sold by an immediate family member. 3. Honey must be produced from a hive that is located in Texas and owned and managed by that beekeeper. 4. Delivers the honey or honeycomb to the consumer or sells it directly to the consumer at the beekeeper's home, another designated location or at a farmers market, a farm stand or a municipal, county or nonprofit fair, festival or event. 5. In addition to standard required labeling (name of the product, net weight statement and name and address of business) all containers must have an additional statement, "bottled or packaged in a facility not inspected by the Texas Department of State Health Services". 6. Honey producers that do not meet the definition of "small honey producer" as outlined in Senate Bill 1766 will have to license as a food manufacturer and will be subjected to regulation under the Current Good Manufacturing Practices (GMPs).

**D. Cottage Food Vendors:**

- I. A vendor who operates a cottage food production operation must successfully complete a basic food

- safety education or training program for food handlers accredited
- II. under Health and Safety Code, Chapter 438(D) by January 1, 2019. Please find attached a list of contacts regarding the food handler training.
- III. Vendors with products labeled as organic must carry the USDA organic seal. Vendors must show proof of the USDA organic certification. Guidelines are available at [www.ams.usda.gov/nop/nop/standards.html](http://www.ams.usda.gov/nop/nop/standards.html)
- IV. Foods sold by a cottage food production operation must be packaged and labeled. The food must be packaged in a manner that prevents product contamination, except for foods that are too large or bulky for conventional packaging. The labeling information for foods that are not packaged must be provided to the consumer on an invoice or receipt. The label must include:
  - A. 1. The name and address of the cottage food production operation. 2. The common or usual name of the product, if a food is made with a major food allergen, such as eggs, nuts, soy, peanuts, milk or wheat that ingredient must be listed on the label. 3. A statement " This food is made in a home kitchen and is not inspected by the Department of State Health services or a local health department." 4. The labels must be legible.
- V. NO RE-SELLING ALLOWED

**E. Fresh Farm Egg Sales:** To sell farm eggs at a farmers' market the following is required:

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

**F. Meat and Poultry Sales:** 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. <https://dshs.texas.gov/foodesablishments/farmersmarkets/faq.aspx#22>.

**G. Behavior:**

- I. Vendors must conduct themselves in a courteous and Professional manner. Vendors must treat all customers, staff, and fellow vendors with respect at all times. If the vendor/agent manning the booth is found not to be attentive to customers, notice will be given to the vendor and corrective measures may be taken.
- II. No loud or aggressive promotion is permitted.
- III. No smoking is permitted within the farmers market event area. No consumption of alcoholic beverages or illegal drugs are allowed in the event area.

**H. Set-up:**

- I. Each vendor is entitled to a 10'x12' space. All shelters or canopies must be straight legged and be attached to weights to hold down the tent. Vendors must restrict merchandise and tables to within designated booth space unless authorized by Management.
- II. All vehicles must be removed from the event area with vendors set up and ready to sell 30 minutes prior to opening (8 a.m.). Vendors must leave promptly after closing(12 p.m.), Unless otherwise approved by management. No selling before 8 a.m. and no tear down before 12 p.m.
- III. Vendors need to provide their own tables, tents and chairs. Each vendor is responsible for their booth setup/teardown. All produce must be under a covered area.
- IV. All items whenever possible should be displayed off the ground.
- V. Vendors are responsible to clean produce prior to selling.
- VI. Vendors must keep their space and their equipment in a clean, safe and hazard-free condition. At the end

of the market each vendor must leave their selling area clean, with all trash removed.

**I. Food Sampling** All vendors wishing to provide samples must:

- I. Distribute the samples in a sanitary manner.
- II. Wash any produce intended for sampling with potable water to remove any visible or contamination.
- III. Wear clean, disposable plastic gloves or observe proper hand washing techniques at all times while handling samples.
- IV. Use smooth, non absorbent, and easily cleaned (i.e. metal or plastic) utensils and cutting surfaces for cutting samples, or use disposable utensils and cutting surfaces.
- V. Maintain any samples and remaining produce at or below 41° F or discard within two hours after cutting or preparation.

**J. Tax Permit Requirements Sales Tax:** Vendors must comply by all the tax permit guidelines. Each vendor is responsible for reporting all taxable sales to the state comptroller's office for any questions regarding sales tax permits. Please contact the office of the comptroller's office of public accounts at 1-800-252-5555 or visit [comptroller.texas.gov](http://comptroller.texas.gov).



## Farmers' Market Application 2019-2020

**Applicant's name:**

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**Business/Organization:**

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**Address:**

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**City, State, Zip:**

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**Phone:**

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**Email:**

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# Farmers' Market Application

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Please mark the dates you plan to attend 8 a.m. to 12 p.m.

<input type="checkbox"/> Dec 14	<input type="checkbox"/> Jan 11	<input type="checkbox"/> Feb 08	<input type="checkbox"/> Mar 14	<input type="checkbox"/> Apr 11	<input type="checkbox"/> May 09	<input type="checkbox"/> June 13
<input type="checkbox"/> July 11	<input type="checkbox"/> Aug 08	<input type="checkbox"/> Sept 12	<input type="checkbox"/> Oct 10	<input type="checkbox"/> Nov 14	<input type="checkbox"/> Dec 12	

**Please note:** Vendor space registrations will be accepted on a first come, first serve basis, and are reserved as applications are received by our office. For additional information, please call the Dayton Planning Department at 936-258-2642 ext 1128

**What type of vendor are you?** Please check the category(s) that best suits your product:

Farmer  Cottage Food  Green/ Sustainable Living Products  Fresh eggs  Meat and Poultry  
 Specialty Food Items  Backyard Gardener  Artisans  
 Other: \_\_\_\_\_

**What specific products will you sell?** Please include or attach any information about your products and your processes that we can highlight in our media outreach when publicizing the events as well as links to your social media accounts.

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**Cancellation:** Vendors are required to send written cancellation by email to [sshewmake@daytontx.org](mailto:sshewmake@daytontx.org) or in person at 111 N. Church St. Dayton Tx 77535 Monday- Friday, 8 a.m. to 5 p.m.; by end of the day Thursday prior to market weekend before the next upcoming Farmers Market. If vendor does not attend the market without appropriate notice, the vendor will not be able to return to the market as a vendor two consecutive market dates. Exception to the rule will be made on an individual basis.

My signature below indicates that I hereby agree to operate my booth space at the aforementioned event, and agree to comply by all the event rules and municipal rules and regulations set forth throughout this document and any attached documents. I also agree that all information provided on the vendor application is accurate.

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Vendor/Business Owner