

NEW BOSTON FARMERS MARKET / #1 TRAIL HEAD PARK PLAZA / NEW BOSTON, TX 75570

Farmers' Market Rules, Regulations and Bylaws

1. Application, Contract, Permits

- a. Vendors must complete and sign the Application, Contract, Acknowledgement and initial the Agreement of Liability Waiver.
- b. These must be returned to the New Boston Chamber of Commerce, New Boston, Texas
ATTN: Farmers' Market Volunteer Team, #1 Trail Head Park Plaza, New Boston, Texas 75570.
Signed contracts must be on file before booth set-up or any Market participation. THERE ARE NO EXCEPTIONS TO THIS RULE.
- c. Every New Boston, Texas Farmers' Market vendor must have the necessary permits and licenses from the Health Department to sell items requiring Health Department permits. Contact the Texarkana, Texas Environmental Health Department 903-798-3250 to determine if a permit is required.

2. Booth Spaces

- a. A standard vendor booth space is approximately 10' by 10'. Booth space rental is \$10.00 per market day with electricity available. Payment for the full market season can be made for \$100.00. Payments for market booths can be paid after acceptance of application.
- b. Booth spaces shall be on a first-come, first-served basis according to approval of application and fee payment, with these exceptions:
 - i. Fifty-one percent of all spaces will be reserved for Texas vendors in accordance with the requirements of the Texas Department of Agriculture.
 - ii. Two or more vendors will be farmers growing their own produce in accordance with the requirements of the Texas Department of Agriculture.
- c. Booth space assignments and allocations are at the discretion of the New Boston, Texas Chamber of Commerce Market Manager, or designee, and he/she will assign booth spaces to best accommodate vendors, booths, and vehicles to ensure health, safety, and welfare of patrons in the best interests of the Market.
- d. Vendors will provide their own tables, chairs, signs, refrigeration, and storage.

3. Hours of Operation

The Market will be open weekly on Tuesday from 3:30pm until 7:00pm or until sold out.

- a. Vendors may arrive no earlier than 3:00pm for market set up and get ready to greet their customers for the opening of the Market at 3:30pm.

4. Health and Safety

Vendors determine the pricing and display of their products; however,

- a. Vendors shall only sell items that New Boston Chamber of Commerce Market Volunteer, or designee, has approved. Chamber Volunteer, or designee has the discretion to add or delete items from the list.
- b. New Boston, Texas Environmental Health Division Permit (if needed) must be visible during each market day.
- c. All agricultural products sold must be of merchantable quality produce in accordance with the requirements of the Texas Department of Agriculture and all applicable Health and Safety regulations.

NEW BOSTON FARMERS MARKET / #1 TRAIL HEAD PARK PLAZA / NEW BOSTON, TX 75570

Farmers' Market Rules, Regulations and Bylaws

- d. All items intended for human consumption must be always kept off the ground above six (6) inches and be in safe and sound condition. The vendor is solely responsible for damages resulting from the sale of unsafe, unapproved, or unsound goods. Vendors supply all materials and containers for customer sales.
- e. Once the Market has begun, no moving vehicles, other than vendors, are allowed within the Farmers' Market area as a safety precaution.
- f. Samples may be given out, provided proper health and safety standards have been followed.
- g. There is a \$25.00 fee per booth space when Chamber Volunteer or designee has to clean up at the close of the Market. That fee is payable, in cash, before the vendor can sell at the Market again.

5. **Food and Produce, Fresh and Value Added**

Vendors will sell their own locally grown produce.

- a. No wholesalers will be allowed.
- b. Value-added goods are allowed at the market with prior approval. Again, all items must be of merchantable quality, contain mostly locally grown ingredients, follow all applicable health and safety rules, and be properly labelled. Preserved foods should follow the food safety guidelines. Contact your local County Extension Office for more details on food preservation.
- c. Absolutely no items grown and/or raised outside the United States will be permitted for sale.
- d. All prepackaged foods must be properly labelled.
 - i. Egg Products: An egg producer that sells only un-graded eggs from their own flock will not be exempt from licensing from the Texas Department of Agriculture and must obtain a Temporary Food Establishment Permit prior to sell. The eggs must be stored at 40 degrees F or less, meet specific labelling requirements (name and address and be labelled as ungraded). Recycled egg cartons are allowed if the label clearly identifies the correct seller/distributor. Eggs must be kept at 40 degrees F or less (but above 32 degrees F) and stored in a container with ice. Vendor must also hand out safe handling information with each purchase.
 - ii. Meat Products: Any vendor selling meat products must have the meat processed under USDA regulations. Specific labelling requirements must also be met (Safe Food Handling Instruction; name and address of distributor or packer). Meat must be stored at 0 degrees F or less.
 - iii. Seafood: All seafood must be prepackaged. Specific labelling requirements must also be met (Safe Food Handling Instruction; name and address of distributor or packer).
Requirements for Selling Seafood
 - 1. All seafood must be prepackaged. Specific labelling requirements must also be met (Safe Food Handling Instruction; name and address of distributor or packer).

NEW BOSTON FARMERS MARKET / #1 TRAIL HEAD PARK PLAZA / NEW BOSTON, TX 75570

Farmers' Market Rules, Regulations and Bylaws

2. Seafood shall be obtained from source according to law and the requirements of the U.S. Department of Health and Human Services, Public Health Service, Food and Drug Administration, National Seafood Sanitation Program Guide for the Control of Seafood.
 3. Seafood that is recreationally caught may not be received for sale or service.
 4. All seafood shall have a shell stock tag/harvesters tag or label that is designed to accommodate each dealer's identification; dealer's name, address, and certification number; the dealer's information shall be listed first.
 5. Seafood must be stored at 0 degrees F or less and packed in ice.
- e. Produce and spices: source/location must be documented.
All closed consumer containers and prepackaging shall be labelled with the following:
- i. The name of the producer, address where production took place, and phone number.
 - ii. A list of all the ingredients, with the highest proportion ingredients listed first in descending order.
 - iii. Allergy warnings should be plainly visible if nuts, peanuts, wheat, or eggs are potentially present, even in minute quantities.
- f. Produce sampling may be provided only when:
- i. Produce samples are kept in clean and covered containers.
 - ii. Clean, disposable plastic gloves are used when cutting produce samples.
 - iii. Produce intended for sampling is washed in potable water to remove any soil or other material so that it is safe for consumption.
 - iv. Utensils and cutting surfaces are smooth, nonabsorbent, and cleaned or disposed of as approved by the local or state enforcement agency.
- g. No finished product may be bought and resold.
- h. Cooking items is only allowed if the proper Health Department Permit is obtained with the recommendation of the Market Manager.

6. General Rules

- a. Each vendor is responsible for obtaining a Sales Tax Number (if required by the State) and collecting and paying any sales taxes assessed on their products. The City of New Boston, Texas does not involve itself in collection, audit, or other related sales tax activities.
- b. Handcrafted and assorted artisanal items produced by local craftsman will be allowed.
- c. No firearms, alcoholic beverages, smoking or drugs will be allowed at the Farmers' Market.
- d. All vendors shall conduct themselves in a professional manner while at the Farmers' Market.
- e. Violation of any provision of the New Boston Farmers' Market Rules and Regulations shall be a material breach and default by the vendor. The vendor will be asked to vacate the premises immediately without refund of paid fees. Failure to vacate may subject the vendor to civil and/or criminal remedies.

NEW BOSTON FARMERS MARKET / #1 TRAIL HEAD PARK PLAZA / NEW BOSTON, TX 75570

Farmers' Market Rules, Regulations and Bylaws