



The Downtown Brenham First Fridays Farmer & Artisan Market was created to provide a community gathering place where local farmers and entrepreneurs can sell directly to the consumer. Our goal is to foster local economic development and community building through family-friendly activities.

Market Day: 1st Friday of each month (excluding January!)

Market Location: Baylor and Park Streets next to the Washington County Courthouse in Downtown Brenham

	SUMMER HOURS	WINTER HOURS
MONTHS	April, May, June, July, Aug, Sept	Oct, Nov, Dec, Feb, March
MARKET HOURS	4 pm - 7 pm	3 pm - 6 pm
MARKET SET-UP	2 pm - 3:30 pm	1 pm - 2:30 pm
MARKET TEAR-DOWN	7 pm - 7:15 pm	6 pm - 6:15 pm
MARKET LOAD-OUT	7:15 pm - 8:00 pm	6:15 pm - 7:00 pm

----- Market Vendor Rules & Requirements -----

- Application must be submitted and approved by the Brenham Farmer and Artisan Market prior to market day.
- Payment of \$25 per 10' x 10' space must be paid online by **5pm on the Thursday** prior to market day.
- Vendor **MUST** raise, prepare, produce, or create items for sale. No commercial vendors or re-selling of mass-produced products will be allowed!
- 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.
- 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.
- Electricity is available to some spots but must be requested in advance by the vendor. Vendors must supply own extension cords to connect.

- Vendor releases the City of Brenham from all liability. A signature on an indemnity agreement **MUST** be signed at the time of application submittal.
- 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.
- 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.
- Unless an emergency occurs or you have made prior arrangements with the Market Manager, do not leave or tear-down your booth before the market closes. We aim to offer our shoppers a full and robust market.
- Vendors may only sell products listed on their application. However, they can expand their product line by contacting the Market Manager at least 48 hours prior to 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.

----- Vendor Fees -----

- 10ft x 10ft booth spaces are \$25 each and must be paid online by **5pm on the Thursday** prior to market day.
- 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

- Refer to the chart above for the specific vehicle access times. Be aware they change seasonally.
- 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
 - 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.

Tear-Down

- Refer to the chart above for the specific vehicle access times. Be aware they change seasonally.

- Vendors should 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.
- If we decide to close the market, paid vendor booth fees will either be returned or will carry over to the next market.

----- *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. Please see the guidelines 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)

AGRICULTURAL VENDORS

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

Taken from: <https://www.dshs.state.tx.us/retail-food-establishments/texas-farmers-market>

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 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.

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 a farmers' market. The CFPO must comply with the guidelines as required in the law concerning Cottage Food Production Operations.

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