



Galveston's Own FARMERS MARKET

Market Rules

GOFM's Market Rules were created to establish high standards of quality among our vendors, an elevated market environment, provide protection, minimize risk and create larger understanding and cooperation amongst all who operate within GOFM. These rules and their subsequent enforcement revolve around consistency, transparency and discretion.

MISSION: To build and sustain a local food community through a vibrant, producers-only marketplace, improved food access, and educational programming

Vendor Categories:

Agricultural Producer: Applicants under this category offer: produce that has been grown on the producer's land (including leased land), meat/eggs/processed meat products from animals raised on the producers' land (including leased land) & are processed at a USDA-inspected facility products such as cheese, yogurt, or honey sourced from animals raised on the producers' land (including leased land)

Examples: Farmers, Ranchers, Beekeepers

Value Added: Applicants under this category offer: products that have changed the form, flavor, blend and/or the substance of raw products using as many market products as available. Products should use organic ingredients when available and as many market products as possible & reasonable, with preference given to those vendors who use local products. The certified kitchen utilized must be located within 150 miles of the market attended. Vendors offering products covered under the Texas Cottage Food Law are classified as Value-Added Foods vendors.

Examples: Baked goods, teas, salsa, nut butters, dog treats,

Prepared Foods: Applicants under this category offer: freshly-made food and drinks available for sale and immediate consumption. These products may be hot or cold ready-to-eat foods or drinks. Products should use organic ingredients when available and as many market products as possible & reasonable, with preference given to those vendors who use local products. The certified kitchen utilized must be located within 150 miles of the market attended.

Examples: Pakistani take-home meals, iced lemonade, breakfast tacos

Non-Food Artisan:

Applicants under this category include: products that integrate local agricultural products (milk, honey, olive oil, herbs, etc.) with materials sourced outside of the farmers market to create a health/body-oriented product. All eligible products must be created by a local artisan located within 150 miles of the market attended. Products should use organic ingredients when available and as many





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market products as possible & reasonable. No craft, jewelry or art items will be accepted.

Examples: Beauty & skincare products

Other Definitions

Producers-only farmers market: A market at which vendors, their family members or their employees are permitted to sell direct to consumer items which they have themselves produced.

Reselling: Buying and reselling any item without additional ingredients or modifications to the existing product. Example: 1) farmer selling fruit or vegetable grown by another person or from a wholesale outlet. 2) purchasing balsamic vinegar and repackaging/labeling as your own product. The only acceptable method of using ingredients not produced by you is infusing, blending or adding other ingredients to make it your own.

Specialty Producers: A producer that offers items not usually grown within the 150 mile radius but a relative or agent brings the items to market. Example: olive oil grown in the Texas Hill Country

Market Manager: Market Managers are an authority on matters regarding operations at market and should be acknowledged by vendors as official decision-makers in the event of an issue arising onsite.

GOFM Board of Directors: The GOFM Board of Directors are authorities on organizational policy and procedure and responsible for approving and finalizing GOFM's operational budget, rules and decisions as required by law. The GOFM Board votes on all vendor applications and are responsible for dictating the direction of all other GOFM programs.

GOFM Executive Director: The GOFM Executive Director's role is to design, develop and implement strategic plans for GOFM in a manner that is both cost and time-efficient. The Executive Director is also responsible for the day-to-day operations of the organization, which includes managing committees, staff and essential volunteers as well as developing business plans in collaboration with the Board. They oversee management of all GOFM programming, lead the organization and develop its organizational culture.





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Vendor Fees

Booth Fee: A fee paid each market day for one 10x10 booth space at any GOFM market. Due before or by end of market day. Discounted or waived fees are at the discretion of the Market Manager and are the rare exception rather than the rule.

- Thursday markets: \$15 per week
- Sunday markets: \$25 per week

Market Rules

1. Submitting an application and paying the application fee does not guarantee admittance into the market.
2. No vendor may sell at any GOFM market without successfully completing the application process. This includes submission of a complete GOFM Vendor Application and proof of all required licenses/permits/insurance, reading and acknowledgement of the market rules and approval from the Galveston's Own Farmers Market Board of Directors.
3. Market rules must be read and acknowledged via the **Hold Harmless Agreement**.
4. Copies of all proper permits, certifications, licenses, etc. must be received by GOFM before a vendor can attend any market. GOFM will keep copies of all applicable permits, licenses and insurance in each vendor's file. It is the responsibility of the vendor to provide current copies to GOFM, as well as to keep copies with them at the Market to be available for inspection by government officials.
5. Existing vendors are **not guaranteed** a continued space and may be removed as a vendor upon resubmission of application or any time at the discretion of the GOFM Board of Directors.
6. There is no guarantee of exclusive category for any vendor.
7. A **\$1,000,000 general liability policy** is required of all vendors to cover them in the event of an accident or foodborne illness at market.
8. Vendors are required to add Galveston's Own Farmers Market and The Bryan Museum (using the full names and physical address--1315 21st St., Galveston, Tx) as separate "**additional insured**" on the vendor's liability policy.
9. **New items** (not included in the most recent application) must be submitted in writing via email and approved by the Executive Director or GOFM Board of Directors before sold at market. Vendors are allowed to sell only the items listed in their vendor application.





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10. All items sold at market must be **grown/prepared by the vendor within 150 miles** of the market unless a different arrangement is agreed upon by the Executive Director and GOFM's Board of Directors.
11. Laws, regulations, and rules put forth by the federal, state, city, or county government must be followed by all vendors.
12. **Re-selling** of any products or goods is prohibited (food vendors may blend or infuse products to make a final product of their own).
13. Markets operate **year-round, rain or shine**. Vendors should prepare for all types of weather including cover for rain or sun and weights for winds. Refunds or discount in fees given in the event of inclement weather or lack of business due to the weather should never be expected and completely at the discretion of the Market Manager and Executive Director.
14. Vendors must submit notification of their planned absence or presence at the Thursday and Sunday markets no later than end of day Wednesday via **responding to the weekly check-in email** sent by the Manager. Vendors who do not respond to the weekly check-in are not to be considered in the weekly market layouts and will be put wherever the Manager sees fit upon arrival to market. A fine of \$25 will be instituted if cancellation occurs after 10:00pm Saturday or day-of-market Thursday, to be collected at the vendor's next market appearance.
15. Should a vendor miss (4) consecutive markets, the board is permitted to hold a vote to allow another similar vendor into the market who has submitted an application.
16. Vendors must be **set up & ready to sell** no later than the market's opening hours. This means vendors must be set up completely and operational by 9:00am on Sundays and 3:00pm on Thursdays.
17. Vendor **vehicles** are not allowed within market boundaries within 15 minutes before market open and until 10 minutes after the close of market. On Sundays, this means vendors may not have their vehicles in the market space after 8:45am and not again until 1:10pm (October- May) or 12:10pm (June-September). On Thursdays, this means no vehicles in the market space after 2:45pm and not again until 6:10pm. Any exceptions to this due to weather events or other extenuating circumstances are at discretion of the Market Manager.
18. Vendors must park in designated vendor **parking** or in outlying areas, ie nearby street parking. Vendors may not park in customer parking (The Bryan Museum parking lot) for any reason at either market.
19. Vendors may not break down before end of market even in the event the vendor has sold out. Tables, signage, tablecloth etc. must remain set up in booth space until end of market. Vendors must break down promptly at market close.





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20. A booth space constitutes a 10'x10' space using straight-legged canopies. Vendors cannot reserve more than 2 front facing spaces. Merchandise must be restricted to within the designated booth space and signage must not impede flow of shoppers between booth spaces.
21. A minimum of 22lb Eurmax water **weights** must be securely affixed to each canopy leg at all times. GOFM specifically requires the "Eurmax Universal Water Weight Feet" as the standard weights to be used by all vendors. Rare exceptions can be made to this requirement if submitted, inspected and approved by GOFM; otherwise all other weights are unacceptable. The Market reserves the right to take down any canopy at the market at any time if weights are deemed ineffective or dangerous.
22. Vendors are responsible for their own booth needs such as tables, chairs, tents, etc.
23. Vendors must keep their booth clean, safe, and hazard free during operational hours.
24. Smoking and vaping is not permitted within market space or at The Bryan Museum. Vendors must leave market boundaries so that smoke or vape does not reach shoppers or other vendors. Cigarette butts must be properly disposed of in safe containers and removed by vendor.
25. Only owners or agents (family member, employee) may sell at market. Agents must be friendly, knowledgeable, communicative and professional at market. Agents must have worked at or visited the farm, ranch, commercial kitchen or studio of the producer.
26. Branded vendor **merchandise** such as t-shirts and reusable bags may be sold at market but only bags are eligible for display in vendor's booth.
27. Vendors must transport **trash** offsite, no dumping or usage of market/The Bryan Museum dumpsters allowed. **Recycling** may be put into GOFM's recycling bins but must be clean (no food residue).
28. Vendors must completely **clean** their booth space at the end of market. Vendors who provide samples or prepared food must provide trash receptacles at their booth. Ice and water brought to the market should not be discarded on site.
29. Booth locations are subject to change. Vendors' booth locations may change week-to-week and vendors are expected to exercise flexibility in the event of relocation.
30. Vendors may not bring **pets** to the market unless they use a service animal or it is previously agreed upon by the Executive Director.
31. **Single-use plastic bags** (aka "t-shirt" bags) may not be provided by any vendor to customers for the transportation of their purchased products. Vendors are encouraged to eliminate waste wherever possible in the packaging of their products.
32. Vendors **must display signage with prices** and vendor information. Vendors should keep prices fair and reasonable. Signage should clearly identify the name of the business.
33. Vendors must accept SNAP, FreshBucks, WIC-Vouchers and any other forms of payment created and utilized by GOFM to increase food access for low-income households.





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34. Vendors agree to abide by the rules surrounding all facets of Food Access Programming, including the completion of any additional training or documentation. SNAP funds may only be used for SNAP-eligible food items, Fresh Bucks & WIC Vouchers may only be used to purchase fruits, vegetables, nuts, herbs and food-bearing plants. Find more detailed information here: <https://www.fns.usda.gov/snap/eligible-food-items> and <https://fns-prod.azureedge.net/sites/default/files/fmnp/WICFMNPFactSheet.pdf>
35. **Intoxication** from alcohol or illegal drugs will result in vendor expulsion from the Market.
36. Vendors are required to comply with rules of our host site The Bryan Museum and state and federal laws concerning firearms and may **not openly display firearms** while selling at the market.
37. Vendors contribute to **accessibility** at the market by clearing an ADA pathway within their boothspace and clearing a firelane.
38. No disruptive or aggressive marketing is permitted at market.
39. Galveston's Own Farmers Market staff, Board of Directors or volunteers are not responsible for product liability, fines, penalties or the paying of sales taxes for individual vendors.
40. **Discrimination** in any form is prohibited. Discrimination is the treatment or consideration of, or making a distinction in favor or against, a person based on the group, class, or category to which that person belongs, including but not limited to race, color, national origin, age, disability, economic class, sex, gender expression or sexual orientation.
41. **Harassment** based upon an individual's sex, race, ethnicity, national origin, age, religion or any other legally protected characteristics will not be tolerated. All employees, including supervisors and other management personnel, are expected and required to abide by this policy. No person will be adversely affected in employment with the employer as a result of bringing complaints of unlawful harassment.
42. **Vendors agree to be honest and transparent about their products, growing procedures, and/or processes.** Vendors should be knowledgeable about products, how they are used, grown or produced and be able to communicate these things clearly to the customers. Products should be displayed in a sanitary and presentable manner. Vendors are expected to be courteous, professional and presentable at all times. Inappropriate language or behavior, clothing, harassment or abuse toward anyone at any market will not be tolerated and may be reason for expulsion.

All food vendors:

43. All food vendors must comply with Federal, State, City of Galveston and Galveston County Health District rules.





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44. Follow labeling requirements from the State of Texas, which state all food items must be clearly labeled and include:
- Contact information: address, phone # and/or email address
 - Contents: Name of item should include common and usual name
 - List of ingredients according to weight.
 - Eight common allergens.
 - Cottage law vendors must indicate on product labels this statement: This product is not inspected by any state of Texas or local health department. Find detailed information here: <https://www.dshs.texas.gov/foods/labeling.aspx>

Agricultural Producers:

45. Agricultural Vendors are subject to farm/ranch inspections by GOFM management. Refusal of inspection will result in termination of selling privileges.
46. Vendors must display current Organic Certification or Certified Naturally Grown Certification when promoting products as organic or CNG. Claim of these statuses may not be posted or used in promotion of the product, farm or ranch without proof thereof.
47. Producers may offer value added items made from producers' own vegetables, meat, fruit, milk, etc. but must first notify Executive Director of intent to sell product at any market and complete the additional GOFM application and acquire any necessary state and local permits.
48. CSA distribution is allowed by farmer or rancher at market only if the boxes include product the vendor has produced.

Farmers:

49. GOFM does not accept any producers whose growing methods include synthetic chemicals (in fertilizer/ herbicides/pesticides). Growers are to be completely transparent in their methods and communicate any changes in growing methods to the Executive Director.
50. Vendors must grow or produce the products sold and maintain high quality standards throughout the season.
51. Vendors selling "nursery" items must sell only cut flowers, potted plants, trees or nursery starts that are grown from seed, plug, cutting, bulb or bare-root by the seller. No resale of plants is allowed.
52. A producer selling any meat claiming hormone and/or antibiotic free and/or grass fed must have raised the animals from the ranch herd from birth (excepting poultry or wild, feral animals) The animals must have been born and raised completely on the producer's property from their own ranch herd. If the producer does not have the capability of raising animals in the fashion described above, the producer must be completely transparent with shoppers and management





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of the market about where the animals originated (if given permission by GOFM management to sell said product.) Wild fish (from the Texas Gulf coast or Texas lakes) and feral animals (harvested from within the 150 mile radius of the market and slaughtered under all applicable regulations) are acceptable. GOFM requires copies of all relevant permits from city, county, state and federal permitting agencies.

Value-Added, Prepared Foods & Artisan Vendors:

53. Local farm or ranch ingredients must be incorporated when available and in season. Receipts of purchase may be requested as proof by Executive Director.

Violations & Fines

Violations:

Violations of market rules will result in prompt corrective and punitive action. This process will generally adhere to the following steps: 1) verbal warning, 2) written warning, 3) fines, 4) additional fines or suspension/expulsion from market, but is subject to variance on a case-by-case basis.

Fines:

No-Call/No-Show: \$25

Late to market: \$25

Cancellation after 10:00pm Saturday or anytime on Thursday: \$25

Resolution and Grievances

Onsite Resolution: GOFM will make every effort to reach a resolution in the event an issue arises. At market, Market Managers are the first step in resolving issues. Please locate a Market Manager and discretely inform them of the issue at hand. Market Managers may be able to resolve the issue immediately, or they may choose to gather information to deliver in writing to the Executive Director for further consideration. Vendors must abide by the final decision of the Market Manager or GOFM Leadership.

Vendor Grievance Response Policy: An in-depth Grievance Policy is currently under revision of GOFM leadership and will be shared to all GOFM vendors as soon as possible.





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In the interim, all major grievances that cannot be resolved by speaking directly with the Market Manager or among the directly-involved parties themselves are asked to be submitted in-writing via email to GOFM's Executive Director. The Director will then respond via email within 2 days to confirm receipt of the grievance. If the Executive Director is unable to resolve the issue on their own, the grievance will be taken to the Board of Directors as soon as possible for review. Grievances will be treated with respect.

*GOFM's Market Rules are subject to change by GOFM leadership at any point in the year.
Established: January 2019*

