**TWFM Vendor Policies**

Vendors are individually approved by The Woodlands Farmer's Market (TWFM) Committee. New vendor approval is also contingent upon meeting the requirements below. Vendors are limited to producing products in the following categories only.

**Vendor Categories**

* **Farmer –** persons who raise produce (fruit, vegetables, herbs, flowers or nursery crops from seeds or plants and care for, cultivate and harvest the crops offered for sale). Persons who own, care for, and collect or process poultry or animals on their land.

Farmers are checked with a farm visit to confirm what they grow.

This category also includes “Gardener’s Corner” – booth space available in the selling area for community (home) gardeners to sell in a cooperative manner.

**Produce**: Vendors must grow their produce locally. All produce vendors must maintain a minimum of 80% of the produce grown by the vendor, and no more than 20%\* additional produce from other growers. ALL produce must be grown within the State of Texas. Please contact Market Manager with questions and to obtain prior review and approval to sell produce other than that grown by vendor. Seasonal alterations to the 80/20 ratio may be taken into consideration, pending approval of the Market Manager and TWFM Committee.

\*Note: if vendor sells produce procured from a co-op agreement with another farm, this produce will be considered part of the vendor’s 20% additional produce. Vendors selling produce will note on their application their agricultural practices according to the following categories.

Conventional: grower uses common agricultural practices. They may or may not use chemical or synthetic fertilizers, or synthetic fungicides or pesticides or added hormones. They may be a large or small grower.

Naturally grown: this label is the “grassroots alternative to certified organic”; grower practices organic principals of soil enrichment and is certified by a collection of peers involved with [www.naturallygrown.com](http://www.naturallygrown.com). They cannot use synthetic fertilizers, synthetic fungicides, pesticides, or added hormones. Certified Naturally Grown farmers reflect a commitment to work within the natural biological cycles that are necessary for a truly sustainable farming system, a system that works in harmony with microorganisms, soil flora and fauna, plants and animals, to maintain and increase the long-term fertility of soil, leaving it even more vibrant and alive for the next generation of farmers.

Certified Organic: grower practices strict organic principals of soil enrichment and pest control and is certified either by the state or a third-party certification firm that has been approved by the Market Manager. They may or may not use natural fertilizer, or synthetic fungicides or pesticides allowed by the law when a natural alternative is not available. Food manufactures only utilize certified organic ingredients following organic labeling requirements. Guidelines are available at [U.S. Department of Agriculture](http://www.ams.usda.gov/nop/nop/standards.html).

Sustainable: growers using the sustainable label pledge to use only organic products and practices; however, the term Organic is not used on their signage since they are not certified. Consumers are advised to ask these growers any questions they may have about their production practices, since it is hard to know how closely organic principles.

**Produce/meats/eggs/honey:** other raw foodstuffs must be from local farms within Texas, 20% can be from other providers who they trade with.

* **Prepared food vendor** **–** persons offering fresh food products such as baked goods that they have processed\*. Includes bakery/confections and prepared foods, condiments (honey, jam, pickles, and other canned goods). Coffee, teas, and other products, which cannot be produced locally, may be sold. (Please be sure to review the Licenses and Permits section below.)
* **On Site Prepared Foods & Food Trucks –** these operations require a County permit from [Montgomery County Environmental Health Services Department](https://www.mctx.org/departments/departments_d_-_f/environmental_health/consumer_health_and_food.php). Direct link to the [MOBILE FOOD SERVICE RULES AND REGULATIONS](https://cms.revize.com/revize/montgomerycountytx/MobileUnitRegs0916.pdf).
* **Crafter –** must be made in all or most part by the vendor, we do limit the number of vendors based on our space limitations, knowledge of the market, and current vendor participation.
* **Non-Profit Groups –** allowed once per quarter at no charge. Tent rentals fees apply.
* Special situations are handled on a case-by-case basis – e.g., students selling homemade products as part of school project.

Vendors should use local products and/or Texas products when available and when it is not a hardship for the production of the product.

**Licenses and Permits**

All vendors are responsible for the necessary licenses and permits required for the sale of their products. A copy of these must be submitted with vendor’s application and updated annually.

* **Prepared food vendors –**
* Commercial Kitchen – Vendors with a commercial kitchen must provide their contract with the commercial kitchen as well as a copy of the commercial kitchen’s health permit, and a Food Handler/Manager Certification. If food is prepared, processed, or sampled at the market a Farmers Market Permit is also required.
* Cottage Food Law Vendors- Food Handler/Manager Certification, photos of the labeling on products that identify that it has come from a cottage food kitchen and complies with all state laws. If food is prepared, processed, or sampled at the market a Farmers Market Permit along with a Food Handler/Manager Certification is required. Additional details on requirements can be reviewed at <https://texascottagefoodlaw.com/>.

A Farmers’ Market Vendor’s Permit is required from MCEHS when a vendor that is located at a Farmers’ Market provides:

* Yard eggs\* or any pre-packaged foods that require temperature control and are sold or distributed; or
* Food that is prepared, processed, or sampled at the farmers’ market.

A Farmers’ Market Vendor’s permit is not required for:

* Produce that is presented in its natural state (no cutting, peeling, slicing, etc.); or
* Pre-packaged foods that do not require temperature control and are prepared at a location permitted by regulatory authority. Pre-packaged foods must be properly labeled and meet state manufacturer’s’ license requirements

\*Yard egg vendors- To sell eggs at the market, MCEHS requires they kept at 45 degrees or less. These can be in a portable container, but they cannot be touching water or ice. A thermometer must be available. Eggs must also be labeled “UNGRADED” (as to size).

Additional information on the necessary licensing or permits can be found at [Montgomery County Environmental Health Services Department](https://www.mctx.org/departments/departments_d_-_f/environmental_health/consumer_health_and_food.php). For any additional questions on licensing or permitting, vendors are instructed to contact MCEHS at (936) 539-7839.

**Vendor Space/Fees/Setup**

Space is limited and will be assigned on a first come-first served basis after acceptance. The booth fee of $30 covers one booth (equivalent of one 10’ x 10’ space).

Vendors may not extend beyond the demarcation of their 10’ x 10’ booth.

Vendors are required to provide a 10' x 10’ EZ Up STRAIGHT-LEG tent, clean and in good condition. All vendors will be responsible for providing weights for their tents; 25 lbs. per corner is required. The asphalt surface will not accommodate any equipment that must be staked.

Only one tent is allowed unless the vendor has paid for multiple spaces.

Only one vendor is allowed per booth.

Vendors must supply their own tables, chairs, tents, signage, and marketing materials.

*Exception: Tents are available for rent for a fee of $15, on a first come first serve basis. Setup, teardown, and weights are included in the tent rental fee.*

Vehicles shall not be used as a display or dispensing area.

Power is provided in a limited area with prior approval from the TWFM Committee.

Display or selling techniques must not impair other vendors’ ability to sell or impede foot traffic.

TWFM Committee and Market Manager reserve the right to ask a vendor to change their setup if deemed inappropriate in any way.

The Market Manager has authority to reassign booth spaces as deemed necessary.

**Parking**

All vendors on outside rows may park directly behind their booth.

All middle vendors will need to unload items and then promptly move their vehicles. Middle vendors are asked to NOT set up their booth while their vehicle remains in the middle of the market area. It is imperative that we do not congest the area with vehicles while other vendors are trying to enter and exit.

Please do not park along the side streets of the market. The Woodlands Fire Dept has advised the GMVA this interferes with emergency vehicle traffic. Please utilize the side rows of parking and former Randall's store parking lot. If necessary, you will be asked you to move your vehicle.

**Verification**

The Market Manager and/or TWFM Committee will make periodic visits to vendors’ farms, ranches, or manufacturing locations to verify that all market rules and regulations are followed.

**Insurance**

TWFM Committee and GMVA STRONGLY recommends all vendors carry product liability insurance with a minimum of $1 million coverage per occurrence. Please provide the Market Manager with a copy of your policy naming the GMVA as an additional insured. All vendors are required to sign a waiver holding the GMVA harmless for any claims against such vendor. While the GMVA strongly recommends all vendors carry product liability insurance, liability for all products rests solely upon the vendor producing and selling them. Liability for vendors’ actions rests solely upon the vendor.

**Reselling**

No finished products may be bought and resold.

**Pricing**

Pricing of goods sold at TW Farmers Market (and any applicable taxes) are the sole responsibility of the vendor. Reasonable pricing is expected from all vendors. All vendors are responsible for the collection, reporting, and payment of all appropriate taxes to The Woodlands Township, Montgomery County, and the State of Texas.

**Quality Products**

All vendors are inspected prior to selling each day at TWFM. TWFM Committee and Market Manager strive to provide a marketplace where fresh and wholesome products are sold and may, at its sole discretion, deny a vendor access to sell his/her products should it be deemed unfit for sale. No refund of vendor fees will be given in these situations. Any vendor found selling contaminated, unapproved, unfit, or illegal items will be suspended from selling at TWFM and may be asked to leave immediately without refund of vendor fees.

**Attendance**

The Administrator will send a reminder email to all approved vendors every Tuesday at 6am. It is the responsibility of the vendor to respond by text/email from the Administrator by the Thursday before the Saturday market by 5:00 pm to confirm their presence or absence at the market. Failure to notify the Administrator or Market Manager by 5:00 pm will result in a vendor not being able to participate in that Saturday’s market. Failure to show once confirmed may result in a charge of $30 for loss of that booth space. Vendors are advertised in a weekly Farmers Market email to over 6700 subscribers, and on social media.

**Punctuality**

All vendors are expected to arrive for set-up no later than 8:30 am. Vendors should be ready to begin selling at 9:00 am. If vendors are tardy, their booth space may be relocated to avoid empty booth spaces. Note: We cannot guarantee vehicle entrance into the market area if you arrive late. Vendors may also be assessed a late fee of $30 for failure to setup by 9:00 am.

**Weather Policy**

Vendors are encouraged to monitor the weather forecasts in the week leading up to the market so that they may make informed decisions prior to confirming attendance. Cancellations after 5:00 p.m. Thursday are subject to the standard cancellation fee.

In the event of an official wind advisory being issued, the market will operate without tents due to safety reasons. Absent an official wind advisory, the Farmer’s Market Manager may decide to operate the market without tents when winds are expected to exceed 20 mph during market hours.

The Woodlands Farmer’s Market reserves the right to cancel the market in cases of extreme weather events that might jeopardize the safety of vendors or customers.

**Printed Material**

No petitions, political or otherwise, may be displayed or distributed at TWFM. Vendors may have informational materials at their booth on their own approved products/business. These items may not be distributed outside of the booth area.

**Early Departure**

The TWFM Committee strongly discourages early departure from the market. If a vendor absolutely needs to leave, he/she is required to notify the Market Manager prior to leaving. If a vendor has sold out, we recommend bringing sales material about the products offered to promote their business at the next week’s market.

**Stall Breakdown and Cleanup**

Vendors may not begin breakdown before 1:00 pm (12:00 pm July-Sept). We ask that all vendors please be considerate of pedestrian safety and spend the 5-10 mins packing up their booth after our official close time before driving vehicles into the market area where customers may still be lingering. Vendors are responsible for removing their own boxes and refuse from TWFM and leaving their stall as found by 2:00 pm (1:00 pm July – Sept). If this is not done to the satisfaction of TWFM Committee/Market Manager, a written warning will be issued.

**Conduct**

Vendors represent and are always expected to positively promote the TWFM. All vendors are expected to maintain a professional demeanor towards patrons, other vendors, and TWFM personnel. All vendors must wear shirts and shoes. Drug use, alcohol use, smoking, vaping and/or abusive behavior is not allowed, nor will be tolerated. Violations of TWFM rules and policies may result in suspension and/or expulsion from the market without refund of vendor fees.

**Suspension/Expulsion**

Issues or concerns regarding the market should be directed to the Market Manager or TWFM Committee. Vendors refusing to adhere to the above policies and procedures may be suspended by the Market Manager. Any vendor who behaves in a rude, violent, threatening, or intimidating manner toward any person at the market may be immediately suspended or permanently expelled without refund of vendor fees. TWFM Committee reserves the right to impose any penalties or disciplinary action it deems necessary.