



Market Guidelines & Application

Jacinto City Market will take place on the 2nd Saturday of each month at
Jacinto City Town Center Plaza located at
1025 Oates Rd. Jacinto City, TX 77029



The market guidelines can be found at www.jacintocity-tx.gov
For more information contact the chairman Rebecca Mier at
marketdays@jacintocity-tx.gov or 832-554-6905

Market Guidelines

Vision

The City of Jacinto City is committed to providing a local venue to help create and foster a healthy community.

Mission

Jacinto City Market is located at the Jacinto City Town Center plaza and encourages a healthy community through providing the community with direct access to local producers. As well as offering support local consumers, farmers, artists, and entrepreneurs.

Definition of Vendor Categories

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

Cottage Food: The Jacinto City 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/foode establishments/cottagefood/faq.aspx>. **Limited spaces available.**

Backyard Gardener: Local residents with seasonal produce from their backyard may participate in a community booth at no charge. Gardeners must contact Market Chairman – Rebecca Mier at Marketdays@jacintocity-tx.gov or (832) 554-6905. **Limited spaces available.**

Artisan/Craft Vendors: Handmade goods produced by vendor. **Limited spaces available.**

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. (Example: “Green” household cleaners, rain barrels, compost, etc.)

Non-profit Entities/Community Organizations: A 501(c)(3) non-profit organization may participate in the market at no charge on a first come-first serve basis by reservation in advance.

1. Market Procedure

a. General Requirements:

- i. 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.
- ii. Vendors within a 150-mile radius will be accepted to participate in the Jacinto City Market.
- iii. The vendor must be knowledgeable about the product, how it is used, grown or produced and be able to clearly communicate to customers.
- iv. 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.
- v. Every vendor should be prepared for all types of weather including cover for rain or sun and weights for winds. No refunds or decrease in fees will be given because of inclement weather or lack of business due to the weather.
- vi. Cancellation: Vendors are required to send a written cancellation by e-mail to marketdays@jacintocity-tx.gov or in person at 1301 Mercury Dr, Jacinto City, TX 77029, Monday-Friday, 8am-5pm two weeks prior before the next upcoming Jacinto City Market. Vendors not cancelling two weeks prior 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.
- vii. Liability insurance for all vendors is strongly recommended.

b. Farmers/ Local Backyard Gardeners:

- i. Farmers and Local Backyard Gardeners are responsible for cleaning produce before displaying them.
- ii. No reselling allowed.
- iii. Vendors with fruits and vegetables 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.
- iv. Any produce left overs need to be removed from city property after the Market event is closed.
- v. Sales price of the displayed produce must be visible and easy to read for the customer.

c. Honey Sales:

- i. 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/foods/forms.aspx> for more information.
- ii. Exemptions: "Small honey producers", defined as a beekeeper that:
 1. 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 farmer's 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 under Health and Safety Code, Chapter 438(D) by January 1, 2014. Please find attached a list of contacts regarding the food handler training.
- ii. 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.
- iii. 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 and 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:
 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.

- iv. No reselling allowed.
- e. Artisan/Craft Vendors:
 - i. Artisan/Craft vendors will be positioned around the plaza unless otherwise announced by the Market Chairman.
 - ii. Artisan/Craft vendors may not sell agricultural or cottage food products at the same booth. An additional booth in the produce and cottage food products area may be requested.
 - iii. All items must be handmade by the vendor.
- f. 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. Radios or stereos may only be operated with the permission of the management.
 - iii. No smoking is permitted within the Market event area. No consumption of alcoholic beverages or illegal drugs is allowed.
- g. Set-up:
 - i. Each vendor is entitled to a 10'x10' 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. Vendors will be allowed to enter the event area traveling (West bound on Challenger 7 and entering in the circular drive way). Once unloaded, we ask all vendors to park in the parking lot off Oates Rd.
 - iii. All vehicles must be removed from the event area with vendors set up & ready to sell 30 minutes prior to opening (8:00am-Day Market or 5:00pm-Night Market).
Vendors must leave promptly after closing (1:00pm-Day Market or 9:00pm-Night Market) unless otherwise approved by the Market Chairman.
No selling before 8:00am-Day Market or 5:00pm-Night Market and no tear down before 1:00pm-Day Market or 9:00pm-Night Market.
 - iv. Vendors need to provide their own tables, tents and chairs. Each vendor is responsible for their booth set up/ tear down. All produce must be under a covered area.
 - v. All items whenever possible should be displayed off the ground.
 - vi. Vendors are responsible to clean produce prior to selling.
 - vii. Vendors may request use the 110V outlets located in the plaza for small items such as desk fans, but need to notify the Market Chairman if larger items need power access.

- viii. Vendors must keep their space and their equipment in a clean, safe, and hazard-free condition. At the end of market, each vendor must leave their selling area clean, with all trash removed.

h. 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 dirt or contamination.
- iii. Wear clean, disposable plastic gloves or observe proper hand washing techniques at all times while handling the samples.
- iv. 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.

2. Tax Permit Requirements

a. Sales Tax:

- i. Vendors must comply by all 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 of public accounts at 1-800-252-5555 or visit the website comptroller.texas.gov.

3. Photo/Video/Audio Release

a. Definitions:

- i. From here on out in this Clause (3. Photo/Video/Audio Release) *I, my* and *any reference to self*, identifies the applying vendor/business. From here on out in this Clause (3. Photo/Video/Audio Release) *Jacinto City Market* identifies Jacinto City Market under all assumed names such as Jacinto City Market Days, Jacinto City Market by Night and Jacinto City Market.

b. Permission:

- i. For good and valuable consideration. The receipt of which is hereby acknowledged, I hereby grant Jacinto City Market permission to use my likeness in a photograph in any and all of its' publications, including but not limited to all of Jacinto City Market's printed and digital publications. I understand and agree that any photograph using my likeness will become property of Jacinto City Market and will not be returned.
- ii. I acknowledge that since my participation with Jacinto City Market is voluntary, I will receive no financial compensation.

- iii. I hereby irrevocably authorize Jacinto City Market to edit, alter, copy, exhibit, publish or distribute these photos for purposes of publicizing Jacinto City Market's events or for any other related, lawful purpose. In addition, I waive the right to inspect or approve the finished product, including written or electronic copy, wherein my likeness appears. Additionally, I waive any right to royalties or other compensation arising out of, or related to, the use of photograph.
- iv. I hereby hold harmless and release and forever discharge Jacinto City Market from all claims, demands, and causes of action which I, my heirs, representatives, executors, administrators, or any other persons acting on my behalf or on behalf of my business have or may have by reason of this authorization.



