



The Mission of the Midland Downtown Farmer’s Market is to create a sense of community while promoting local businesses, artisans, and producers. Our goal is to offer these products and opportunities in an effort to bring the community together to celebrate our local diversity and choice.

We congregate in downtown Midland, TX every Saturday from the first Saturday in April until the last Saturday in October. We also have winter markets that meet on the second and fourth Saturday of each month so that you can take advantage of the beautiful year-round produce the local farmers grow!

All vendors make, create, or raise what they sell, and all are your neighbors. We offer a variety of goods and services including, but not limited to, sustainably grown produce, local honey, locally raised meats, handmade body care products, baked goods, handmade jewelry, dog treats, hand-knitted products, pickled and canned products, coffee, and so much more.

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MARKET ORGANIZATION

Welcome to the Midland Downtown Farmers Market!

The market is a 501(c)(3) nonprofit organization. There are six Board members on the MDFM Board of Directors. Board members are appointed by the Board, new Board members are carefully chosen for their dedication to the market, and their willingness to serve.

Established in 2007 by Mathew Hanson, the Midland Downtown Farmers Market became a nonprofit organization in 2010 and the name was trademarked in 2015 after a move from downtown Midland to the Museum of the Southwest. As of the close of the 2021 season MDFM consisted of over 80 vendors bringing the best local flavors to the Permian Basin on Saturday mornings.

We are a Texas Certified Farmers Market which means that all items available at the market must be made, grown, or produced in Texas. MDFM does not allow the resale of items, everything must be made, grown, or produced by the person bringing them.

The Midland Downtown Farmers Market encourages diversity and does not discriminate based on gender, race or religion.

The Board has adopted the following rules and regulations and may, at any time, amend, delete or modify its policies, rules and regulations.

MARKET INFORMATION

Annual Application Fee (non-refundable)	\$50
Weekly Market Free (payable by 5:00pm Wednesday)	\$30 (non-refundable)
Late fees assessed for payments received at 5:00 Wed	\$10 (non-refundable)
Infraction Fee (See "ENFORCEMENT")	\$25

MARKET DIRECTOR: SAMANTHA BORGSTEDT
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PO Box 114
Tarzan, TX, 79783

*MARKET FEES MUST BE PAYABLE THROUGH PAYPAL

MARKET SCHEDULE:

The market meets every Saturday morning April-October and twice a month November-March. Any changes to schedule will be communicated to the vendors and public through email, social media and listed on our website, www.midlanddowntownfarmersmarket.com.

MARKET LOCATION:	Museum of the Southwest
SET-UP HOURS:	6:30-8:00 am
BREAKDOWN AND CLEAN-UP TIMES:	12:00-1:00 pm

2023 BOARD MEMBERS

- President – Deann Yates (Flying Y Farms)
- Vice President - Barbara Cox (C3 Cafe)
- Treasurer – Elaine Blount (Shade Tree Salsa)
- Secretary - Beth Ruhland (The Soap Company)
- At Large - Jackeline Mandujano Dominguez (Dominguez Farms)
- At Large - Brenda Trevino (Brenda's Sweet Shop)

VENDOR GUIDELINES

These guidelines and policies are incorporated in and are a part of the Midland Downtown Farmer’s Market Application. It is the responsibility of each vendor to familiarize themselves and their workers with this information.

In case of any dispute as to the meaning of the guidelines and policies or their application, the decision of the Market Director or assigned designee shall be final. A copy of the Guidelines and Policies are on the market website: www.midlanddowntownfarmersmarket.com.

Any right or privilege of a vendor to sell any product on the grounds of the Midland Downtown Farmer’s Market may be immediately revoked without refund if the vendor fails or refuses to comply with the terms of the guidelines and policies.

The Midland Downtown Farmer’s Market reserves the right to prohibit anyone from selling or any product being sold. The Midland Downtown Farmer’s Market is not responsible for any loss or damage. There will be NO DISCRIMINATION according to race, color, creed, sex, religion, age, or nationality.

STAYING IN TOUCH

Once you are approved by the Midland Downtown Farmers Market Board you will be put onto the market directors mailing list - EMAIL IS A MUST FOR ALL VENDORS! All announcements, events, and notices will be made through the mailing lists so it is imperative that you have access to an email service and are able to use it several times each week.

The Midland Downtown Farmers Market has Facebook and Instagram pages that are updated frequently to keep the community interested in the market. We recommend all vendors have a Facebook page for their business, they are free, easy to set up and offer a way to have your name out there for potential customers with very little upkeep. You can find the MDFM Facebook page here <https://www.facebook.com/midlanddowntownfarmersmarket>

NO SOLICITATIONS

No soliciting by political, commercial or other special cause groups or individuals is permitted within the market boundaries during market hours. If you witness this kind of activity, please alert the Market Director. Our mission is to assist our vendors in earning a sustainable living and any activist encouragement or commercial endeavor that inhibits our vendors from conducting regular business will not be tolerated.

LOGO USAGE

Those wishing to use the Midland Downtown Farmer's Market logo must apply in writing to the Board of Directors, explaining how the logo will be used. The Board of Directors will make a decision at its next regularly scheduled meeting and will respond in writing.

PRODUCTS SOLD AT THE MIDLAND DOWNTOWN FARMERS MARKET

Farm Fresh Products:

Farmers and ranchers are our priority at the Midland Downtown Farmers Market, even gardeners with just a few bushels of goods are important to us. We are here to help you get your harvest to the Permian Basin community, and we encourage those interested to stop by and see the market, visit with our vendors, and see if you would like to join our growing market family!

Includes fresh fruits and vegetables, herbs, nuts, honey, dairy products, eggs, poultry, mushrooms, meats, fish and shellfish. Also included in this category are fresh flowers, nursery stock and plants.

All fresh farm products must be grown or produced in the State of Texas. All products must be grown or produced by the seller. Vendors must be an active owner and operator of the farming operation and may not be operating the business under a franchise agreement.

Value Added Farm Foods:

Includes preserves, jams, jellies, cider, wine, syrups, salsas, smoked meats or fish, dried fruits, flours and salad dressings. Also includes, granola, cookies, muffins, breads, pies and related take home desserts. All value-added farm foods must be made from products/ingredients provided by the vendor. Vendors in this category must have personally cooked, canned, baked, preserved or otherwise treated the product to sell. **Vendors must have all required state, county and local food permits including any necessary food handling license.**

Prepared Foods:

Includes freshly made food and beverages available for sale and immediate consumption on-site. Vendors must be active owner/operator of the business and may not be operating under a franchise agreement. **Vendors must have all required state, county and local food permits including any necessary food handling license.** The application for a permit to sell shall include a complete list of menu items and beverages.

Soap/Bath/Body Vendors :

All bath and body products are to have a label attached to it listing all ingredients. The label must include:

- Product identity
- Product weight
- Where the product was made
- Marketing copy must be true and not misleading
- List of ingredients

Artisans/Crafters:

Art must be produced by the vendor. Products must be of the highest quality, hand-crafted and may not be imported. Artisans must submit pictures of pieces of their work with their application.

Miscellaneous:

Vendors not fitting into the defined categories will be considered on a case-by-case basis.

HOW MARKET VENDOR PARTICIPATION IS DETERMINED

Our goal, working with each vendor, will be to create a fun, colorful and educational environment for our customers and their families.

Market Staff:

It is the responsibility of the Market Director to implement market policies. This includes overseeing vendor participation and booth assignments. Market set-up, collection of fees, providing information on market policies and assuring vendor compliance with all market policies. The Market Director will also be responsible for public concerns and vendor complaints serving as the conduit between vendors/consumers and staff. The Market Director has complete authority to interpret and implement policy at the market site, and make all decisions regarding market participation, booth assignments and other market operations. If the Market Director is unavailable during a market, the Market Director will appoint an on-site member to fulfill duties as outlined.

Vendor Selection:

The Board of Directors will make vendor participation decisions based on quality, originality, comparability with market mix as well as vendor performance and seniority. **No vendor will have guaranteed return rights to the market from season to season and no specific space is guaranteed.** The Market does not offer exclusive rights to vendors to sell any one product. Market customers benefit from having a choice; however, if the Midland Downtown Farmer's Market believes the number of vendors offering the same or similar products is excessive, duplicate products may be denied entry. Copying other vendor products, labels, creativity will be grounds for dismissal.

Applicants will be approved yearly by March 15th. All applications received after March 15th will be reviewed on a monthly basis during regularly scheduled Board Meetings.

HOW BOOTH ASSIGNMENTS ARE MADE

Booth assignments will be made based on the following criteria:

- Available space in the market.
- The need for a specific product and the vendor's ability to produce it.
- Prior Market participation and history at the market.
- Vendor seniority.
- Product mix.

- Vendor performance: good product quality, good display and signage, ability to follow Market Policies and Guidelines and Market Director’s direction, punctuality, clean-up, prompt notification when cancelling, etc.

The Market Director will make every effort to keep booth spaces consistent throughout the season.

VENDOR RULES AND GUIDELINES

Texas Cottage Law:

The Midland Downtown Farmer’s Market operates under Texas Cottage Law. For more information about Texas Cottage Law, refer to website <https://texascottagefoodlaw.com/>.

Cancellations and No Shows:

If you have to cancel, you need to inform the Market Director. No refund will be provided.

No shows are considered as violating Market Rules. See section on “Enforcement”.

Weather:

The market does not close due to weather conditions unless the streets are closed or there is a travel advisory issued for our area. Notification of any closure will be listed on the Facebook page of the Midland Downtown Farmer’s Market.

Courtesy and Conduct:

Vendors and their representatives are expected to conduct themselves in a safe, courteous, and harmonious manner with customers, Market Director and other vendors. Any language or behavior that jeopardizes the normal operations of the market will be grounds for dismissal.

Please keep trash picked up in your area. We like to keep the grounds looking as beautiful as we can. A quick once over to make sure that you are not forgetting anything when you leave is also appreciated.

Canopies, Tarps, Tents:

Due to the nature of the hot and sunny weather, we strongly encourage all vendors to provide a canopy cover for their sale and customer area. All canopies, tarps and tents need to be weighted as winds in Midland are notoriously strong at times.

All canopies must be either staked or weighted down with appropriate weight that will keep them from toppling over. Vendors will be held financially responsible for any and all damages

to property caused by improperly secured canopies. Each canopy leg must have no less than 20 pounds anchoring each leg, or 50 pounds anchoring each umbrella.

Weights should not cause a tripping hazard, should have soft or round edges to avoid cuts and scrapes, and should be located at ground level (not hanging where people can run into them).

If high wind weather conditions (25+ mph) arise during market hours, take your canopy down and direct market visitors out of the way so that they are not injured.

Wind is the major culprit in many instances of inventory loss at the market. The Midland Downtown Farmer's Market is not responsible for any loss or damage caused by failure to comply.

Staffing the Booth:

Owner or family member must be present to sell. There MUST BE an English-speaking person at the booth at all times for the safety of the Market, other vendors and customers.

Punctuality with Set-up and Breakdown:

Vendors MUST BE at the Market 30 minutes prior to the Market opening. Vendors MUST BE ready to sell at the Market start.

Vendors are not permitted to leave early unless arrangements are made with the Market Director. Vendors must provide their own canopy, tables, chairs, scales, containers, change, pricing, bags, signage, trash receptacles and any other item required for their booth display and operation.

Vendors may not be approved to leave early if the Market Director deems teardown and existing Market could cause unsafe situation for customers or vendors.

Do not set up your canopy or items until you have moved your vehicle out of the way, if someone is blocking you and you cannot pull through, feel free to start unpacking but be sure to move your vehicle as soon as you can. If you are in a hurry and someone is unpacking their items so that you cannot park, you can speed up the process by lending a hand to the person in front of you. You may not honk, or be rude in any way to the other vendors.

Vendor Identification and Signage:

All vendors must have a sign prominent in their booth listing their name, business name, and contact information must be included. This sign can be as small as an 8x10-inch frame, but must be clearly visible to all market visitors.

Electricity:

Electricity MAY BE available for use and will be assessed at a fee of \$10 additional each week to the regular booth vend fee.

Taxes and Fees:

The Midland Downtown Farmers Market and its Board members are not responsible for any taxing or sales permits you may need for your booth. All vendors should be aware of any licensing or regulations and must comply with local, state, and national rules regarding the sale of their products. It is the responsibility of all vendors to follow Health Code Regulations as set up by the city of Midland and the state of Texas. Representatives from the Texas Comptroller do visit the market on occasion checking tax ID's so it is best to be prepared for their visit.

Handling of Complaints:

Complaints from market visitors are taken seriously and may also result in forfeiture of the right to sell at the market. The market director will discuss problems and complaints with the vendor and a plan of action will be agreed upon, if the vendor fails to correct the problem or more complaints are received, the vendor could forfeit the right to sell at the market.

Vendors are required to voice any complaint and concern within 24 hours to the Market Director and the Board by emailing the Market Director at mdfmmarketdirector@gmail.com. Information shared will be kept confidential.

The Board will be kept apprised of all situations with vendors at the market and the vendors may request a face-to-face meeting with the Board if they wish to contest the decision made by the market director.

Pricing:

Vendors determine their own pricing. Collusion among vendors to set prices or pressure another producer to set prices is against the law and could result in forfeiture of the right to sell at the market

Prices must be clearly posted and legible for all products. Vendors may use a Menu Board to list their prices.

Enforcement:

Failure to follow these guidelines will result in:

First violation – a written warning

Second violation - \$25 fine

Third violation – vendor will be suspended from the Market

Emergency Procedure:

There are instances in which an emergency would be called during market hours:

- **Fire:** If you see a fire at the grounds of the Museum, the first thing that should be done is to call 911. After that you should notify any Board member who will take control of the situation.
- **Severe Weather:** Occasionally a weather situation may present itself at the Market. In this situation a Board member will alert each vendor as to the impending weather. The decision to either stay or pack up will be at the discretion of the vendor.
- **Medical Emergency:** If there is a medical emergency, call 911 and alert any Board member.

Nonprofit Guests:

As a nonprofit organization, the market realizes the benefit of getting the word out to the community about what you do. Our nonprofit guests are held to the same guidelines and policies that our regular vendors are held to, please make sure that anyone who is going to be attending your booth is also familiar with the rules.

The distribution of food, for sale or for free, is not allowed. Limited promotional items, such as T-shirts and memberships or the sale of tickets to upcoming events are acceptable, all other items must be disclosed to the market director for approval before they can be sold at the farmer's market. The selling of promotional items by non-profits will cause it to be considered a regular vendor booth and will require a \$30 booth fee.

The Midland Downtown Farmer's Market tries to create an environment where customers and visitors of the market feel welcome and comfortable, and in an effort to create this atmosphere political or religious organizations are not allowed to obtain a booth space.

**Midland Downtown Farmers' Market
Midland, Texas
GUIDELINES AND POLICIES**

The Board of Directors of the Midland Downtown Farmers' Market (MDFM) shall enforce these guidelines and policies. The Board of Directors will interpret these guidelines and policies according to the best interest of the market.

**Midland Downtown Farmers' Market
Midland, Texas
Vendor Contract of Compliance**

Vendor Agreement

By vending at the Midland Downtown Farmers Market all vendors acknowledge and agree to the guidelines and policies of the Midland Downtown Farmer's Market set forth in the application process and the Midland Downtown Farmer's Market Guideline and Policy Handbook. Vendor agrees to release Midland Downtown Farmer's Market and the Museum of the Southwest, Midland Downtown Farmer's Market Board Members and employees, from any and all injury, liability, loss or damages that may occur to property or self while on the Museum grounds. Vendors hereby agree to indemnify and hold harmless Midland Downtown Farmer's Market and the Museum of the Southwest, Midland Downtown Farmer's Market Board Members and employees for any action or liability which may arise from my participation in this event.

I understand that failure to comply with any of these guidelines and policies can result in my termination as a vendor at the Midland Downtown Farmer's Market.

I have read through the entire handbook and understand its contents.

Vendor Signature

Business Name

Date

Vendor Phone Number

Vendor Email Address