

Farmer Markets Permitting

A Farmers' Market Vendor (FMV) permit is an annual permit for a farmer or producer who operates a food establishment at a Farmers' Market within Galveston County. A Farmers' Market Vendor Permit may be purchased by a farmer or food producer for use at all Farmers' Markets in Galveston County. The permit is valid for a period of one year.

Farmers that sell only whole uncut produce, local honey, or packaged non-perishable foods do not need a permit.

Farmers and food producers selling temperature-controlled foods, such as eggs or meats, or preparing food at the market, must obtain an annual FMV permit from the Galveston County Health District (GCHD) and follow the Temporary Food Establishment Operational Requirements below.

To obtain a new FMV permit the vendor must follow these steps:

1. FMV Permit Process:

- Submit FMV permit application – [Online Form - Farmer's Market Vendor \(FMV\) Application \(gchdenvform.org\)](https://gchdenvform.org)
- Pay permit fee – annual FMV permit fee is \$100. Permit fees are non-refundable.

2. Payment of Fees

Fees must be paid during normal business hours: Monday – Friday, 8:00 am to 5:00 pm excluding holidays. We accept cash, checks, money orders or credit cards (Visa, Mastercard or Discover). Fees can be paid in person at our offices located at 9850-D Emmett F. Lowry Expressway, Texas City 77591. Fees can be mailed to: Consumer Health Services, PO Box 939, La Marque, Texas 77568. Fees can be paid over the phone with a credit card by calling 409-938-2411 or 409-938-2319. A 2% convenience fee will be added. You will receive a receipt showing payment.

3. FMV Plan Review Conference:

- GCHD will call to schedule the plan review appointment.
- This appointment is held over the phone.
- The application and operational statement will be reviewed to determine compliance with applicable laws, rules, and regulations.

4. Pre-Opening Inspection:

- A request must be made to GCHD by calling 409-938-2411 for a pre-opening inspection to occur at the next event in Galveston County the vendor will operate at.
- The request must be made prior to the desired inspection date.

Requirements for a Farmers' Market Vendor Permit

A Farmers' Market Vendor Permit is required by GCHD for a farmer or producer selling food at a farmers' market located in Galveston County.

A Farmers' Market Vendor Permit applies to vendors selling the following foods at a farmers' market:

- yard eggs
- temperature-controlled food, or
- food prepared at the market for sale.

Food is defined by law as "An agricultural, apicultural, horticultural, silvicultural, viticultural, or vegetable product for human consumption, in either its natural or processed state, that has been produced or processed or otherwise has had value added to the product in this state.

The term includes:

- fish or other aquatic species;
- livestock, a livestock product, or livestock by-product;
- planting seed;
- poultry, a poultry product, or a poultry by-product;
- wildlife processed for food or by-products;
- a product made from a product described by this subdivision by a farmer or other producer, including a cottage food production operation, who grew or processed the product; or
- produce.

A Farmers' Market Vendor Permit is not needed for:

- Produce sold in its natural state.
- Small honey production operation.
- Pre-packaged foods that do not require temperature control and are prepared at a location permitted by GCHD. These foods must be properly labeled according to state requirements.
- Cottage food that is prepared, packaged, and labeled according to law as defined by the Texas Health and Safety Code §437, and remains packaged for the duration of the event, or
- Samples of food.

A Farmer Market Vendor must comply with GCHD temporary food establishment operational requirements.

Temporary Food Establishment Operational Requirements

A temporary food establishment includes any booth at a temporary event that stores, prepares, packages, serves, or vends unpackaged food and/or drink including ice. These requirements also apply to Farmers' Market Vendors (FMV) per Texas Health & Safety Code §437.

IF ANY OF THE FOLLOWING REQUIREMENTS ARE NOT MET AND CANNOT BE CORRECTED IMMEDIATELY, THE ESTABLISHMENT MUST CEASE OPERATIONS.

- Food must be in sound condition, free of contamination and shall be safe for human consumption.
- Food must be prepared on-site or from an approved and permitted commercial source and not be prepared in a private home.

- Food, including ice, must be stored in clean, sanitized, covered containers, and protected from contamination. Loosely packaged foods may not directly contact ice if water can penetrate the package.
- Time/temperature control for safety foods must be maintained at 41°F or below or at 135°F or above and cooked to the proper temperature.
- The booth must have sufficient equipment to maintain food temperatures. NOTE: FMV must discard food samples within two hours if not held under temperature control.
- A metal stem thermometer must be provided to check food temperatures.
- Food preparation utensils must be durable.
- All items provided for customer use must be single-service items.
- All food contact equipment and utensils, including single-service items, must be protected from contamination.
- The booth must have a ware washing set-up with 3 containers large enough to immerse the largest piece of equipment, sanitizer available on-site, to wash, rinse, and sanitize food contact equipment and utensils.
- The booth must have a handwash set-up with warm water in a spigot container, soap, paper towels, and catch pan.
- Booths selling only commercially pre-packaged foods in their original containers are exempt from a handwash set-up.
- Disposable gloves and hair restraints must be provided for all booth staff.
- A temporary food establishment operating under the jurisdiction of GCHD is not required to obtain a food handlers card or a certified food manager certificate. If the food vendor is associated with a 'bona fide' cooking demonstration for educational purposes, the farmers' market must have a certified food manager. A bona fide educational purpose means the cooking demonstration is done in good faith and with earnest intent to instruct and educate.
- No one shall eat or smoke while preparing food. You may drink if the liquid is in a covered container.
- Water must come from an approved source for food preparation, handwashing, ware washing, and sanitizing.
- Waste disposal facilities or containers must be provided to retain all liquid and solid waste and wastewater.
- Toilets must be available.
- The booth must be covered to protect it from weather, windblown dust, birds, and debris.
- All food preparation and contact surfaces must be protected from contamination by the public and pests.
- The booth floor must be free of water accumulation on a non-absorbent, hard surface (concrete or asphalt) unless covered by mats, removable platforms, or duckboards to control dust and mud.