



Harris County Public Health

Building a Healthy Community

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Requirements for a Farmers' Market Vendor's Permit

A Farmers' Market Vendor's Permit (Food Establishment Category E) is required from Harris County Public Health (HCPH) when the market is located in any unincorporated area of Harris County or a city whose food establishments are inspected and permitted by HCPH. A Farmer's Market Vendor's Permit applies to vendors selling the following foods at a farmer's market:

- yard eggs or any pre-packaged food* that are required to be under temperature control, and/or
- food* that is prepared or processed at the farmers' market

*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:

- (A) fish or other aquatic species;
- (B) livestock, a livestock product, or a livestock by-product;
- (C) planting seed;
- (D) poultry, a poultry product, or a poultry by-product;
- (E) wildlife processed for food or by-products;
- (F) a product made from a product described by this subdivision by a farmer or other producer who grew or processed the product; or
- (G) produce."

A Farmer's Market Vendor's permit is not applicable for the sale of any unwrapped food and for the sale of any potentially hazardous food that is not prepared or processed by a farmer or other producer, such as hamburgers, tamales, and shaved ice. A temporary event permit must be purchased for these food items.

Requirements for a Farmers' Market Vendor's Permit (Food Establishment Category E):

- A Farmer's Market Vendor's Permit is only valid at a Farmer's Market that is fifty-one per cent or more Farmer's Market Vendors.
- At any given time, a farmers' market vendor's permit may apply to only one booth regardless of location. Copies of the farmers' market vendor's permit will not be considered valid.
- Any preparation and distribution of food must be conducted according to the handout "Sanitation Guidelines for Temporary Events."
- A valid and current manufacturer's license, when required, must be provided upon request.

A Farmers' Market Vendor's permit is not needed for:

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

The Farmers' Market Vendor's permit is:

- Valid for one year.
- Valid only at farmers' markets as defined by the "Rules for the Regulation of Food Establishments, Harris County, Texas", approved January 2014.

To obtain a Farmer's Market Vendor's permit:

- An HCPH food investigator will inspect your booth at a farmers' market. A permit application will be issued if the booth passes inspection and a copy of the state manufacturer's permit is shown (when required by the state). Call (713) 274-6300 to request a permit inspection.
- Mail the permit application and the \$125 fee (check, money order or cashier's check) **or** pay in person (cash, check, money order, cashier's check or credit card) at HCPH Environmental Public Health, 101 S. Richey, Suite G, Pasadena, Texas 77506, Monday through Friday, 8:00am -4:00pm.

Permits purchased with a personal or company check will be held for four weeks prior to issuance.

** References to law may be found in the Texas Health and Safety Code, Ch. 437.

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