



Lake County Farmers' Finest Certified Farmers' Market Procedures, Rules & Regulations

Market Procedures

- Sellers will have 90 minutes set up and 60 minutes break down time.
- No vehicles will be allowed into or out of the market area 15 minutes prior to opening.
- Vendors must be set up and ready to sell at the start of the market.
- **Any vendor vehicle not permanently secured in their stall space and/or is still being unloaded within 15 minutes of farmers' market opening may be fined in the amount of fifty dollars.** This is for the safety and convenience of our customers and vendors.
- Reserved space may be released to another seller if scheduled seller has not arrived 30 minutes before the market starts.
- **Each vendor must clearly display the name of their operation, applicable certificates and licenses, as well as clearly label the contents and prices of all products.**
- The seller is responsible for paying their booth fee at the end of each market day.
- To ensure fair access to all customers and for the safety of everyone, **no vendor may start to break down or leave prior to closing time.**

Application Procedure

- **Priority is given to Lake County farmers. Out of county agricultural producers may only supply products not readily available in Lake County and only per prior agreement.**
- Entry requirements may differ according to category of seller (Producer, Food Vendor, Artisan/ Crafter, Educational/ Non-profit)
- Selling privileges are contingent upon receipt of all requested documents and Market Manager approval.
- With due notice, seller agrees to allow a representative from LCFF to visit their farm or other location to verify rule compliance.

Rules and Regulations

LCFF Certified Farmers' Markets are operated under the guidance and direction of Lake County Farmers' Finest, and in accordance with regulations established in the California Code of Regulations (CCR): Title 3; Division 3; Chapter 1; Subchapter 4; Article 6.5; Section 1392, on Direct Marketing.

A. Qualifications to sell at a LCFF Certified Farmers' Market:

1) Certified Producers:

- a) Must possess a current Certified Producer Certificate issued by the Agricultural Commissioner in the County of production to sell at the LCFF/CFM. All products for sale must be listed on the certificate, properly embossed and endorsed.

- b) Must possess a current Seller's Permit from the California State Board of Equalization to sell taxable items at the LCFF/CFM.
 - c) Must produce what they sell and possess a second certificate if selling for another producer.
 - d) Must agree to all the *Rules and Regulations* of the LCFF/CFM.
- 2) Dual Sellers;** a certified producer and/or employee may sell for no more than two certified producers per market, provided the following criteria are met:
- a) **Must be approved by market manager prior to market.** Current embossed copies of ALL pertinent Certified Producer Certificates are given to the market manager prior to opening of the farmers' market.
 - b) The agricultural products are separated and identified by each certified producer's certificate at the Point of Sale, and their names must appear on each other's Producers Certificate.
 - c) The certified producer selling with a second certificate is offering certified agricultural produce of his/her own, of a volume greater than the other producer (by weight or \$ value, determined at the start of the market.)
 - d) *Commissions and sales between certified producers are prohibited.* Payment for selling must be a **flat fee**. (Producer must keep records of second certificates for three years, listing amount sold and date of sale).
- 3) Non-Certified Agricultural Producers (Farmers, Fishers and Specialty Food Purveyors):**
- a) Must possess current Seller's Permit from the California State Board of Equalization to sell taxable items at the LCFF/CFM.
 - b) Must agree to all the *Rules and Regulations* of the LCFF/CFM.
 - c) May only sell products that are minimally processed, and containing only natural ingredients. Products must have appropriate labels with seller's name and address and with ingredients and weights listed prominently. Low acid, canned foods are not permitted.
- 4) Non-Agricultural Vendors:**
- a) Must possess current Seller's Permit from the California State Board of Equalization to sell taxable items at the LCFF/CFM.
 - b) Must agree to all the *Rules and Regulations* of the LCFF/CFM.
- 5) Artisans/Crafters:**
- a) Must possess current Seller's Permit from the California State Board of Equalization to sell taxable items at the LCFF/CFM.
 - b) Must agree to all the *Rules and Regulations* of the LCFF/CFM.
 - c) May only sell high quality, original art or crafts, which they have produced themselves.
 - d) No employees may sell for them.
- 6) Non Profit Organizations:**
- a) Must apply one week in advance for space in the non-agricultural area of the market.
 - b) Must provide proof of non-profit status.
 - c) May engage in sale of products for fund raising purposes and with prior approval only, provided that the product complies with all rules and regulations.

B. Space and Entry Considerations

1) Attendance, Reservations, and Cancellations

- a) In keeping with the “Producer to Consumer” philosophy, farmers will have first priority in sales space at the LCFF/CFM. A certain number of spaces will be reserved for specialty food purveyors who prepare and process high quality foods. **Cancellations should be made at least one week in advance in consideration of the LCFF/CFM desire to present a filled and diverse market place for shoppers.**
- b) Producers/Sellers must notify the market manager if they will not be attending the farmers’ market, no later than 24 hours in advance of a scheduled market.
- c) Failure to do so will result in a \$10.00 assessment, to be paid prior to returning to market. In case of illness or prohibitive weather, the fee will be waived (at the market manager’s discretion); however, some form of explanation must follow as soon as possible.

2) Market Product Supply

- a) **Market manager has discretion over number of vendors and supply of products allowed at LCFF Certified Farmers’ Markets.**
- b) Highest priority is given to Lake County growers and producers. **Admittance to producers from outside Lake County is limited and only to provide the diversity we need for a complete farmers’ market.**
- c) The seller’s location, space size, and other considerations are at the market manager’s discretion. Considerations include the seller’s customer relationship, the product mix, customer flow, promotion and seniority. Any dispute may be referred to the LCFF Board of Directors.

3) Booth Display

- a) Name of operation and all required permits and licenses shall be displayed prominently during market hours.
- b) Producer must be able to show that a processed product is of producer’s original production.
- c) **Scales used must be approved commercial and sealed yearly by the County Sealer (Office of Weights and Measures).**
- d) Market manager may suggest alternative displays to improve individual and overall appearance.
- e) **Prices must be clearly posted.** *Collusion or any pressure among sellers to alter prices is strictly prohibited.*
- f) Packaged products must be labeled with producer’s name, address, weight and all ingredients.

4) Health and Safety

- a) LCFF Certified Farmers’ Markets are conducted in accordance with Local, State, and Federal Laws and Ordinances. **Sellers should be familiar and in compliance with all health and safety codes.**
- b) Every secured stall must have a trash box.
- c) No display tables may be filled over carrying capacity. Table legs must be secure and items on display must be stable.
- d) All food items must be kept a minimum of 6" off the ground (CCR: Section 27831)
- e) Seller’s truck, tables, and merchandise must be within the space and not impede the pedestrian flow.
- f) **Smoking is not permitted within 20’ of any food and food consumption during Market hours (California State Health and Safety Code).**

- g) All Sellers should have Product Liability Insurance. LCFF does not provide any coverage for vendors.
- h) **No live animals, birds, or fowl may be allowed within 20' of any area where food is stored or displayed (California State Health and Safety Code).**
- i) Food preparation (except trimming) within the LCFF/CFM area is prohibited (California State Health and Safety Code).
- j) Processed foods must be processed in an approved facility, packaged and labeled under clean, sanitary conditions.
- k) **Sampling:** Samples must be kept in a clean, covered container approved by Environmental Health (such as clear plastic with hinged lids or clear dome covers). Clean, disposable gloves must be used in preparing samples on a smooth, non-absorbent, cleanable surface. Utensils and cutting surfaces must be washed and sanitized (one capful of bleach per gallon of water).

C. Required Documents (where applicable)

- 1) **Certified Producer Certificate** - issued by the County Agricultural Commissioner, which permits producer of fresh fruits, vegetables, nuts, shell eggs, honey, flowers or nursery stock to sell such commodities at the Certified Farmers Market. The producer must practice the agricultural arts upon land, which the producer owns, rents, leases, and/or share crops. Producers of fresh fruits, nuts, and vegetables are exempt from standard pack, container, and labeling laws during transport to and sale at a Certified Farmers Market. Producers are **not exempt from maturity and quality standards.**
- 2) **Food Industry Health Permit** - issued by the California Environmental Health Department to food processor for a specific location where food preparation occurs when goods are intended for **retail sale.**
- 3) **Food Registration Permit** - issued by the California Department of Health Services' Food and Drug Branch to manufacturers of food products for a specific location where food preparation occurs when goods are intended for **wholesale distribution.**
- 4) **Nursery License** - issued by the County Agricultural Commissioner for the growing, propagation and sale of plants intended for outdoors.
- 5) **Vending Vehicle Permit** - issued by the Lake County Environmental Health Department to authorize the transport and sale of highly perishable foods, fresh fish and seafood, dairy products, poultry and meats.
- 6) **Egg Shell Registration Number** – issued by the state to all egg producers intending to sell.

D. Market Terms

- 1) **Artisan / Crafter** - an artist, sculptor, or person who, through the practice of the applied arts, creates original art or craft works.
- 2) **Certified Farmers Market** - a location authorized by the County Agricultural Commissioner where certified agricultural producers of fresh fruit, vegetables, nuts, shell eggs, honey, flowers, plants and other agricultural products sell directly to consumers, exempt from standard packaging and size regulations, but not maturity and quality standards.
- 3) **Certified Producer** - a person who produces fresh fruits, vegetables and nuts upon land, which they control and is authorized by their County Agricultural Commissioner to sell at the Certified Farmers Market.

- 4) **Commercial Seller** - a person who sells goods or services under special conditions and approval.
- 5) **Farmer**: a certified producer or a producer of agricultural products or a person who produces fish or shellfish in waters, which they also control.
- 6) **Agricultural Products** - include fresh fruits, nuts, fresh vegetables, cut flowers, nursery products, apiary products, poultry and meat products, viticulture products, dried fruits and vegetables, juices, jams, and other processed products.
- 7) **Fisher** - a person or entity who sells fish or fish products under special conditions and approval.
- 8) **Producer** - a farmer, fisher, food purveyor or artisan as above.
- 9) **Seller** - any producer, persons, and employees authorized by the producer to sell items at the LCFF/CFM.
- 10) **Specialty Food Purveyor** - a person who, through the practice of the culinary arts, manufactures prepared foods.
- 11) **Additional Terms**:
 - a) **Employee**: with the exception of members of the immediate family, a person employed by the seller on a regular basis, or part time, not including any person whose compensation is based primarily on a commission on sales (CCR: Section 139.2).
 - b) **Food Preparation**: packaging, processing, assembling, portioning or any operation that changes the form, flavor or consistency of food, but does not include trimming of produce. This includes but is not limited to juices, jams, flavored nuts, nut butters, baked items, dairy products and cleaned fish (CCR: Section 275220).
 - c) **Immediate Family**: parents, children, grandparents, grandchildren (of the certified producer); and in addition, any other family member residing in the producer's household (CCR: Section 1392.2).

E. Standards of Conduct

- 1) Sellers must be honest and conduct themselves in a courteous and business-like manner.
- 2) Rude, abusive, offensive, or other disruptive behaviors are not permitted. Everyone must treat others with common courtesy and respect.
- 3) Yelling, hawking, swearing, name calling, and slanderous remarks or behavior will not be allowed at the Market.
- 4) No individual shall be subjected to harassment on the basis of race, color, religion, gender, sexual orientation or origin.
- 5) Sellers are expected to dress in an appropriate manner including shirts, shoes or sandals.
- 6) Harmful remarks about producers, sellers, or the LCFF Board of Directors, Market Manager, and/or designated agent(s), customer(s) and employees are subject to legal liability. Complaints should be directed to the Market Manager or the LCFF Board of Directors.

F. Right of Refusal

The LCFF Board of Directors shall have final authority regarding the number and scope of products offered at the Farmers' Markets.

G. Non Compliance

Producers/sellers who fail to comply with the California Direct Marketing Regulations, any laws or regulations, or LCFF/CFM *Rules and Regulations* set forth herein, may forfeit their right to sell at the LCFF/CFM. Unreasonable or outrageous conduct considered detrimental to the welfare of the market may result in the immediate removal of the producer/seller from the market. If possible and reasonable under the circumstances, the market manager must attempt to give adequate warning and notice of consequential action prior to the actual action of removal or other disciplinary action.

The Lake County Agricultural Commissioner may, at any time, initiate a notice and hearing process to determine whether a violation of these provisions has occurred. The hearing process may review the actions of the Certified Farmers' Market Certificate Holder(s), Certified Producers and Certified Farmers' Market participants. The Lake County Agricultural Commissioner may deny, suspend, or condition a producer's certificate when violations are determined. The person or Certified Farmers' Market attested may appeal the Agricultural Commissioner's decision to the Secretary of Food and Agriculture. This action must be taken within a 30-day period of decision.

H. Penalty

Penalties for violating LCFF/CFM *Rules and Regulations* may include fines or suspension of privileges. Verbal warnings will be followed with written warnings for any violation prior to a fine or market suspension. The market manager has the authority to impose an immediate fine and/or suspension in the case of unreasonable or outrageous conduct considered detrimental to the welfare of the Certified Farmers' Market.

Any person aggrieved has the Right to Appeal to the LCFF Board of Directors. A written decision will follow within 30 days of receipt of written complaint.

I. Indemnification

Producer/seller agrees to indemnify and save harmless the LCFF Board of Directors, LCFF Committees, Market Manager, agents, servants, and employees from any damage, injury or loss to any person or persons, including, but not limited to the producer/seller and persons to whom the producer/seller may be liable under the Worker's Compensation Law, and from any loss of property, goods or merchandise, caused by, arising out of, or in any way connected with the producers/sellers' use of the privileges herein granted.

J. Vendor Acknowledgment and Understanding

Vendors' signature on the LCFF/CFM Registration Form **formally acknowledges receipt and review** of these LCFF/CFM *Rules and Regulations*; and further more, **agrees to abide by them** pursuant to the interpretation of the LCFF Board of Directors, Market Manager, and designated agents.