Healdsburg Certified Farmers' Market Rules and Regulations

I. Purpose of Healdsburg Certified Farmers' Market (HCFM)

A. The HCFM is primarily a FARMERS' market for the benefit of growers and producers of agricultural products, and for the benefit of consumers.
The HCFM is a Mutual Benefit, Nonprofit Corporation.
The purpose, as stated in the Bylaws, is to plan, maintain and protect the Healdsburg Certified Farmers' Market, which:
-Provides for the direct marketing of high quality, reasonably priced produce for the benefit of producers and consumers.
-Educates the public so they will understand the importance of supporting local, sustainable agriculture, and preserving the agricultural heritage and character of the City of Healdsburg and the surrounding community
-Raises awareness of the health benefits provided by the growing and availability of fresh, seasonal produce to the individual and the community.

B. The Governing Body (Board of Directors), and its designated agents (Market Manager) shall implement and enforce all California Department of Food and Agriculture, Certified Farmers' Market Rules and Regulations, and HCFM Rules, in a fair and equitable manner.
C. The HCFM rules may be more stringent than state regulations, provided they do not violate or conflict with any state law or regulation.

II. Admission to HCFM

A. Admission to the HCFM, as well as allocation of spaces within the market, will be determined in a fair and equitable manner by the market manager, and with accountability to the Board of Directors, using the following considerations in the order of their importance:
1. Seniority based on prior admission to HCFM
2. Overall balance of products sold at the market
3. Compliance with Dept of Agriculture and all other State, County, City, and HCFM rules
4. Compliance with safety and insurance requirements
5. Preference given to locally grown/produced products
6. Seasonal availability of produce

B. The Market Manager, on behalf of the Market Board and in accordance with the purpose of the HCFM (as stated in the Bylaws), has the right to deny admission to vendors, and any other party wishing to occupy space at the market, in order to uphold the stated purpose of the HCFM.

C. Application to become a Qualified Seller:
1. Potential sellers who have not previously been admitted to the market may apply before the deadline without permission. After the deadline any new vendor must have authorization from the manager to apply.
2. Sellers who have been previously admitted to the HCFM must reapply annually and submit a completed Application Form along with the following:

- Signature on page 3 of the application, promising to read, and agreeing to adhere, to these HCFM
- Rules and Regulations.
- An application fee of $30. After March 15 the fee is $45.
- The fee is non-refundable.
- Copies of **current** Certified Producers Certificate (C.P.C.) and all other necessary certificates, licenses,
- and permits. (Refer to checklist in the application packet)

3. All sellers must sell at the stall space designated by the manager.

III. The Following Rules and Regulations Apply to All Sellers in the following categories:
1. Certifiable Producers
2. Non-Certifiable, Agricultural Producers
3. Non-Certifiable, NON-Agricultural Vendors (food vendors)
4. Crafts Vendors

A. At Your Stall
1. All scales must bear from the county of origin, a current seal from the Department of Weights and Measures.
2. All scales must face the customer.
3. All prices will be clearly posted. Collusion among sellers to raise prices or any attempts to influence a seller to increase prices is strictly prohibited.
4. All necessary certifications will be conspicuously posted.
a. All producers participating in the Certified Farmers' Market must post conspicuous signage stating the ranch or farm name, the production county, and a statement that clearly represents that the producer is only selling products that they have grown or raised.
b. Products sold under a 2nd Certificate shall have signage from each vendor represented in direct relationship with the sale display of that farm.
c. With the exception of berries, all items must be sold by weight or by piece.
No bagged or packaged items may be sold without a label or placard stating quantity or weight.
5. No bagging or selling of product until market officially opens at 8:30 a.m. on Saturdays.
6. Sellers must maintain their stall space in a clean and sanitary condition.
7. Per county regulations containers used on display tables in the sale of any produce must have all words of misidentification obliterated.

B. Issues of Safety
1. Any seller not at their stall space 30 minutes BEFORE the opening of the market must off-load from the customer parking aisles.
2. Sellers will NOT move their vehicle within the market until the market is over and it's safe to do so.
3. Sellers have the responsibility for the safety and behavior of their own children.
4. Public Health dictates the following regarding sampling of products:
a. Keep samples in clean, covered containers.
b. Use toothpicks to distribute samples.
c. Have garbage pail for peels and pits.
d. Use clean, disposable plastic gloves when cutting produce for samples.
e. Produce intended for sampling should be washed and free of dirt.
f. Utensils and cutting surfaces shall be washed and sanitized with chlorine solution of one Tablespoon or capful of liquid bleach per gallon of water.
g. Cutting surface shall be smooth, non-absorbent and cleanable.
5. Dogs and other pets are not allowed in the market.
6. Public restroom facilities with hot water for washing hands are available for growers and are located in the Healdsburg Hotel and the Swenson Bldg.
7. Sellers must be aware of the appearance and safety of canopies, umbrellas, tables, and sandwich boards. All of these items must be within the allotted stall space, and shall not extend into the aisle beyond the line or neighboring vendors. Where canopies extend beyond the **10 ft. wide stall space**, the seller must work with neighbors in that section.

C**. Dealings with Each Other**

1. Civility: Sellers, consumers and management are expected to maintain high standards of honesty and to conduct themselves at all times in a courteous and helpful manner. Unreasonable or outrageous behavior is grounds for suspension from the market.
2. Intoxication or conspicuous consumption of alcohol by a seller at market is prohibited.
3. Sellers must notify the manager (707 529-4884) if he/she will not be selling at the next market for any reason, including lack of product to sell.

Notification must be given no later than 24 hrs before 8:30 on Saturday. Failure to do so will result in a $30.00 empty stall fee to be paid by check and mailed to the manager before vendor may return to good standing as a vendor at the market.

4. Stall fees shall be set by the HCFM board and collected by the manager before the close of each market, and no later than 45 minutes after the close of each market. Receipt for fee shall be given to the seller from the manager.
5. Seller will accompany fee with the Load List/Space Reservation form distributed weekly by the manager.

IV. Certified Producers

Fresh fruits, nuts and vegetables, shell eggs, honey, nursery stock, and cut flowers.

A. State regulation (AB 593) stipulates that Certifiable Producers must complete the back of the load list with the following information:

a. identity of each product sold as it appears on the C.P.C.
b. quantity of each product sold at the market.

B. The manager must keep the load lists for not less than eighteen months.

C. No peddling of products uncertified, or certified in violation of California Direct Marketing Law. Violators will be referred to the Department of Agriculture and either fined, suspended, or both.

D. Any person selling organic products, or representing products as organic at a certified farmers' market, shall conspicuously post at the point of sale a photocopy of his or her current State of California Organic Registration and, if applicable, documentation of his or her Organic Certification. Prior to posting organic documents, it is permissible to conceal from public view acreage and dollar amounts pertaining to annual sales. A complete photocopy of the original, unaltered, current organic document(s) shall, upon the request of an enforcement officer, be made available for review at any time during participation in a certified farmers' market.

E. Second Cert or Third Cert: A certified producer (First CP) or his/her employee can sell for one or two, but no more than two, other certified producer(s) (2nd or 3rd CP) per year, provided the following criteria are met:

1. The agricultural products are separated and identifiable by each certified producer's valid certificate at the point of sale.
2. The certified producer selling with a second certification is also offering agricultural produce of his/her own, which is of greater volume than that of the second and third certificate product.
3. Prior to sale, the market manager has obtained written authorization verifying that the certified producer selling on behalf of the second has authority to do so.
4. Current copies of ALL pertinent certified producers' certificates are given to the market manager prior to sale.
5. The producer applying for certification shall obtain and submit to the Ag. Commissioner, prior to certification, written permission from said other CP to sell on their behalf. Provide county agricultural commissioners with copies of second or third certification, written authorization letters, and, if forming partnerships or leasing property, copies of agreements.

F. If you sell eggs, a Copy of the Egg Handlers permit must be submitted with application. It may be obtained at www.cdfa.ca.gov/ahfss/mpes/esqm.html

G. If you sell cut flowers and nursery stock, a Sellers Permit from the SBE must be provided

V. Non-Certifiable, Agricultural Producers (Dairy Products, Olive Oil, Fish, Meat, Preserves)
A. Processed foods (Non-certifiable agricultural products) may be sold at the HCFM.
This group is also under the purview of the CDFA, and includes processed products from certified agricultural products such as fruit and vegetable juices, shelled nuts, and jams and jellies. It also includes farmed fish including catfish, trout, and oysters from controlled aquacultural operations, livestock and livestock products, and poultry and poultry products.
Though these products are not "certified," they must have been produced or derived from plants or animals raised or produced by the producer. These processed products may include, or have added to them, a limited number of ingredients or additives, which act only as preservatives or are essential in the preparation of the product. Examples include pickles and cucumbers in a brine or vinegar solution for curing or pickling, natural smoking of meat or poultry for drying and preserving, flavorings such as smokehouse, hickory, or jalapeno added to shelled nuts which do not change the visual identity of the product, sulfites added to dried fruits and vegetables, and sugar, fruit juices, and pectin added to fruits to make jams and jellies.
B. Sellers of Processed foods must:
1. Comply with production requirements of the Sonoma County Health Code.
A copy of Sonoma County Dept. of Public Health Services Permit
or a letter with that department's determination of which stamps or other permits are
needed to sell your product at a CFM must be provided to the manager.
Please contact 707-565-6514.
2***. Certified Producers (with a CPC) who have preserves or olive oil produced by a facility may provide the State Registration from that facility in lieu of the RFFP***.
3. Display Public Health Permits at point of sale.
4. Provide a copy of the Certified Producer's Certificate for the Certifiable Agricultural Products
from which the processed foods are derived, and also display this CPC at point of sale.
5. Provide a copy of Product Liability Insurance-minimum $1,000,000 coverage.
The Declarations Page must name the HCFM as Additional Insured
6. Provide a list of agricultural products and when they will be available
VI. Non-Certifiable, NON-Agricultural Producers (PREPARED FOOD)
Ready to eat food, including Bread and other baked goods
A. Prepared, ready to eat foods (Non-Certifiable, Non-Agricultural products) may be sold at the HCFM.
This group of sellers does not grow or raise the ingredients for their products. Therefore, they must understand that priority is given to Certifiable Producers, and Non-Certifiable, Agricultural Producers, and must be willing to move their stall spaces as more space is needed for Certifiable Producers, and Non-Certifiable, Agricultural Producers during the harvest seasons.
B. Sellers of prepared foods:
1. Comply with production requirements of the Sonoma County Health Code.
A copy of Sonoma County Dept. of Health -Retail Food Facility Permit
must be provided to the manager. Please contact 707-565-6514
2. Display Public Health Permits at point of sale.
3. Provide a copy of $1,000,000 Product liability insurance: ***The Declarations Page must name the HCFM as Additional Insured***
4. Source as much of their produce as possible from:
    1) Certifiable Producers selling at the HCFM
    2) Growers from the Healdsburg area.
    5. We encourage you to provide a prominent display, listing all the local sources of ingredients.

VII. Non-Certifiable, NON-Agricultural Producers (**CRAFTS**)

A. During the growing season, a few stalls may be assigned, at the discretion of the market manager, for agriculturally related items, i.e. basketry, wreaths, woodwork.
The number should not exceed five stalls.
B. A flat fee of $30.00 will be charged for each stall space.
C. The months of October - December is our Arts & Crafts Fair at the Saturday Market. Craftspeople should consider applying for that month.
D. All art and craft must be made by the applying artist alone, or in small production. No imports. No manufactured goods. Reps are allowed to sell for you. There is a place to put their name on the application.
E. Craft vendors must provide the manager a copy of their State Board of Equalization (SBE) Permit along with the complete application form.

VIII. Non-Profit Organizations

A. A maximum of three Non-Profit, non-political community groups (Healdsburg, Geyserville), which are ag-related or school related, shall be allowed at the market when space is available, and at the discretion of the market manager.
B. Any approved group must abide by the market rules, particularly Section III A and B regarding safety and proper conduct.
C. Approved groups shall confine their activity to their assigned space.
D. Cars belonging to Non-Profit volunteers must be parked in the lot north of City Hall.
E. Materials must be unloaded before 8:30 am.
F. No vehicles may enter the market area after 8:30 am and before 12:30pm.

IX. Violations and procedure for the removal of Seller from the HCFM

A. Whenever the market manager, in good faith, believes a seller has violated the rules and regulations of the HCFM, State Direct Marketing (CDFA) or the County of Sonoma Dept. of Health, the manager will issue a verbal warning to the seller along with a written confirmation to the seller and the HCFM Recording Secretary. The recording secretary will then notify the HCFM Board members.
B. If the violation continues, the manager will issue a second verbal warning to the seller along with a second written confirmation to the seller and the HCFM Recording Secretary. The recording secretary will again notify the HCFM Board members. The Board may then suspend the seller for one market day.
C. Upon subsequent violation, the HCFM Board may indefinitely suspend or revoke theprivilege of the seller.
D. The seller may appear before the HCFM Board to appeal the removal or suspension at a hearing to be scheduled by the board.
E. Outrageous behavior, intoxication or refusal to comply with the manager and/or market rules is grounds for immediate loss of privileges to sell at the market for the day. The seller will be expected to remain parked in their assigned space until the end of the market.
F. Any serious violation will be reported to the CDFA, the County Agriculture Commissioner, or the Sonoma County Dept. of Health, as appropriate.