

# Sebastopol Farmers Market Rules & Regulations 2024

## Section I: PROCEDURE TO BECOME AN APPROVED VENDOR

1. Obtain all necessary certificates/permits/licenses/registrations. (See Section II below for specific requirements.)
1. Submit a Sebastopol Farmers Market Application to Sell annually and have permission from the Board and the Market Manager to sell.
2. Provide copies of all relevant certificates to the Market Manager.
3. Read and agree to abide by these Rules and Regulations as well as those applicable regulations of the City of Sebastopol, the County of Sonoma and the State of California.
4. New vendors will, after obtaining Market Manager and Board approval to sell, sign a contract with the Market Manager. New vendors will be subject to a 90 day probationary period during which time the Market Manager and/or Board may terminate the new vendor's right to sell for any reason.

## Section II: CERTIFICATES/PERMITS/LICENSES

1. **Farmers** must obtain a **Certified Producers Certificate (CPC)** from the Agricultural Commissioner's office in the county of production naming Sonoma County as a point of sale.
2. **Organic Farmers** must obtain an **Organic Registration Certificate** from the County Agricultural Commissioner's office in the county of production. Organic Farmers who sell more than \$5,000 annually must **also** provide evidence of Organic Certification by a registered, qualified third party certifying agent.
3. A **Nursery License** must be obtained from the County Agricultural Commissioner's office in order to sell nursery stock.
4. **Scales** must bear a current seal from the Department of Weights and Measures.
5. **Second Certificates** are not permitted at the Sebastopol Farmers' Market.
6. An **Egg Handlers Permit** is required for egg sales.
7. A **Health Department Permit** is required in order to sell processed food products, including, but not limited to, jams, preserves, breads, prepared foods, etc.
8. A **City of Sebastopol Business License** is required of all vendors. Applications are available from the Market Manager or at the City's business office, which is located at 7120 Bodega Avenue, Sebastopol.

## Section III: MEMBERSHIP and FEES

**Memberships** are renewed annually. Memberships are offered to vendors according to the following criteria:

1. Due after 90 day probationary period with approval of Board of Director  
History of a mutually positive and productive relationship with the Market;
2. Consumer demand;
3. Need for product(s) in the general Market mix;
4. Space availability

<b>Membership Renewal Fees</b>	\$55 per season year
<b>Application Fee</b>	\$10 per application (required of all applicants)

<b>MEMBER STALL FEES</b>	
<b><u>Ag. &amp; Processed Foods</u></b>	<u>\$15 per week</u>
1/2 space full space	\$30 per week
Additional space	\$28 per week
<b><u>Crafts &amp; Services</u></b>	
1/2 space	\$15 per week
full space	\$26 per week
<b><u>Prepared Food</u></b>	
full space	\$48 per week
	Probationary Vendors add \$5.00 per space per week.

**Section IV: NON-AGRICULTURAL PRODUCTS including Wild-Caught Fish, Arts & Crafts, Cottage Industry Products, Processed Foods, Services**

1. The Market Manager at his discretion with direction from the Board may permit the sale of products in this category in a separate section of the Market.
2. Vendors in this category are not to exceed 50% of the total number of Market vendors. Exceptions to this percentage may be permitted from time to time at the discretion of the Market Manager.
3. Craft products shall be handmade by the vendor, or at least ethically sourced.
4. The cottage industry, shall be handmade by families or small community-based producers.
5. Processed/prepared foods shall be created and manufactured by the vendor.
6. For fresh fish vendors: Fish caught in California is preferred. Threatened or Endangered species are not permitted.
  1. Only fish caught in season from the waters of California, Oregon, Washington and Alaska are allowed. Fish which are local to us are halibut, king salmon, flounder, petrale and other soles, sand dabs, smelt, black cod, rock cod, ling cod, catfish, a smattering of albacore at times, some oysters, Dungeness crabs, small cocktail shrimp, spotted prawns.
  2. Endangered, threatened or rare species, including fish not recommended by the Monterey Bay Aquarium Seafood Watch guide, are not allowed.
  3. Fish mongers who catch their own fish are preferred. Fish vendors are required to provide weekly landing receipts.
  4. Fish mongers who broker their products are required to provide wholesale receipts of their products and must display signage informing customers that product is brokered.
  5. Farmed fish is only allowed when labeled clearly "Farmed Fish"

**Section V: GUIDELINES FOR ANIMAL PRODUCT PURVEYORS VENDORS**

These guidelines apply to all vendors who:

- raise meat and/or other animal products for direct sale to the public;
- purchase meat and/or other animal products directly from a farm or from a cooperative or distributor for the purpose of preparing value-added products including sausage, cheese, butter, yogurt and/or meats that are cured or preserved;
- cook and serve prepared animal products on site.

**The intention of this Rule is for each purveyor vendor to reach towards the highest standard of quality for production and sales.**

1. Those who raise animals for sale should:
  1. Raise the animal for at least 3/4 of its life.
  2. Avoid the use of antibiotics. Medicated feed is not permissible.
  3. Dispose of animal wastes in a responsible way.
  4. Minimize erosion or runoff from animal wastes and grazing.
  5. Treat animals with respect and dignity. Implement and adhere to Brambell's Freedoms (named for Professor Roger Brambell from England):
    1. Freedom from hunger and thirst – provide ready access to fresh water and a diet to maintain full health and vigor.
    2. Freedom from discomfort – provide an appropriate environment including shelter and a comfortable resting area.
    3. Freedom from pain, injury and disease.
    4. Freedom to express normal behavior – provide sufficient space, proper facilities and company of an animal's own kind.
    5. Freedom from fear and distress – ensure conditions and treatment that avoid mental suffering.
1. Farmers are not permitted to buy and sell meat products raised or produced by others (brokering).
2. Those who purchase meat and/or other animal products for processing and reselling as a Market product, AND/OR who cook and/or serve prepared animal product offerings onsite during the Market should:
  1. animals should originate from sustainable farms that adhere to high animal husbandry standards. It is imperative to refrain from selling animals sourced from concentrated animal feeding operations (CAFOs).
  2. Provide documentation of sources when requested by the Market Manager or Board of Directors.

## **Section VI: HEALTH DEPARTMENT**

**Food Sampling Rules:** Sampling should be done in such a way that prevents customers from touching, coughing, or sneezing on food meant for others. Complete guidelines for sampling are available from the Market Manager or the Health Department. The following procedures are most important:

1. Keep samples in clean, covered containers, or hand samples directly to the customers using toothpicks, squeeze bottles or disposable utensils.
2. Hand washing facilities, with single service soap and paper towels, must be available for use by vendor.
3. Discard all samples held above 45°F for longer than 30 minutes.

## **Section VII: MISCELLANEOUS RULES**

1. Certificates, Permits, Licenses must be prominently displayed.
2. The **price** of every item you sell must be **visibly displayed**. Collusion among vendors to set or raise prices or any attempts to influence a vendor to increase prices is prohibited.
3. Notification of Absence – Except in cases of emergency, every vendor is **required to notify the Manager no later than 24 hours before the Market** if he/she will not be selling. If you fail to notify, **you may be charged for the stall space**, at the discretion of the Market Manager.

4. Arrival and Departure – Vendors must be in their space **no later than 8:30 a.m.** Vendors who do not arrive on time may, at the discretion of the Market Manager, lose their stall space for that day. The Market closes at 1:30 p.m. Vendors **may not vacate their stall space until 1:45 p.m.** Under certain circumstances, with the permission of the Market Manager, vendors may leave the Market early.
5. Envelopes must be submitted to market managers no later than 1:40 pm.
6. Product Storage and Labels – Farm products must be stored at least 6 inches off the ground. You may transport and store farm products in used boxes, but any containers that are displayed on your table must bear your own label. All other labels must be obliterated.
7. Eggs must have a label which specifies your name, address, telephone number, egg handler's registration number, size, the harvest, sell by, and Julian dates.
8. Load Lists – Certified farmers and meat and cheese producers must provide the Manager with a load list for each Market. Failure to do so may result in a fine imposed by the Department of Agriculture. If a fine is levied, the vendor's privilege to sell shall be suspended until the fine is paid in full.
9. Safety – Public safety is of the greatest importance. Vendor booth spaces must be kept in a safe condition. Umbrellas and tents should be securely weighted and/or fastened. Vehicles must be operated in a safe manner.
10. Insurance – Vendors are **not** insured under the Market Liability policy. It is mandatory that you carry your own premises liability and auto insurance policies.
11. Out-of-County Vendors – The Market Manager may suspend sales of products from outside Sonoma County when local crops are available.
12. Stall Spaces – Stall space, including temporary reassignments, shall be allocated based on consideration of the following factors as determined by the Market Manager with oversight by the Board of Directors.
  1. Membership in Sebastopol Farmers Market
  2. Duration of sales of current product line at market
  3. Duration of participation in market
  4. Consumer demand
  5. Consistency
    - including seasonal vs. year round (depending on product)
    - including record of attendance
  6. Overall market commodity mix, uniqueness of products and aesthetics of the Market
  7. Compliance with Sebastopol Farmers Market Rules
  8. Compliance with government agency rules (Ag Dept, Health Dept, City ...)
  9. Local production preferred
  10. Organic/Sustainable methods preferred
1. Dispute Resolution – Vendors should follow the Path of Leadership in case of any disputes:
  1. Market Manager can and should resolve the majority of issues.
  2. If Market Manager is unable to equitably and satisfactorily resolve issue, vendors should redirect to Board of Directors in writing or at the next scheduled Board Meeting.
  3. Board Meetings are held monthly on Zoom. To attend, request an invitation from the market manager.
  4. Market Manager decisions will stand unless appealed and otherwise resolved by the Board of Directors.

**Peddling by Certified Farmers – Certified farmers are forbidden to sell products which are not of their own production.**

Non-Profit Groups shall be allowed at the Market on a space available basis at the discretion of the Market Manager.

**Section VIII: MARKET ETIQUETTE**

1. All vendors are expected to maintain high standards of honesty and integrity with respect to the representation and sale of their product and to conduct themselves at all times in a professional, courteous and helpful manner towards customers, other vendors, and the Market Manager.
2. Misrepresentation of your product, or discourteous, rude and disruptive behavior is grounds for suspension from the Market.
3. Vendors are responsible for the safety and behavior of their children.
4. Vendors may not smoke tobacco products, drink alcohol or bring pets to Market.
5. Vendors must maintain their stall spaces in a clean and sanitary condition. Remove trash, garbage, etc. Vendor may be charged an extra stall fee for failure to clean their stall.
6. No radios, boom boxes, or hawking is permitted.
7. Vendors who offload may not park their vehicles in the Whole Foods Parking lot, the West American Bank parking lot. **A fee of \$10.00 will be assessed for violation of this rule.**

**Section IX: VIOLATIONS**

Whenever the Market Manager in good faith believes that a vendor has violated the Rules and Regulations of the Market, the California Department of Agriculture, the Sonoma County Department of Public Health, or the City of Sebastopol, the following actions may occur:

1. If public safety appears to be threatened in any way, the Market Manager, in his or her sole discretion, must immediately suspend the offending vendor and escort the vendor out of the Market.
2. For general rule violations the following protocol shall apply:
  1. The Manager shall verbally warn the vendor that their behavior violates Market rules. Within ten (10) days, the verbal warning will be followed up with written confirmation of the alleged violation with a copy to the Board of Directors.
  2. If violations persist, the Manager shall notify the vendor in writing that their privilege to sell has been suspended until the next regularly scheduled Board meeting, which they shall be required to attend, wherein the alleged violation will be discussed and evaluated.
  3. If the problem is resolved to the satisfaction of all parties the vendor may return to the Market. If the problem is not resolved the Board may suspend or terminate the vendor's privileges to sell for a period of time to be determined by the Board.
3. In the event that the Board suspends or terminates the privilege to sell, the vendor shall be notified by certified mail within ten (10) days.
4. In the event that a suspension or termination of the privilege to sell occurs, the vendor has the right to appeal this decision within thirty (30) days from receipt of written notice by sending a Notice of Appeal to the Board by certified mail.
5. The Board shall notify the vendor that a formal hearing shall be conducted at the next regularly scheduled Board meeting.
6. The Board shall notify the vendor by certified mail of the determination within ten (10) days of the hearing.

## **SECTION X: Provisions for Assembly Bill 1871**

### **1. Definition of Agricultural Products (section 47000.5)**

"Agricultural product" means a fresh or processed product produced in California, including fruits, nuts, vegetables, herbs, mushrooms, dairy, shell eggs, honey, pollen, unprocessed bees wax, propolis, royal jelly, flowers, grains, nursery stock, livestock meats, poultry meats, rabbit meats, and fish, including shellfish that is produced under controlled conditions in waters located in California.

### **1. Definition of Non Agricultural products (section 47000.5)**

Products that are characterized as services, arts, crafts, bakery, candies, soaps, balms, perfumes, cosmetics, pottery, clothing, fabrics, pastas, compost, fertilizers, candles, ceramics, foraged foods..."

### **1. Signage (section 47004 (C) (1) (2))**

1. All vendors of agricultural products selling within a certified farmers' market shall post a conspicuous sign or banner that states the following:
  1. Name of the farm or ranch.
  2. The words – We grow what we sell OR We raise what we sell **in the county** where the farm or ranch maintains the production grounds.

### **Processed Agricultural Products**

1. Vendors must ensure that all processed agricultural products state in a clear manner on a package label or bulk sales signage that they consist **ONLY** of agricultural products grown or raised by the farm or ranch, with the exception of incidental flavorings and necessary preservatives.
2. The label shall contain the following:
  1. The **Name, Address, Telephone Number** of the producer.
  2. The words – **This Product is Grown on our Farm.**
  3. The registration number or other identity reference of the facility where the food was processed, if applicable.
  4. In the case of **meat or poultry**, the identity of the facility where the meat or poultry was cut and wrapped.
  5. In the case of **dairy** the identity of the facility where the dairy products were manufactured or processed.
  6. The words – **This Product is Organic**, if applicable.

### **Combined Agricultural and Non Agricultural Products:**

A product that combines an agricultural product with a non-agricultural product or service in a manner that **materially increases the purchase price** of the product shall disqualify the product from being sold as an agricultural product.

**All Rules will be implemented and enforced in a fair, nondiscriminatory and equitable manner.**