



2021 MT. SHASTA FARMERS' MARKET RULES

The Mt. Shasta Farmers' Market (MSFM) is a Certified Farmers Market and provides a venue for small and large scale family farms to sell products direct to the public and provides exemptions from complying with regulations for size, packaging, and transportation standards for packing, containers and container markings.

As a business, MSFM is committed to building a strong customer base inclusive of all populations, providing them with access to healthy and local fresh food and to the farmers that grow and produce it, and to building community around these values. **MSFM's goals include educating the public about the benefits of sustainable agriculture and promoting healthy eating habits.**

The market is required to adhere to many state, county and local regulations. All participating sellers are required to be familiar with, and adhere to, the following market rules. Please refer to these rules for your reference.

1. ADMISSION OF PRODUCTS TO THE MARKET:

The market management intends to offer the community a place to buy a variety of fresh agricultural products direct from the producers in a congenial atmosphere. **Ag products must meet quality standards acceptable to market management. Vendors will be asked to remove unacceptable products from their stalls.** All products and vendors are approved by the MSFM management team and reviewed for each market. You must grow what you sell. If you are an artisan, you must make what you sell.

Additional non-agricultural products which may, under certain conditions, be sold are: fish and shellfish; meat products; processed food products, wool products; and agriculturally related crafts. The market may also accept vendors who produce prepared foods or handcrafted items.

Priority ranking for admission to the Mt. Shasta Farmers' market is based on a relationship to supporting local agriculture.

- Because the emphasis of the market is to support and encourage agriculture in Siskiyou County, **priority for acceptance to the market will be given to growers within the county.**
- Priority may also be given to those growers with seniority, to those who have helped the market thrive over the years.
- Vendors who intend to offer prepared foods at the market are encouraged to support local agriculture by sourcing ingredients from the local growers.
- Priority will be given to growers who offer a selection of produce or items not already available at the market.
- Priority (though not a requirement) is also given to certified/registered organic growers.
- When space is available, arts and craft items may be juried and accepted into the market
- Priority will be given to those vendors who offer items related to an agricultural theme.

2. CERTIFIED GROWERS SELLING PROCESSED AGRICULTURAL PRODUCTS:

Unless otherwise specifically listed as an additional authorized agricultural, processed agricultural or non-agricultural product in this section, only fresh fruits, nuts, vegetables, shell eggs, apiary products, flowers, and nursery stock listed on a producer's certificate may be sold at the market.

Additional authorized processed non-certifiable agricultural products which may, under stated conditions, be admitted for sale within the market are: dried produce (beans, grains, fruits, nuts, and vegetables) listed on the producer's certificate; shelled nuts; dried herbs and spices; fresh juices; flower arrangements and wreaths; dairy and meat products; jams, preserves, vinegars, and flavored oils. Farmers must grow any raw ingredients in any processed products they sell excluding sweeteners, incidentals flavorings or preservatives.

All processed non-certifiable agricultural products must have, and be accompanied by, a verifiable listing of the fresh product on the producer's certificate. Such products must also be clearly labeled with farm name, address, ingredient list, and weight. The seller must be able to show location and capability of processing or, if processing is done by a second party, the method used to ensure that the processed product returned is the original product submitted by the seller for processing. Receipts, volume data, and letters verifying methodology may be requested or required.

3. RESELLING AGRICULTURAL PRODUCTS AT MARKET IS PROHIBITED:

The reselling of raw agricultural products will result in immediate expulsion from the farmers' market! Farmers are only allowed to sell products that they grow and produce themselves or are listed on a second certificate with the actual grower and that are approved by market management. The activity of buying products from another farmer, wholesaler, store, or other food operation, and then selling those same products is known as reselling or peddling. No reselling of any products is allowed in any part of the market.

4. SECOND CERTIFICATE:

Upon prior approval of the market management, a certified producer may be granted permission to sell for as many as two other certified producers, under the following conditions: the agricultural products shall be separated at the stand and a separate sign will be posted clearly identifying the farm of origin, stating the farm name and location. Producers who sell agricultural products under second certificates must have more of their own agricultural products by volume (weight or dollar value) at the beginning of the market day than another certified producer's agricultural products. And, as of January 2021, producers selling on a second certificate cannot sell the same product at the same market as the registered producer. The Certified Producer's Certificate (CPC) will include the name of second certificate farmers. Both the primary and secondary CPCs must be posted in the market stall.

5. ARRIVAL AND DEPARTURE:

Sellers should arrive at the market site with sufficient time to arrange their display prior to the opening time of the market, at least 30 minutes prior to market opening time. Vehicles are prohibited from entering the market site after 3:00. Sellers may not begin selling prior to the official opening bell at 3:30.

Sellers are required to stay until the closing bell of market, at 6:00. Sellers are expected to maintain a presentable booth until the closing bell and there is to be no "breaking down" until this time. All vehicles must be removed from the market site by 7:00.

6. ASSIGNMENT OF STALL SPACE:

The producer's location and space size shall be assigned at the reasoned discretion of the market management, with consideration to maintenance of good product mix, consumer flow, and vendor's history at the market. The management shall attempt to maintain continuity by allocating spaces to their previous users whenever possible. No vendor is allowed to sub-let, or share, their stall space with other vendors.

7. APPLICATION FEES AND STALL FEES:

Application fees are set at \$5 and are nonrefundable. Applications must be renewed annually. Daily stall fees are \$25 for a 10-foot-wide stall, \$35 for a 15-foot-wide stall, \$45 for a 20-foot-wide stall. Vendors using electricity from the city outlets will be charged an additional \$3 per market day.

8. PERMITS AND LICENSES:

California Direct Marketing regulations require that all required and applicable documents, permits and licenses shall be prominently displayed during selling hours, including a current embossed Certified Producer's Certificate. All updates to the Producer's Certificate shall be submitted to the market management. If selling organic product, organic certification documents must also be displayed. Processed food vendors shall also display applicable documents such as the public health department certificate.

9. SET-UP, SAFETY, AND SANITATION:

Our goal is to have a neat, safe, and aesthetically pleasing market. Causing or maintaining an unsafe or unsanitary condition at the market is prohibited. All display table frontages must be behind the set-up line designated by management; no boxes, displays or signage may extend into the common customer traffic areas. Tables and other display fixtures must be sturdy, stable, and not overloaded. All shades and shelters must be completely secured in all conditions or be subject to immediate removal.

10. CLEAN-UP, BAGS, AND LITTER:

Before transacting any sales, sellers shall ensure that their selling areas and the immediately surrounding grounds are cleared and free of any produce trimmings or droppings or other litter. Any trimming of produce must be done so that trimmings fall in a box or container and not on the ground. Sellers providing bags for their customers shall ensure that such bags do not litter the market under any conditions. Before leaving the market, all matter and debris in the seller's area, including an area extending halfway into the common traffic area, must be completely removed and taken with the producer, without regard to whether the litter originated in the seller's area. The city trash receptacles are intended for use by the shoppers and community at large, not for the trash created at vendors' stalls. Please be respectful of our larger community. Vendors who leave a messy stall at the end of the market day, or those who use the city trash receptacles, may be fined an amount equal to half their stall fee for that day.

11. IDENTIFICATION SIGNS:

State law requires that **all producers must display a conspicuous sign, legible at ten feet, clearly identifying the name of their farm or business and the town and county where their production occurs.** Market management reserves the right to approve all signage in market vendor stalls. All certified producers must also display signage that states "**We Grow What We Sell**" or "**We Raise What We Sell**" (or similar language).

12. PRICES:

All prices must be clearly marked or posted throughout the market day. Collusion and deceptive pricing practices are prohibited. Prices (including bulk buy discounts) must be consistent throughout the market day – price slashing will not be tolerated. Market management has the right to take action against activity detrimental to or prejudiced against the functioning of the market.

13. SMOKING, NOISE, DISTURBANCE, AND INTRUSION:

Smoking is not allowed in the market. Radios may not be played during market sales hours. No loud hawking or shouting to promote products is allowed. When applicable, product and sampling must occur within the space assigned to producer, not in any common area. Unreasonable, outrageous, or disruptive conduct is prohibited.

14. NON-PROFIT ORGANIZATIONS AT MARKET:

The market, recognizing non-profit organizations as being an integral component of our community, will attempt to make available a stall space each week at the market for at least one non-profit group. This stall space shall be shared on a rotational basis throughout the market season with interested non-profits. The intent of this offer is for non-profit groups to share their purpose and information with the community. Non-profits are not allowed to offer items for sale at the market without prior approval of the market management. Non-profits must obtain permission from the market management prior to setting up at the market. Non-profits shall adhere to applicable market rules.

15. ANIMALS:

Pursuant to regulations of the Health Department and the City of Mt Shasta, pets are not allowed in the market; the only exception is for visibly registered service animals.

16. COMPLIANCE WITH HEALTH, SAFETY, AND RELATED LAWS:

When selling at the market, sellers and their products shall comply with all applicable requirements of the California Uniform Retail Food Facilities Law, the California Sherman Food Drug and Cosmetic Law, and the California Direct Marketing Law, including:

1. All produce and containers of produce must be kept at least 6 inches off the ground at all times.
2. Food preparation, except trimming, is prohibited for certified growers at the market site. Processed foods must be processed in a facility approved by the appropriate agency, i.e. County Environmental Health, State of California, USDA, etc. Processed foods prepared at Class B Cottage Food Operations will be considered for acceptance at the market. Foods prepared

at Class A Cottage Food Operations will not be considered for acceptance to the market. Prepared foods are to be properly packaged and labeled under clean and sanitary conditions. Applicable certificates must be submitted with market application & a copy must also be displayed at point of sale.

3. Certified producers selling non-certifiable agricultural products (e.g. nuts, jams, preserves, dried fruit, flour, juice, etc.) must conform to all state guidelines regarding content of non-certifiable products and all products must be prepared in facilities conforming to health department regulations described above.
4. Dried fruit and shelled nuts sold in an unpackaged bulk form must be displayed with a cover and conform to dispensing methods approved by the local health department.
5. No live animals, birds, or fowl may be kept or allowed within 20 feet of any area where food is stored or held for sale.
6. Vendors selling non-agricultural products and food products are required to have a valid permit from the local jurisdiction and are not considered part of the Certified Farmers' Market; however, they are part of the Mt. Shasta Farmers' Market.
7. All products sold as organic must be grown, produced, or processed in accordance with the laws of the National Organic Program of the USDA. Third party certification, or California Organic Registration documents, MUST be displayed. Use of the word "organic" in any way to describe or define a product is prohibited unless the product is Certified Organic or Registered Organic.
8. Samples may be distributed only in accordance with all state and local health department guidelines; it is the samplers' responsibility to be familiar with them.

17. WEIGHTS AND MEASURES:

When any product is sold by weight, the scale used shall be approved, tested, and sealed by a County Agricultural Commissioner, Sealer of Weights and Measures. Each scale must have a current seal and must be sealed on an annual basis. Scales must be readable by customers at all times.

18. LOAD LISTS:

California State law requires that all Certified Producers provide a load list of all products brought to and sold at each certified farmers' market.

Producers must report in standard units the quantities of each specific item listed on the producer's certificate brought to and sold at the market that day. The load list must include the farm name and the date of market. Load lists will be collected when stall fees are collected. Department of Food and Agriculture Direct Marketing Program regulations updated in January 2021 state that load lists must be provided to the market manager within 48 hours of the conclusion of the market day.

19. DATE AND TIMES:

The Mount Shasta Farmers' Market season is every Monday from mid-May to mid-October. The Market will operate every market day, rain or shine, with the only exception being when it conflicts with the annual July 4th holiday celebration in Mt. Shasta City. The market hours are 3:30 to 6:00 p.m., with all vendors to be at their stalls setting up no later than 3:00. Vendors arriving later than 3:00 may be

charged a late fee equal to their regular stall fee for that day and may not be able to bring their truck in. Vendors may not sell products, or pre-bag products, prior to the opening bell at 3:30. **If a vendor will need to miss a market day, notification shall be given to the market manager at least 24 hours in advance of the market start time. Failure to do so may result in a fee equal to the vendor's stall fee and the possibility of not returning to the market.**

20. SPECIAL REQUIREMENTS FOR FARMERS:

- No crops grown using genetically modified, or genetically engineered, seed may be sold at market. Verification may be required.
- No crops grown in soil fumigated with methyl bromide (MBr) may be sold at market and no harvested crops protected in storage with MBr may be sold at market. Verification may be required.
- The farm owner or manager is expected to represent their operations at market whenever possible and **is required at least once a month during market season.**
- The focus of the market is to gather the community of growers together in one place to create a vibrant offering for the benefit of all. Promoting a singular farm enterprise that would draw shoppers away from purchasing at the market is discouraged at the market site, (i.e. CSA).

21. VIOLATIONS AND DISCIPLINARY ACTIONS:

A seller may be fined, suspended or removed from the market, or have selling privileges in the market conditioned or limited by the market management for the following:

- failure to abide by market rules,
- failure to abide by state or local government regulations
- actions endangering the integrity of the market

Misrepresentation of product may result in immediate expulsion from the market. A seller is responsible for the actions of the seller's employees, trainees, interns, and volunteers.

22. ENFORCEMENT:

The market management and its designated agents shall implement and enforce all rules and regulations pertaining to the operation of these certified farmers' markets in a fair and equitable manner.

23. Communication:

We want to stay in regular and efficient communication with vendors at all times during the market period. We use email to send important updates. We use social media and email to share with the general public. Please be sure we have your correct cell phone and email address so that we can be sure to keep you regularly updated and in the case of an emergency. It is expected that both the market and the vendors will work together to keep communication flowing. In terms of customer service, if you have a complaint or a suggestion to make things better, please contact the market manager. If you have a compliment, please tell 5 friends. If you have a complaint, always direct market business matters to market management **first**.

24. MATTERS NOT COVERED:

Matters not covered by these rules are decided by the market management. The regulations of the California Department of Food and Agriculture pertaining to direct marketing (Article 6.5, Group 4, Chapter 3, Title 3 of the Calif. Administrative Code) are hereby incorporated by reference to be part of these rules. Market management's interpretation of the Agricultural Code will control all initial questions and disputes about these rules. The market is subject to all pertinent local, state, and federal laws. All participating sellers are to be familiar with, and adhere to, the provisions of these rules and regulations.

SIMPLE SUMMARY: Essentially, all these rules have a single theme, "Be Nice." If we respect our customers, our market neighbors, the other vendors, and the larger community, we are working together to create a positive market experience for all.