GOVERNING RULES AND REGULATIONS FOR CCC FARMERS' MARKETS- 2015
***Participants: Keep this document for your files as a reference.**

Statement of Purpose

The intent of the CCCFM, Inc. is to operate Certified Farmers' Markets in Contra Costa County in accordance with the laws, ordinances and regulations of the state, county, and local governments for the mutual benefit of producers of certifiable agricultural products and non – certifiable agricultural products, as well as non-agricultural products that are offered for sale directly to consumers, without the intervention of a middleman. All agricultural products sold at the markets are subject to the provisions of federal marketing orders, state marketing orders, state laws and regulations enforced by any state agency, or any other local health and safety laws, regulations, and ordinances.

The County Agriculture Commissioner certifies that each market is a direct marketing outlet for producers to sell their products to the general public. All produce must meet the minimum quality standards but does not have to meet the usual size for standard pack and container requirements.

The markets may introduce additional non-certifiable agriculture products and non-agriculture products to enhance and strengthen the uniqueness of what is offered at the Farmers' Market. This direct marketing philosophy applies to the producers of non-certifiable agricultural products and non agricultural products. Even though, these products are not regulated by the State Direct Marketing regulations, they are required to comply with the local county and city laws. **The resale of products is prohibited**.

The Contra Costa Certified Farmers' Market Association is the operation, management organization.

The implementation and enforcement of all rules and regulations pertaining to the operation of the Certified Farmers' Markets will be guided in a fair and equitable manner, under the supervision of the CCCFM management.

The following rules and regulations have been established for the successful operation, maintenance and management of the CCCFM association, in order to facilitate an effective and efficient sales outlet for producers and consumers.

State Regulations

The California Department of Food and Agriculture regulations pertaining to Direct Marketing (Article 6.5, Title 3 of the California Administrative Code including AB2168) are referenced and incorporated to be part of these rules. The Regulations of the provisions are stated as follows:

1. Certified Producers Certificates: CPC

Requirements for certification: A Certified Producer is a grower/farmer who is authorized by the County Agriculture Commissioner to sell directly to consumers at a Certified Farmers' Market. These products must have been produced by the farmer, by the practice of agricultural arts upon land, which the certified producer farms and controls, through ownership, rents, leases or sharecrops.

A. All farmers and gardeners of fresh fruits, nuts, vegetables, shell eggs, honey flowers, and nursery stock shall obtain, possess, and display a current and valid embossed Agriculture Certificate (CPC) signed or counter-signed for use in Contra Costa County prior to selling these commodities at the Certified Farmers' Market. All growers and gardeners must abide by the regulations pertaining to the sale of food and non-food items as set forth by the Department of Agriculture and other governmental agencies, such as: the County Health Department and the Department of Weights and Measures. Out of county Growers' Certificates must list the destination county on the original certificate. The certified producer's embossed photocopy certificate must accompany the certified agricultural products during transportation and must be conspicuously posted at the point of sale.

B. Products listed on a producers' certificate may be exempt from size, standard pack, container, and labeling requirements with the exception that all prepackaged closed containers of agricultural products shall be labeled with IRQ - the name, address and zip code of the producer and a declaration of the identity and net quantity of the commodity in the package. However, closed packages that are fully visible with 6 or fewer items do not need a statement of count.

C. The regulations of the California code governing maturity and quality of all agricultural products will apply to the products sold at the market.

D. All agricultural products, other than exempt fresh fruits, nuts and vegetables sold at the markets must comply with all the applicable laws pertaining to their grading and labeling. All Growers will guarantee to make sure that they will not bring more than 3% of "general defect" produce in their load.

E All agricultural products, including fresh fruits, nuts and vegetables, sold for the purpose of commercial resale must be in compliance with all applicable size, standard pack, containers and labeling requirements of the state laws and regulations.

F. When any agricultural product is sold by weight, the type of scale used shall be approved, tested and sealed by the County Agricultural Commissioner, Sealer of Weights and Measures.

G. Only the producer, the producers' family or relatives residing in the producer's house hold or an employee of the producer may sell the producer's products at the market. An employee is any person employed by the producer at a regular salary or wage, on either a full or part time basis. This does not include a person who is reselling or whose compensation is primarily based on a commission of sales. Employee proof of status is an authorized agreement proving that the person selling is an employee of a qualified producer.

H. A certified grower may ask to act for one other certified grower per year with approval. The secondary certificate cannot account for more than 10% of the commodities sold. A membership fee of $135.00 will be paid annually for the 2nd certificate brought to the markets. No second certificate will be allowed for any item already being grown and sold by a certified member grower. Usage of second certificates requires approval prior to use. Second certificates must be from the seller's county of origin; any exceptions require approval. Second certificate products must be clearly identified as to producer.

In addition to the above, anyone selling with a second certificate must add the name and certificate number of the second producer to their primary certificate and have it endorsed by their county agriculture agent and the county they are selling in.

A producer may be granted the privilege to sell for another certified producer but only under certain conditions:

1. A certified producer shall not be represented by more than two other certified producers in a 12-month period. The producer applying for certification shall obtain and submit to the agriculture commissioner, written authority from the other certified producer to sell on their behalf.
2. Each certified producer's certified agricultural products to be sold or offered for sale should be separated and identifiable by each certified producer's valid certificate at the point of sale. Certified organic vendors that also offer conventional products must clearly separate them and label them as such.
3. The name of the certified producer for whom another certified producer is selling shall be cross referenced on the certificates of both persons selling his/her products.
4. The certified producer selling for another certified producer and offering for sale certified agricultural products which she/he has produced must be greater than the amount by volume offered for sale for the other certified producer. The volume shall be measured by the weight or dollar value of the products at the time or and point of sale. This volume requirement applies at the beginning of the day. Two load sheets must be submitted at the end of the day for each CPC.
5. Commissioned sales and buying and selling between certified producer is prohibited.
6. CCCFM reserves the right to prohibit or otherwise make sales permitted under this sub section more restrictive.
7. A certified producer who sells certified agricultural products on behalf of another certified producer or whose products are sold by another certified producer at a certified farmers' market shall keep for a period of not less than three years, the following records relating to such products.
    a. Date and amount of product transferred by variety
    b. Date and amount of products sold by variety.
    c. Names of both certified producers involved.

I. A certified producer shall provide upon request by an enforcing officer or Market Manager, any certificate, documentation, information or identification that may be reasonably required to show that the conditions of the regulations are being met.

J. LOAD LISTS: All certified agriculture participants will submit to the Market Manager their **Load List** prior to leaving each market day. Load lists forms are obtained from the Market Manager. All items trucked to market for sale will be listed in type and quantity as listed on CPC. If a second cert is being used, a separate **Load List** must be filled out. The grower retains a copy of this form for 3 years and the Market must retain for 18 months.

2. HEALTH REGULATIONS:

When selling at the markets, the producer and the producer's agricultural products shall comply and abide with the regulations and applicable requirements set by the California Uniform Retail Food Facilities Law, and the California Sherman Food, Drug and Cosmetic Law, which is provided and enforced by the Contra Costa Environmental Health Department.

The Market Manager has complete authority from the Executive Director for enforcement and issuance of violations and fines. Appeals of such decisions may be considered.

1. All produce and containers of produce must be kept at least 6 inches above the ground.
2. Food preparation (except trimming) is prohibited at all Certified Farmers' Markets except for sampling in accordance with article 15 of the Health & Safety Code and or the County Health Agency.
3. Processed foods must be processed in an approved facility, properly packaged and labeled under clean and sanitary conditions. A Processed Food Registration may be required, it is the responsibility of the producing vendor to have and provide a copy of the registration to CCCFM.
4. Food vendors are to use only "natural" ingredients. Food additives (such as MSG) are not allowed.
5. All processed foods/baked goods must be prepared in a commercial kitchen. CCCFM reserves the right to make exceptions at the organizations discretion, including producers operating under the recent Cottage Food Bill.
6. 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.
7. Required IRQ Labeling – Ingredients, Responsibility, Quantity
8. No live animals, birds or fowl may be kept or allowed within 20 feet of any area where food is stored or held safe.

All products grown, produced, or processed as organic must be labeled according to the requirements of the Organic Food Production Act of the 1990. Organic product must be registered with the California Department of Food and Agriculture. Registration must be prominently displayed. In addition, the product requiring certification by an USDA accredited certification agency must also prominently display the certification seal.

9. **SMOKING:** All members and their employees are prohibited from smoking in the market area.

10. **SAMPLING:** The distribution of samples for the public may be allowable and approved by the local health authority. Grower/Vendors will insure safe, unadulterated samples that are washed and cut behind their stall. All refuse (skins, peels, toothpicks, paper plates, plastic forks, etc.) are deposited in a container provided by the vendor. When vacating a market stall space, growers/vendors must remove and take home any and all products, equipment, and refuse (trimmings, litter and containers) from their stall area.

Certified Growers sampling must comply with the following to avoid contamination:

A clean and separate preparation/wash station will be used to prepare samples. This station must include at a minimum, a separate table, adequate potable water to cover hand washing, and the washing of fruit and other products intended for consumption, a means of washing utensils including soap and rinse and catch basin. Utensils and cutting surfaces must be washed and cleaned so as to be wholesome and safe for consumption.

a) Samples must be kept in approved, clean covered containers and kept so that the public may not freely handle them. **Under no circumstances will "KNIFE EDGE SAMPLING" be permitted.**
b.) Food samples shall be distributed by the producer in a sanitary manner. Vendors shall wear clean disposable gloves approved for food handlers and changed frequently. Money must not be handled by the gloved hand.
c) Provide tooth picks or tongs to distribute samples, include a trash receptacle. Dispose of the pits, peels, food waste and rubbish in leak proof garbage receptacles with close-fitting lids.
d) Keep samples in cleaned covered containers and unused portions will not be held longer than 2 hours after cutting. Cutting surfaces must be smooth, non-absorbent and easily cleaned.
e) Perishable samples will be stored and displayed on ice so that the temperature of the product remains at or below 41 degrees F. Holding temps will be monitored by the Market Manager. All items found to be stored at temps higher than prescribed will be removed and not offered for sale or sample.
f) Utensils and cutting surfaces must be washed and sanitized (use a chlorine solution of one teaspoon or capful of liquid bleach per gallon of water).
g) Under **no** circumstance will customers be allowed to **"self-serve samples"**.
h) Use of squirt type (ketchup) bottles to sample sauces and spreads in conjunction with sealed bread, bread stick and crackers are acceptable provided cleanliness/sanitation rules are observed.

Growers/Vendors must maintain the area in and around the stall(s) assigned to them in a clean and sanitary condition. This includes sweeping and picking-up debris so as not to present a slip/trip hazard periodically throughout the sales day. Requests for a clean up will be acted upon in a timely manner. All Growers/Vendors shall provide their own cleaning materials and waste receptacles. All trash must be removed by the grower/vendor and taken back with them. A fine will be issued for waste left onsite or in public/city containers.

Circumventing these rules and regulations will result in immediate action by the Market Manager. Use of hidden drawers to conceal non approved product, non-approved sampling or disregard of requests to comply shall he considered a breech of the agreement between CCCFM Inc. and the grower/vendor and a violation, fine or suspension may result.

Health/Sanitation Violations
There will be one (1) verbal & (1) written 2nd warning which will result in a $25.00 fine.
A producer/vendor cited by the Department of Agriculture or the Environmental Health department and or causes a re-inspection <u>will be responsible for the re-inspection fees.</u>

3. MEMBERSHIP

Farmers and Non- Agriculture producers of commodities or goods which may be sold may apply for membership at any of CCCFM markets. The final approval of new applications is made by the management. There is a six week probationary period. Stall spaces at any of the markets sponsored by CCCFM are open to members on a space available, as needed basis. **The CCCFM management reserves the right to renew or not renew a membership.**

All growers/vendors in good standing, renewing their association membership shall be assessed an **annual $135.00 renewal fee in December**. **RENEWAL MEMBERSHIPS received after February 15 are CONSIDERED LATE AND are SUBJECT TO A $50.00 LATE CHARGE.**

Very important
A Change of business ownership requires the submission of a new application to CCCFM which will be reviewed and processed as a new application. The change of ownership or transfer does not guarantee or grant the new owner the same admission or current stall space assignment as the previous owner.

Visit the CCCFM website at www.cccfm.org and login to apply at www.managemymarket.com . Potential new applicants and returning members must establish and/or update their "profile". It is the vendors' responsibility to manage and ensure their vendor information is current at all times.
The following documents must be uploaded directly to the vendor profile in pdf format.

a. A copy of current Agriculture CPC - Certified Producers Certificate (applicable to Farmers). A copy of Organic Certification (if applicable)
b. A copy of the original Health Department Certificate for the kitchen used for food preparation for their product as well as a copy of the commercial kitchen lease agreement between owner/vendor (applicable to Non-Agricultural/Food Vendors).
c. A certificate of General Liability Insurance, naming Contra Costa Certified Farmers' Markets Inc. as the "Certificate Holder" and the same **as additional insured. Proper endorsements must be attached on second page.**
d. Proof of vehicle insurance with policy limits for each vehicle brought to the markets.
e. Proof of Product Liability Insurance is required only of all non-certified vendors selling food products.

All documents must be on file prior to participating in your first market start date. A $25 handling fee will be assessed to vendors/applicants who choose to mail hardcopies where staff will upload them to the users' profile on their behalf. Your **PAPERWORK IS ACCEPTED BY WC MARKET MANAGER.** Vendors are encouraged to bring all their paperwork to the WC market so it can be scanned and uploaded faster to MMM.

New Applicants

- Establish an account with www.ManageMyMarket.com to apply to desired CCCFM market.
- A non-refundable application fee of $30.00 will be assessed and can be paid through Paypal or a check mailed to: CCCFM INC., P.O. Box 23727, Pleasant Hill, CA 94523-0727.

- Applicants must detail their product, the sampling procedure, the price list and photos of their product or craft on their www.ManageMyMarket.com profile.
- Seasonal craft vendors are not included in the membership (unless approved by management) but they will be charged a $30.00 application/annual renewal fee for each market in which they apply.

New applications are reviewed only when the online application is complete and application fee is received. Non-agriculture/food applicants may be asked for product samples. If approved there will be a probationary period of six weeks after which a decision on permanent status will be made. Should the application, not be approved the applicant will be notified immediately, and be placed on a waiting list.
Admission to sell at any market shall be at the reasonable discretion of Management. In making the determination this will be considered:
A. Producer's history of compliance with the state, local government and market Rules and Regulations.
B. Producer's history of market participation. Significant weight, priority, and preference should be given to producers returning from previous seasons.
C. The balance of competitive availability of the number of vendors with similar product present, are adequately supplying the customer demand.
D. The number of unreserved spaces and other limitations of the market.
E. Customer satisfaction - Managers receiving customer complaints about vendors - regarding lack of signage, pricing, quality, and customer service are at risk of not being invited back for the New Year.
F. Admission limitation - A producer may be conditioned by period of attendance time and the type of product allowed and market management satisfaction.

Participation in the Sunday Walnut Creek Market is based on space availability and uniqueness of product. When possible an invitation to participate in Walnut Creek is extended to new farmers/ vendors who participate for a full season in at least one other CCCFM sponsored seasonal market each year.

Participants who embrace and support the year round, Walnut Creek Market during the inclement weather and holidays are committed to be there rain or shine.
Note:
The integrity of all the markets is maintained with vendor attendance. Participants agree to a limit of unpaid absences set by management. In order to keep their space, vendors with excessive absences will be charged their regular stall fee for absences after the limit is reached. The limit is 3 absences for seasonal and 5 absences for year round markets.
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4. Product approval

Certified Vendors
The admission of additional products sold by a producer may be allowed with approval at the discretion of Management. Admission of a product may be conditioned by period of sale, location of sale, variety, quality and other specific limitations.

A. Quality of the product offered for sale is key for consideration. Field run produce is encouraged. Culls or lowest grade shall be discouraged.

B. All such products must have been produced by the producer through the practice of agricultural arts upon land, which the producer farms owns, rents, leases, or sharecrops.

   Additional authorized non-certifiable agricultural products, which may be admitted by Management within the Certified Farmers' Market area:

   1) Dried beans, grains, fruits, nuts and vegetables listed on the producers' certificate.
   2) Shelled nuts, including those, which have been roasted, salted or flavored, but not candied, coated or covered.
   3) Dried herbs and spices.
   4) Fresh fruit juices.
   5) Flower arrangements and wreaths.

These raw products must have been produced by the producer by the practice of the agricultural arts upon land, which the producer farms.

The non- certifiable agricultural products must have and be accompanied by a verifiable listing of the fresh product on the producer's certificate of the producer selling.

The producer must be able to show location and capability of the processing or, if processing is done by a second party; the method used to insure that the processed product returned is the original source product submitted by the producer for processing. Documents such as; receipts, volume data, and letters verifying the method may be requested or required.

The producer must show that all processing was accomplished under safe and sanitary conditions and if applicable, furnish any and all health permits that are necessary, including a state licensed permit.

Producers wishing to sell a product other than those listed above must submit a letter requesting approval to Management.

Any producer aggrieved by the manager's decision may appeal in writing for review by the Executive Director. A decision denied by the ED can be appealed in writing to the Board within 30 days. The decision of the Board made at the next regular scheduled meeting will be final.

Non-Certified Vendors
Admission of any certifiable agricultural or non-certifiable agriculture product or non-agricultural product (with Board approval) to an area adjacent to the market shall be at the discretion of the Executive Director and Market Manager.

5.Temp Event Participants

The Contra Costa Environmental Health Department (CCEHD) requires market operators (CCCFM) to pull a Temporary Food Facilities (TTF) Permit for any vendor who is cooking and/or open sampling at the market. Currently the quarterly permit fee for each participant is $142.00, which includes a processing fee assessed by CCCFM.

If you are a veteran, you may be exempt from this permit fee, if you think your eligible, please notify our office and send CCCFM a copy of your DD214.

The permitting cycle for temporary food facilities' is as follows:

Schedule of Contra Costa Environmental Health Temporary Food Facilities Permit Fees

Quarter	Permit Dates	Fee Added to MMM Account*	Date Fee Due
1st	March 1 – May 31	January	February 13
2nd	June 1 – August 31	April	May 13
3rd	September 1 – November 30	July	August 13
4th	December 1 – February 28	October	November 13

Contra Costa Environmental Health requires CCCFM to pull this permit two weeks prior to the previous quarters' expiration. For example, this means that your Second Quarter permit must be pulled by May 17th. We bill you a month in advance to give you time to pay and the money is usually due on the 13th, allowing a few days for processing before the permit is pulled on or around the 15th.

Please note:
The quarters are fixed - Contra Costa Environmental Health will not pro-rate the amount even if a seasonal market was not open during part of the fixed quarter or ends before the quarter.

6.Additional Market Rules, Policies and Requirements:

- **Selling Space Assignment**. The location of a selling space for Market Association members is determined by the discretion of the Market Manager. Sellers must accept the stall space assigned to them by the Market Manager. In making the determination of the assigned space, the market manager will consider special needs.
    - New members will be assigned a stall before each market. The Market Manager has the final say on the assignment of stalls.
    - A stall fee will not be adjusted or changed in any way because of assigned space. (i.e. fee will not be lowered because they feel their spot is not as good as another).

A) A producer's selling privileges maybe put at risk or be suspended by the Market manager if the following is determined:
    - The producer's certificate is revoked or if the producer fails an inspection visit by the County Agriculture Department. The suspension will be for a period of thirty

(30) days, beginning on the effective date of the Notice of Violation for suspension. A subsequent violation will result in expulsion from the Association effective date of the Notice of Violation. Conditions for re-entry will include a fine of $250.00 payable to CCCFM will be due with the request for re-entry. The cost of an inspection by a designated representative to the farm or other location(s) where products are produced, processed or held shall be paid by the producer asking for re-entry.

- A producer is responsible for the actions of their representatives, employees or agents, including the maintenance of customer /producer relationships. Unreasonable or outrageous conduct considered detrimental or prejudicial to the purposes and interest of the market or the Association will not be tolerated.
- The maintenance of a safe and sanitary condition at the market.

- The occurrence of any condition or limitation, which was placed on the admission of the producer or the producer's product to any market.
- A grower/vendor forfeits their space at markets if they leave a market for any reason except for being out of product or an emergency. To re-enter a market, they will be put at the end of the waiting list.

B) Failure to comply with the Market arrival and departure times, or failure to notify the manager of their intention to sell at the CFM on a specific day, may result in the revoking the producer's stall space. The arrival time is no later than one (1) hour before the published opening time. See "J" Market Hours: Arrivals & Departure

The severity of any penalty or discipline imposed by the Market Manager shall be directly related to the gravity or repetition of the violation.

- A Market Manager will give adequate warning and notice of consequential action to the disciplinary action.
- A producer who is removed or disciplined by the action of the Market Manager has the right to a written appeal and review by the Executive Director of the Association.
- The decision of the Executive Director may be appealed in writing within thirty (30) days. A decision of the written appeal will be made at the next regular scheduled meeting with respect to all the matters listed in A & B above shall be final.

A. Product Limitations: Sales of out of season produce are allowable only to the extent of their reasonable and normal storage life or upon proof that such produce was produced by the producer in greenhouse facilities operated by the producer.

B. Certificates: Producer certificates with two or more names listed as producer must provide acknowledged evidence of a partnership or other legitimate business agreement.

C. Ethics: Growers/Vendors shall guarantee their products, food items or whatever they sell. They will conduct themselves in a respectable manner and will adopt the policy that the customer is always right when dealing with customer disputes. Management may revoke membership and right to sell at CCCFM sponsored markets should a grower member violate any of the market governing rules and policies

D. Pricing: All prices must be clearly and individually posted. Deceptive pricing practices are prohibited.

Collusion among growers to raise prices, or any attempt to influence increased prices are prohibited. Bargaining with the customer is allowed.

E. Quality Control: Growers will guarantee less than 3% of "General Defect" produce in their load. The Market Manager can require a grower to label a commodity for processing (canning) and/or to remove a commodity from sale on any given market day based on quality. The order by the Market Manager may be appealed by a grower to the CCCFM Executive Director.

F. Red Tags: Any grower receiving two (2) "red tags" from the County or State Agriculture Commissioner for the same commodity within a market season will come before the CCCFM Executive Director for a review of the grower's continued participation in the market

G. Scales: All scales used shall be approved and certified by a County Sealer, Office of Weights & Measures. Scales without current seals may not be used. Scales must be positioned at the market/stall, so that the customer has good visibility of the weight of their purchase.

H. Container Labels: Closed -containers of all prepackaged products must be labeled in accordance with FDA REGULATIONS and with the IRQ – the name of the product, the ingredients and the contact information of the producer, including: telephone, and address. All products will be labeled prior to arrival.

I. Setup, Safety and Sanitation: All display table frontage must be behind the set line designated by the Market Manager. No boxes or produce displays may extend into the common customer traffic aisle way. Producers who display produce on a side table must allow at least 24 inches of side aisle in the producer's space for customer entry and exit. Tables and other display fixtures must be sturdy, stable and not overloaded. All shades and shelters must be tied down at all times with weights and completely secured in windy conditions or be subject to immediate removal.

Before any sales transactions are allowed, the producer's area must be cleared and cleaned of any produce trimmings or debris of any type. Absolutely no rubbish of any type will be allowed on the stall grounds, the consumer area directly surrounding the stall. Or in any other contiguous area that could constitute a health or safety issue.

Bags and litter: Sellers using plastic bags for the convenience of their customers shall insure that these bags do not litter the market under windy conditions. Single use, T-shirt style plastic bags may no longer be used at CCCFM sponsored markets due to the plastic bag ban in the state of California. Encourage customers to bring reusable, washable bags.

Cooking Oil: All vendors that are cooking using oil must dispose of oil off site, and under no circumstances can anything but water be dumped in nearby landscaping.

Before the producer may leave the market, both the stall space and the surrounding area must be totally free of any produce and debris. Failure to follow the above referenced issues will result in the revocation of the sellers stall space and a **$25.00 fine**.

The Farmers' Market(s) do not provide garbage service. The CCCFM garbage cans and recycling cans are provided for the customers. Speak with the manager, if there is a special

need. A violation will result in a $25.00 fine for cleanup, to be added to the following weeks' stall fee or charged on their MMM account.

J. Market hours: Arrival and Departure: The market hours are set by resolution. Growers/Vendors shall arrive at least one hour prior to the published opening time of the market, and be closed down and packed up within one hour after the published closing time of the market. All dropped off products and equipment must be picked up as soon as possible after the market closing.

Markets (days):

ORINDA	**CCRMC**	**WALNUT CREEK**
Saturdays-9am-1pm	Tuesdays-11am -2pm	Sundays Year-Round-9am- 1or2pm

The winter hours for Walnut Creek begin with the daylight savings time change in November. The peak hours begin the first market day in May.

Sales shall be permitted 1/2 hour before the official market opening time with the approval of the Market Manager.

Sales shall end and clean-up begin at the official closing hours. NO SALES AFTER OFFICIAL CLOSING TIME AT EACH MARKET. ALL VENDORS MUST PACK PROMPTLY TO ALLOW FOR EXIT OF OTHER VENDORS.

All producers shall observe all fire lanes while loading and unloading.

K. No Show / Early Departures and Late Arrivals:

If a grower/vendor does not come to the market as expected and does not cancel 24 hours prior to the scheduled market a NO SHOW fee shall be imposed and shall be equal to the fee charged for that stall space for each day missed. The fine will be collected the next market day prior to sales or as determined by the Market Manager.

OFF-LOADING/ON-LOADING

Growers/Vendors who drop-off or off-load and park their vehicle away from the actual market must adhere to the following:

1. When you arrive at your stall space, park your vehicle as far from the center of the roadway as you can so you make it possible for others to drive past you.
2. (a) You have up to 10 minutes to unload all your equipment and products. **DO NOT** begin to set up your stall while off-loading. Park your vehicle and return to set up your stall. If you are dropping off and need to tie down your remaining load, do so as quickly as possible and move your vehicle out of the market area. If help is needed to set up the stall, park outside the market area and then return to the stall.
   (b) At the close of the market, take your stall down completely **BEFORE** bringing your vehicle into the market area to reload. You will have a maximum of 15 minutes to reload everything and, if necessary, tie it down, and then move out.
3. (a) Any grower/vendor violating this rule will get one warning, which will be noted on that day's stall fee receipt. The salesperson/driver will be required to sign the warning. If necessary, the principal/owner will be notified.

(b) A repeat violation after the first warning will result in a $25 fine, payable with that day's stall fee. Failure to pay the fine will result in suspension from the market until the fine is paid. The principal/owner may appeal the fine in accordance with the appeals procedure included in Section P of the Governing Rules.
(c)A violation occurring after the close of the market will be dealt with at the following market appearance of the grower/vendor.
(d) Documented multiple violations and customer complaints may result in permanent suspension of membership from the market in question, at the discretion of the Market Manager and/or the Executive Director.
(e) This rule will be applied uniformly at all markets.

Early departures endanger the other market members and the customers and cannot be allowed. Vehicles may not be moved after market sales have begun or until the market has closed and it is safe to depart. Early departures will be fined equal to a single space stall fee. This fine will be payable prior to the grower/vendor being allowed to sell the next market day or as determined by the Market Manager.
***Late arrivals are defined as those who arrive less than one hour before the market opens.** Arriving late creates an inconvenience to everyone and a danger to the customers and is not allowed. The first occurrence will result in a verbal warning, the second occurrence will result in a fine equal to a single stall fee. Late Fines will be collected at the conclusion of the market day and noted on the receipt. Continued lateness will be addressed by Management and dealt with as required. This problem may lead to a suspension.

L. Noise, Disturbance and Intrusion: No radios are allowed to be played during market hours. There may be a few exceptions with the approval of the Market Manager. No loud hawking, barking or shouting to promote product is allowed. All product promotion must occur within the space assigned to the producer and not in any common area. Disruptive activity and action in the market is prohibited.

M. Identification Signs: All participants must display a banner/ sign identifying their name or the name of their establishment and the city or town where production occurs. Other signs posted by producers are subject to approval of the Market Manager.

N. Clothing Attire: Producers and Participants must wear proper, decent clothing and shoes while on the market premises.

O. Stall Fees: CCCFM stall fees may vary according to market location.

The fee is for every 10 foot by 10 foot stall used. The rates are charged according to the amount of the space used at the market. If a stall and a half is used the charge will be for one and a half times the appropriate rate, if two stalls are used the fee will be charged at twice the appropriate rate, etc. The Manager will determine fees for additional space used.

Sunday Open Year round / Walnut Creek

Agricultural Vendors & Non-Agricultural Vendors:

- Stall Fees for each 10x10 space is $42 per market day. Vendor space will be assigned at the discretion of CCCFM Management and may appear long or wide as necessary for

market filling and flow. Exceptions are not made for weather conditions as CCCFM expenses remain the same.

Seasonal Markets:

Agricultural Vendors & Non-Agricultural Vendors:

- $37.00 per stall including Craft Vendors

These fees include the State mandated assessment fees of agriculture participants of each market of $2.00 per certificate, per market day that is paid quarterly by CCCFM Inc.

- The Farmers' Market shall be closed as **full** in accordance with the maximum number of stalls as set forth by the Management.
- At the discretion of Management, spaces for certified growers may be filled with approved participants when space is available.

Producers are required to cancel two (2) days (48) hours prior to the market day to avoid stall fee charges. Participants who cancel less than two (2) day before market day, regardless of the reason, are responsible for paying the stall fee. CCCFM caps the number of absences at five (5) absences for the year round market (with the exception of seasonal participants who will be allowed only 3 absences) and three (3) absences for the seasonal markets. After the absences caps are reached the vendor is responsible for the stall fee to keep their space. This policy will not apply to farmers that have to take weeks off between seasons.

Producers who fail to notify the Market Manager of a cancellation twice in a two (2) month period or cancel a market 2 times in a 2-month period may permanently lose their stall space for that market

If a personal matter requires you to take time off you can request a leave of absence from the market manager.

P. Conduct: Any statement and or action which is deemed to be offensive, abusive, or otherwise inappropriate to a customer, Market Manager, market staff person, attending producer, CCCFMA staff person, sponsor, or any official from a city, county or state agency conducting business within the market parameters, will be considered a violation to these rules and will be subject to any or all disciplinary steps.

Violations of these rules or policies may result in any of the following disciplinary steps being issued by the Market Manager or Executive Director. Severity of the penalties will be dependent upon the nature and intent of the offense and may not necessarily follow the order below.

1) An oral warning
2) A written notice with a $25.00 fine
3) Market suspension

The Executive Director will review all disciplinary actions at a regularly scheduled Board meeting. Management will have the final authority in interpreting and enforcing these Market rules.

CCCFM Inc reserves the right to make additions or deletions to these rules when deemed necessary. Written changes will be made available on the www.cccfm.org website.

Suspensions: The privilege of any grower/ producer, or individual selling at the market may be suspended, revoked, denied, or canceled by the Market Manager, on behalf of the Board, for violation of any of the State Regulations or Market Rules. The severity of the penalty shall be

directly related to the gravity or repetition of the violation. Individuals with Suspended certificates may not sell for any other certified grower during the period of suspension.

Appeals: May be submitted in writing within 30 days of the event to the Executive Director. The Executive Director will arrange to hear an appeal at the next scheduled Board meeting.

A). All appeals shall be limited to the Fine or Suspension and shall not include a debate of rules and procedure.

B). Appeal for suspension- the suspension shall remain in effect pending a meeting of the Executive Director and the CCCFM Board.

C) The Board will render a decision after the appeal is heard and will notify the person appealing in writing. If a fine or suspension is overturned on appeal, the person will be notified as to when they may return to the market.

D) The decision of the Board is final.

Non-Certifiable Commodities: The Board may permit and control the sale of items, products, and commodities not covered by California farmers' market laws as it finds appropriate, and as are permitted by State, County and local laws. This may include, at the Boards' discretion, cheese, fish, crafts and baked goods. The decision to permit the sale of non-food items may be made on a market by market basis.

The Board: The Board of Directors of CCCFM Inc. shall consist of a minimum of three members, each of whom shall be a member in good standing with the association. A two-thirds 2/3 of the Board of Directors shall constitute a quorum for the conduct of business. The officers of this association shall be a President, Vice-President and Treasurer. No person may hold more than one office. Officers must be members of the Board. A vacancy in any office shall be filed by the Board of Directors.

Market Representation: Only the Board, and those individuals approved by the Board may speak publicly on behalf of CCCFM or its Markets.

Market Operations: Day to day market issues are handled through the Market Manager or Executive Director. Complaints, policy problems, and major disputes should be addressed in writing and presented to the board representatives at the next Board meeting.

Rule Changes: New rules, governing the markets may be adopted by the Board as allowed in the CCCFM Bylaws.

Insurance: Producers must at all times while selling at a CCCFMA market, must have and maintain in force and effect a current policy or policies of general public liability, product liability, and automobile insurance in a minimum amount of $500, 000 each, in which a certificate shall be filed with the CCCFM Association prior to participation. CCCFM must be listed as additionally insured with endorsement attached. Producers shall supply CCCFM Inc. with a copy of the certificate of Insurance, which shall give CCCFM Inc. advance written notice prior to its cancellation. The Board has the discretion to allow for a Hold Harmless Agreement for certain participants who meet specific criteria.

*MMM (www.managemymarket.com) you may log into your account anytime to view your account status and see payments and fees. **It is your responsibility to keep your account up to date.** Courtesy emails are sent to remind you when fees are due, check your MMM account often and be sure the email address on file is up to date.

Market safety program and Governing Rules.

It is strongly recommend that you make a copy of this page for your employees to read and sign. You are responsible for making them aware of the CCCFM rules and regulations.

Market Safety Program: The following safety program is REQUIRED of ALL grower/vendors participating in the CCCFM sponsored markets. These safety practices are specified by our insurance carrier and officially adopted by the Board. The Market Managers have certain safety responsibilities and are charged with enforcing safety rules.

Each grower/vendor must read the following rules, and share them with their employees and acknowledge their agreement by electronically "signing" during their online application process.

1. Please educate all members of your staff who are selling your product about your product, the proper sampling procedure, the correct set up- your certificates posted, the arrival time, the departure time, the late fees, the cancellation procedure, the no show fees and safety issues.
2. Please post your farm or business banner on your canopy every week at each market site.
3. Post clearly written product names and price lists for all items that are for sale.
4. Product arrangements shall be stable and secure. Display tables shall not be overloaded, please secure the display table legs or table supports, they must be strong and secure.
5. Make sure your canopies, umbrellas, and other shades are anchored to the ground, weighted down, and secured against the wind. Tarps must be securely fastened at all times during the market.
6. All canopy supports must be securely in place and anchored with weights. They must be put up and taken down with care so as not to injure others. It is your responsibility to bring what you will need and provide your employees with the proper supplies.
7. Overhead signs perpendicular to the walkway, other than unframed fabric signs, are prohibited. Use only canvas signs please. The manager may allow additional directional signage away from the sellers stall, providing that it is not a safety hazard.
8. All growers/vendors and their employees are not to smoke in the market**. No Exceptions – State law**
9. Eating is not allowed at the sales table to insure no contamination of product being sold.
10. Noise producing equipment, e.g., generators, music sound systems, etc., should be placed and/or modulated in such a way so as to take other growers/vendors, their employees, as well as customers into consideration.
11. ALL GARBAGE GENERATED AT YOUR STALL MUST BE TAKEN BACK WITH YOU.
12. Members children are welcome to participate at the market, however, they must remain under the DIRECT supervision of their parent or guardian at all times and not be allowed to run free at anytime.
13. Bring a working fire extinguisher with you to the market each week.

All members, their employees, invited artists and crafters who participate in the Contra Costa Certified sponsored Farmers' Markets agree to the terms of the Governing Rules and the Grower/ Vendor Responsibilities. They agree that they have read the rules. All principals are responsible for making their employees aware of all these rules. No Exceptions. The Governing Rules are found under "Join Our Team" on **the website: cccfm.org.**

Signed:_____Date_____