

MENDOCINO COUNTY FARMERS MARKET ASSOCIATION RULES AND REGULATIONS

(Revised Jan 25, 1998; Jan 15, 2000; May 17, 2006; Jan 23, 2010; March 1, 2015; March 6, 2016; March 5, 2023)

I. INTENT AND IMPLEMENTATION

These Rules and Regulations are meant to govern the operation, administration and management of the Certified Farmers Markets (CFM's) under the sponsorship and direction of the Mendocino County Farmers Market Association (MCFARM).

II. MARKET RULES

Vendors must conduct themselves in a manner that reflects MCFARM expectations. Producers, family members, employees, and others representing them at the market must abide by the following rules:

A. Attendance Notification

The Market Manager may require a one week advance notification of intent to attend the market prior to the first selling day of a member. All applicable documents must be provided to the Market Manager prior to selling at that market. The application and membership dues must be received by the Office Manager before a vendor may sell at the market.

B. Bags and Litter

Sellers using bags or other wrapping materials for their customers shall ensure that such materials do not litter the market. All vendors shall bring a trash receptacle for the convenience of their customers and for themselves. Before leaving the market, all matter in the selling area, including an area extending into the common customer traffic area, must be completely removed and taken with the seller.

C. Certificates

Vendors with producers certificates must post the embossed copy at the market. All applicable certificates must be visibly posted by each vendor. Producer certificates with two or more names listed as producer, must provide evidence of partnership or other legitimate business agreement. Copies of each certificate must be given to the Office Manager and the Market Manager of each market where the vendor intends to sell. One is the limit for second certificates in our association (see state regulations for other requirements).

D. Food Coupons

1. MCFARM is authorized as an organization to accept Food Stamps with EBT devices at some of our markets. The managers of these markets will provide the necessary information regarding the acceptance and redemption of script for the specific foods allowed.
2. Certified Ag producers are encouraged to accept WIC coupons from customers, but must be registered with the state WIC program before accepting them and should post signs to indicate acceptance. Specific WIC regulations will be received by the state after registration. Vendors are responsible for marking each coupon with their registered number before redeeming the coupons at their own bank.

E. Arrival and Departure

The arrival and departure times of the sellers are to be determined by the Market Managers. Vendors will be expected to abide by these hours (unless permission is granted for special circumstances) for the safety and integrity of the markets. Late arrivals may be required to park outside of the market area and carry their products to their space.

F. Pricing

All prices must be clearly marked or posted. Collusion and deceptive pricing practices are prohibited. Bargaining with the consumer is specifically allowed. Deliberate and significant undercutting of a competitor's pricing to gain market advantage is strongly discouraged.

G. Selling Space

Assignment of selling space will be at the discretion of the Market Manager. The Market Manager will attempt to assign sites so that vendors will have some consistency in their weekly location. Non-AG vendors may not be placed in the certified vendors' selling area, as per state law for CFM's. Vendors are expected to cooperate when space adjustments are requested by the Market Manager. Vendors are encouraged to communicate in a cooperative manner with their vendor neighbors to accommodate individual space needs.

H. Setups and Safety

Vendors should display products in a clean and attractive way, and should minimize safety hazards. All display tables frontage must be behind the setup line designated by the management. No boxes or produce displays may extend in to the common customer traffic area. Tables and other display fixtures must be sturdy, stable, and not overloaded. All canopies and umbrellas must be completely secured by weights or tie downs or they will be subject to immediate removal. Electric cords must be placed, marked and/or taped down in a way that greatly reduces the risks of tripping on them.

I. Communication with Customers

Vendors should be honest, courteous, and conduct themselves at all times in a friendly and businesslike manner. In addition, vendors should be knowledgeable about the product, how it is used, grown or produced, and communicate this information clearly to customers.

J. Noise Factors

Vendors must refrain from playing radios other electronic music players during market sales hours and avoid the practice of loud hawking or shouting to promote products.

K. Appearance

Vendors must be presentable, wearing shirts and shoes during market hours.

L. Pets and Smoking

Smoking is prohibited in the market place or adjacent to your vehicle during market hours. Show courtesy by keeping your distance from the market and consider the wind direction if smoking, including market setup/takedown times, as this affects the comfort of other vendors and the promotional aspects of our healthy markets. Keep your pets at least 20 feet from the market area and not in your vehicle if the vehicle is parked within the market place.

M. Respectful Conduct

Vendors must treat each other, staff, customers, and officials with respect. All members must comply with the decisions of the Market Manager, the Market Rules and Regulations, the MCFARM Bylaws, and other decisions of the association.

N. Complaints

Complaints or concerns regarding the market may be communicated to the Market Manager or the General Manager. If there are concerns regarding member rights, contact a Member Representative. Member opinions are requested in the annual

MCFARM surveys. There are systems in place for resolving conflicts in a fair manner. Refer to MCFARM Bylaws and/or request information for grievance procedures. Public complaints are not acceptable, as they waste valuable promotional dollars that affect all vendors.

O. Sexual Misconduct Policy

MCFARM takes its responsibility to provide a physically and emotionally secure and comfortable environment for both its vendors and the general public very seriously. Sexual misconduct will not be tolerated at MCFARM markets and is considered cause for immediate discipline up to and including permanent suspension of MCFARM membership privileges. Sexual misconduct includes stalking, sexual exploitation, sexual assault, sexual harassment, sex discrimination and relationship violence. Should sexual misconduct occur at a MCFarm market the market manager will immediately notify appropriate authorities and may take immediate action to remove the source of the misconduct from the market.

III. ADMISSION OF A PRODUCER AND PRODUCTS TO A MARKET

Admission policies are based on support for local agricultural producers. In MCFARM's Articles of Incorporation, the first purpose of our association is to provide farmers markets for agricultural products that are produced in Mendocino, Lake, Sonoma and Humboldt counties. Admission of other products is also based on these locations.

A. Local Produce Vendors

Vendors with certified produce from Mendocino, Lake, Sonoma and Humboldt counties, shall be accepted until all spaces are full. All products that are listed on their primary producer certificates shall be accepted at each market.

1. Vendors must notify the market manager before the season begins in order to be assured a space in that market.
2. Managers of markets that may reach maximum capacity should give first priority to certified vendors from Mendocino, Lake, Sonoma and Humboldt counties who have participated in MCFARM for 2 or more years and are members in good standing Preference shall also be given to local vendors who are returning to that specific market from the previous season. Remaining spaces shall be filled by the manager by the date of request for acceptance into the market.
3. Market Managers shall use their reasoned discretion in determining acceptance of a second certificate, utilizing admission policies for the product.
4. In order to be placed in the certified section of the market, any crafts sold by this produce vendor must be created from products harvested on the farm , must not predominate by volume or value, and must be accepted by the Market Manager.
5. Participating vendors who experience a crop failure will not lose their opportunity to be admitted to a market the following year. Payment of dues is not necessary for one year of non-vending, but it will ensure voting rights.

C. Non-Certified Ag Producers (e.g. meat, aqua cultured oysters, cheese)

New Non-Certified Producers will only be allowed in markets that have sufficient space to allow maximum participation from all certified producers who notify the manager before the season begins. Market Managers must have the latitude to use their discretion in considering market supply and demand for non-certified ag products, but these producers have admission priority over other non-AG food products.

E. Other Food Products

Admission of producers of other food products such as processed food, wild seafood, seaweed, salt etc. is determined by market need, based on Market Manager discretion and has priority over admission of crafts. At least one of these factors should be present to assist the manager in determining admission:

1. The food is harvested or caught in the region of Mendocino, Lake, Sonoma and Humboldt counties.
2. The food is grown or raised by the vendor and processed locally.
3. It is a local business selling processed specialty foods.

F. Food to Go

Admission of food to go is based on Market Manager discretion, available space, and the need to provide market hospitality. The market image, healthfulness of the product, and the inclusion of local ingredients are important factors to consider.

G. Crafts

For the specific markets that accept crafts, admissions shall be based on Market Manager discretion. The manager may also rely on a volunteer committee for reviewing work prior to admission. Market Managers should strive to keep the number of craft vendors below 25% of the number of certified vendors. A rotating schedule may be utilized to meet this percentage and still allow greater participation. The following factors assist the manager in determining admission:

1. It appears that at least 75% of the work in the craft item is created by the local vendor.
2. The person uses local products when possible.
3. The product is unique and the quality is commendable.

I. OTHER REGULATIONS

All members and markets are expected to abide by all applicable state and federal regulations and are particularly expected to be familiar with regulations concerning participation at farmers markets, and agricultural and health regulations relative to food production, safety, preparation, labeling, and sales.