



**2008 Mendocino County Farmers Market Application- Instructions**  
also available on line at [www.mcfarm.org](http://www.mcfarm.org)

It's easy to get started:

***2008 Applications accepted beginning March 24, 2008***

**Allow up to 4 weeks for processing, mailing and Market Manager follow-up**  
longer if application is incomplete.

- 1. Contact Market Manager(s)** from the list pg. 2, to discuss vending possibilities.
- 2. Complete page 3 of your application.** Read and understand MCFARM Rules & Regulations and By Laws provided with this application and the Hold Harmless agreement (pg. 2). Initials and signatures are required by both applicant and partner.
- 3. See the checklist on page 4. Choose the type of product(s) that you vend.** Obtain the required permits, licenses, etc. needed to for your product(s).
- 4. Send the complete application with copies of applicable licenses, permits, etc. to:**

MCFARM PO Box 2176 Fort Bragg, CA 95437.  
Call with questions-Angela 707-964-6718 [goldseal@mcn.org](mailto:goldseal@mcn.org)

- 5. Membership Card and Vendor Packet will be sent to you,** when the complete application and **\$30 membership dues** are received in MCFARM Office. **Please allow 2 weeks.**
  - 6. Send copy of Membership card, complete application, and copies of paperwork to the Market Manager of each market you wish to attend.**
  - 7. Market Manager contact-** set up vending specifics, space assignment (if available). **Allow up to 2 weeks.**
- You may not attend market until you are issued a membership card and the Market Manager has your application and a copy of your membership card.**

**Membership dues are \$30.**  
**Stall fees are 7.5% of your gross sales up to \$30 + .60 ag (CDFA)fee.**

## About MCFARM

MCFARM is a membership Not-For-Profit organization originally founded in 1977 as the Redwood Empire Farmers Market Association. Our purpose is to: Provide low overhead, cooperatively run market places for agricultural products grown and produced in Mendocino and nearby counties; Sponsor and coordinate Certified Farmers Markets in accordance with the State of California direct marketing regulations; Provide opportunities for current or potential growers, to enhance their productivity and to encourage their participation in the Farmers Markets. *Summarized Articles of Incorporation, April 3, 1993*

Our markets are **Certified** Farmers Markets. Each market and its producers follow regulations from Dept. of Food and Agriculture and the Mendocino County Health Dept. to help **ensure consumer safety**. We have 9 excellent markets with many experienced, dedicated and talented Market Managers, who strive for vendor and customer satisfaction.

### MCFARM Certified Farmers Markets (CFM) Market Manager Contacts

- Boonville CFM-** Saturday 9:45-12:00, May 3- Oct. 25; Annual Plant Sale on May 3. Boonville Hotel, Hwy 128  
Cindy Wilder 13461 Airport Rd Boonville 95415; 895-2949 [cwilder@dishmail.net](mailto:cwilder@dishmail.net)
- Fort Bragg CFM-** Wednesday 3:30-6:00, May7-Oct. 29. Grassy lot at the Corner of Spruce and Main St.  
Gypsy Spring 8525 N. Hwy. 1 Little River 95456; 937-4330 [gspring@ips.net](mailto:gspring@ips.net)
- Gualala CFM-** Saturday 10:00-12:30, May 31-Oct. 25. Gualala Community Center  
Donna Bishop Box 314 Gualala 95445; 883-3726 [donnabishop@wildblue.net](mailto:donnabishop@wildblue.net)
- Laytonville CFM-** Monday June 9-Oct. 20 Good Food Store, Hwy 101  
Marbry Sipila Box 55 Laytonville 95454; 272-1893 [marbry@starband.net](mailto:marbry@starband.net)
- Mendocino CFM-** Friday 12:00-2:00, May 2- Oct. 31. Howard & Main St.  
Winnie Pitrone 42265 Little Lake Rd. Mendocino 95460; 937-3632 [minerva@mcn.org](mailto:minerva@mcn.org)
- NEW**
- Redwood Valley CFM-** Sunday 9:30-1:00, June 22-Oct. 12. Redwood Valley Lions County Park, 8920 East Rd.  
Jen Lyon 7901 East Rd, Redwood Valley 95470; 485-5363 [salthollow@pacific.net](mailto:salthollow@pacific.net)
- Ukiah-Saturday CFM-** Sat 8:30-12:00, May 3- Oct 25. Alex Thomas Plaza, School & Clay St.  
Scott Cratty 725 Vichy Hills Dr. Ukiah, 95482; 462-7377 [cratty@comcast.net](mailto:cratty@comcast.net)
- Ukiah-Tuesday CFM-** Tues 3:00-6:00, June 3-Oct. 28, Alex Thomas Plaza, School & Clay St.  
Michael Krzywozycki 1901 Boonville Rd, Ukiah 95482; 468-9039 [krzy1951@hotmail.com](mailto:krzy1951@hotmail.com)
- Willits CFM-** Thursday 3:00-6:00, May 1- Oct. 30. City Park, 100 State St.  
Jen Lyon 7901 East Rd, Redwood Valley 95470; 485-5363 [salthollow@pacific.net](mailto:salthollow@pacific.net)

### Hold Harmless Agreement

I agree to abide by the Mendocino County Farmers Market Association (MCFARM) Rules & Regulations and By laws pursuant to the interpretation of market management.

I/ We hereby agree, as an agricultural producer/non-ag food purveyor participating in MCFARM's Certified Farmers Markets, that I/we will indemnify and hold harmless the sponsors of the market site, MCFARM and its officers, their agents and employees, from and against any and all liability, claims, demands, expenses, fees, fines, penalties, suits, proceedings, actions and causes of action of any and every kind and nature arising or growing out of or in any way connected with my/our use or occupancy as an agricultural producer/ non-ag food purveyor at a MCFARM Certified Farmers Market(s) or any of my/our related activities as an agricultural producer/ non-ag food purveyor at a MCFARM Certified Farmers Market or market activity.

I also declare that I have the authority to sign this agreement as a certified producer or as a designated representative of the certified producer or the certified producer's producing entity, or the owner of the food establishment producing food as a food purveyor participating in MCFARM markets.



## 2008 Membership & Vendor Application

Please Print Legibly

1. APPLICANT'S NAME \_\_\_\_\_

2. PARTNER'S NAME \_\_\_\_\_

*(Partnership Agreement or both names on Ag Cert required)*

3. FARM/BUSINESS NAME(S) \_\_\_\_\_

4. MAILING ADDRESS \_\_\_\_\_

5. TELEPHONE (DAY) \_\_\_\_\_ (EVE) \_\_\_\_\_ (FAX) \_\_\_\_\_

6. E-MAIL ADDRESS \_\_\_\_\_

7. FARM(S) ADDRESS(ES) \_\_\_\_\_

8. EMPLOYEES ATTENDING MARKET \_\_\_\_\_

9. OTHER PEOPLE ATTENDING MARKET \_\_\_\_\_

10. I request to vend at the following Market Location(s) \_\_\_\_\_

11. Dates I wish to attend \_\_\_\_\_

Initial \_\_\_ & \_\_\_ I have read, understand and agree to abide by MCFARM Rules and Regulations. (Included)

Initial \_\_\_ & \_\_\_ I have read, understand and agree to abide by MCFARM By Laws. (Included)

Initial \_\_\_ & \_\_\_ I have read, understand and agree to abide by MCFARM Hold Harmless Agreement, pg. 2

*Upon MCFARM's receipt of a complete application & membership dues, I am allowed privileges as a MCFARM member, as stated in the MCFARM Bylaws and Rules & Regulations. However, membership in MCFARM does not always ensure acceptance to vend at all MCFARM markets. I understand Manager's decisions are based on the space availability at each market and other factors. I understand and agree to abide by MCFARM Rules & Regulations, MCFARM Bylaws, Hold Harmless Agreement, related laws, codes, and regulations pertaining to the Certified Farmers Markets. I agree to cooperate with Market Management and will pay the applicable Stall Fee and CDFA tax, (currently .60) at the end of each Market day. A \$20 fee will be imposed on any returned checks.*

Applicant \_\_\_\_\_ Partner \_\_\_\_\_ Date \_\_\_\_\_

Check the following that apply:

I wish to receive **electronically e-mailed newsletters** and other correspondences at the above e-mail address instead of printed and mailed.

I wish to have my name/farm/business listed on the **MCFARM website**- Please provide a short description of your product or service \_\_\_\_\_

Please send me **Minutes** of 2008 MCFARM meetings -also accessible on the website [www.mcfarm.org](http://www.mcfarm.org) click on the "From Old Roots..." banner.

I wish to receive **beneficial offers and opportunities** when information comes to MCFARM.

## 2008 MCFARM Membership & Vendor Application (cont)

### \*List of Documents Needed for a Complete Application

#### All Vendors

- Current Proof of Automobile Insurance for all vehicles that will be used at markets
- \$30 Membership Dues (check or money order)
- Partnerships must have a Partnership Agreement and/or both names listed on certifications and licenses

#### Agricultural Products

- Current Certified Producer's Certificate/ Mendocino County Agricultural Dept/ 707-463-4208
- Partnerships must have all names listed on Certified Producer's Certificate
- WIC (Women Infants and Children Program Vouchers) Acceptance Authorization- required to accept WIC at markets- *strongly encouraged*

#### Eggs

- Current Certified Producer's Certificate/ Mendocino County Agricultural Dept/ 707-463-4208
- Egg Handlers Registration/ Mendocino County Agricultural Dept/ 707-463-4208
- Proper Labeling of Cartons-Provide copy of Label

#### Nursery Plants

- Current Certified Producer's Certificate/ Mendocino County Agricultural Dept/ 707-463-4208
- Nursery Stock License/ Mendocino County Agricultural Dept/ 707-463-4208
- State Board of Equalization/ Resale Number/Seller's Permit 707-576-2100 or [www.boe.ca.gov](http://www.boe.ca.gov)

#### Cut Flowers

- Current Certified Producer's Certificate/ Mendocino County Agricultural Dept/ 707-463-4208
- State Board of Equalization/ Resale Number/Seller's Permit 707-576-2100 or [www.boe.ca.gov](http://www.boe.ca.gov)

#### Meat

- Slaughterhouse / Processing House address, phone #, and license # (letterhead from slaughterhouse)
- USDA Certification Stamp

#### Cheese

- Milk Products Plant License- California State Dept of Milk & Dairy/ 707-527-6383

#### Organic Products/ Produce

- California State Registered Organic Certificate/ Mendocino County Agricultural Department/ 707-463-4208
- NOP Organic Certification/USDA 202-720-3252 (if applicable)

#### Fish and Ocean Products

- Receivers License/ California Dept. of Fish & Game 707-445-6493 or [www.dfg.ca.gov](http://www.dfg.ca.gov)
- Mendocino County Health Certificate/ Environmental Health/ 707-463-4466
- Seaweed Harvesters Permit/ California Dept. of Fish & Game 707-445-6493 or [www.dfg.ca.gov](http://www.dfg.ca.gov)

#### Processed or packaged Food Products (you must prepare food in a Health Approved Commercial Kitchen)

- Mendocino County Health Certificate/ Environmental Health/ 707-463-4466
- Proper Labeling- Provide copy of Label
- Describe Product(s) \_\_\_\_\_

#### Alcoholic Beverages

- ABC Permit for EACH Market Location/ Alcoholic Beverage Control 707-576-2165 [www.abc.ca.gov](http://www.abc.ca.gov)
- Active Winegrower's License/ Mendocino County Agricultural Dept/ 707-463-4208
- Product description \_\_\_\_\_

#### Second Certificate

- Both producers must be current MCFARM members
- Agricultural products and names must be listed on sellers Certified Producers Certificate- Mendo Co Ag Dept./707-463-4208
- Letter from other producer authorizing you to sell for them-MCFARM Rules & Regulations Sec 11 I.

#### Non-Food Products

- State Board of Equalization/ Resale Number/Seller's Permit 707-576-2100 or [www.boe.ca.gov](http://www.boe.ca.gov)
- List and Describe product(s) \_\_\_\_\_

#### Food Purveyors (Prepared On-site edible food)

- Mendocino County Environmental Health Permit (Temporary Food Facility) Environmental Health 707-463-4466
- Description of your food and booth set up with form of cooking (BBQ-propane or charcoal, oven, etc.) \_\_\_\_\_

#### Service or Non-profit Group

- Name and purpose \_\_\_\_\_

*\*Based on your product, the documents required may not be limited to this list. Incomplete applications will be returned.*



Mendocino County Farmers Market Association

P.O. Box 2176 • Fort Bragg, CA 95437

www.mcfarm.org

Rev. A 1/27/1990  
Rev. B 1/11/1992  
Rev. C 1/29/1994  
Rev. D 1/25/1997  
Rev. E 1/17/1998  
Rev. F 1/15/2000  
Rev. G 1/17/2004  
Rev. H 1/17/2007  
Rev. I 2/1/2008

## BYLAWS

### I. Purpose

The Mendocino County Farmers Market Association (MCFARM) forms and operates Certified Farmers Markets (CFM's) in Mendocino County. Specifically, MCFARM provides shared liability insurance for each market location and coordinates the annual purchase of certification permits from the local Department of Health and the Agricultural Commissioners Office. MCFARM serves to implement and causes to be enforced in a fair and equitable manner the California Department of Food and Agriculture "Direct Marketing Program" relating to CFMs. MCFARM is the catalyst for growth of our existing CFMs.

### II. Membership

- A. MCFARM's membership is comprised of officers and directors referred to as Market Managers; independent producers of certified and non-certified products, processed agricultural products, non-agricultural products and services.
- B. A Membership/ Vendor application is submitted annually along with the annual membership dues. This must be done prior to selling at any of MCFARM's markets.
- C. One membership is required per working group, family or farm apprentices, that is, people working together in a common growing and marketing project.
- D. There is one vote per membership. Member must have sold as a vendor in MCFARM in at least one of the two preceding years and/or is a member of the Operating Committee.
- E. One membership will have one selling space at the market or if desired and possible, more space might be available at the Market Managers discretion.
- F. Only current members, their family or their employees may sell at markets.
- G. A membership does not guarantee a space at a specific market. This is subject to the approval of that market's manager.
- H. Members who vend at a market are required to pay a stall fee with each market attendance.
- I. Members must respect and comply with the decisions of the Market Manager and with the decisions of the Association.
- J. Membership may begin anytime after the Annual Meeting and will conclude one day after the following Annual Meeting.
- K. Officers and Market Managers will have their memberships provided at no cost.

### III. The Governing Body

The Governing Body of MCFARM is comprised of the current members. The members approve all Bylaws, Bylaw changes, policies and operation rules for all markets. Members are responsible for maintaining the solvency of the Association.

## **Officers-Elections and Responsibilities**

Elections take place each year for two of the four Officer positions. Each term is two years. One year the vote is for Vice President and Treasurer, the following year the President and Secretary. The four Officers are responsible to the Governing Body in a fair and equitable manner.

The specific responsibilities of each officer are as follows:

### **President**

A. Calls and chairs the Annual meeting, the Operating Committee's Spring and Fall meetings and all special meetings of the Association. Meetings are conducted using Robert's Rules of Order.

B. Confirms a Market Manager(s) appointment from the recommended nominees provided by the individual market's membership.

C. Acting with the support of the County Health Department and Agricultural Commissioners Office causes their regulations to be enforced.

D. Acts as the spokesperson for MCFARM.

E. Oversees all Market managers & Office manager.

F. Cosigns checks with the Treasurer or other registered check signers.

### **Vice President**

A. Acts in the absence of the President.

B. Oversees and coordinates promotions and general advertising.

### **Secretary**

A. Records, keeps and causes minutes to be produced for MCFARM Annual, Operating Committee and Special meetings, to be provided to the Office Manager.

### **Treasurer**

A. Oversees all fiscal activities ie. budget, bank account, profit & loss statements, collection & deposit of money, bill payment, & tax returns with Office Manager.

### **Member Representative**

Two member representatives may be elected on a yearly basis at the Annual Meeting and shall serve for 1 year. Their role is to represent the members at the Spring and Fall Operating Committee Meetings which are held in March and November.

## **IV. Office Manager**

A. Is a paid Independent Contractor.

A. Takes direction from officers in performance of all duties.

B. With President and Treasurer:

1) Maintains bank account, deposits money collected by market managers, pays bills, creates an annual budget & provides accounting reports.

2) Monitors expenditures to operate within the approved budget.

3) Prepares, or causes to be prepared, all state & federal Tax returns.

- D. With Vice President, implements advertising and promotions.
- E. With Secretary, publishes minutes for dispersal to officers & members.
- F. Office Manager may access bank records but may not sign checks.
- G. Attends meetings and reports on fiscal and correspondence issues. The Office Manager will not have a vote.
- H. Oversees the preparation & distribution of MCFARM Newsletters.
- I. Maintains correspondence within the association and responds to official or private party inquiries regarding the association.
- J. Processes all applications for membership.
- K. Maintains files of all required paperwork for the current year and all previous years.
- L. Checks the post office box on a regular basis throughout the year.

**V. Decision Making, Annual and Special Meetings**

An Annual Meeting date will be decided on at the November Operating Committee meeting to elect new Officers and Member Representatives for the coming year and to conduct any business required by the Association. Meetings may be held at other times as called by the President or upon the request of at least three members. Members are to be given written notice of meetings mailed at least two weeks in advance of the meeting date.

Changes and or additions to the Bylaws and Market Rules and Regulations must be passed by a two-thirds vote.

All membership dues and stall fees shall be determined by the Governing Body.

The days and hours for all markets shall be determined by the Governing Body at the Annual Meeting.

When necessary, a professional minutes-taker may be hired by the board/ Operating Committee.

**VI. Operating Committee**

The four elected officers, all Market Managers, the Office Manager and Member Representative(s) shall constitute the Operating Committee. The Operating Committee shall be the decision making group during the interim that exists between Annual Meetings. A newsletter containing the minutes of these meetings shall be published and sent to the membership. During Operating Committee meetings, one vote is permitted per market. Member Representatives are allowed a vote at the Operating Committee Meetings.

If a market has more than one manager, that vote is divided by the number of Market Managers in attendance.

**VII. The Responsibilities of the Market Managers**

- A. Operate the market in a safe and effective manner.
- B. Maintain and enforce all Market Rules and Regulations of MCFARM and all pertaining State and County regulations. Market Managers are solely responsible for making sure all rules are followed and are accountable to the regulating agencies, for example the Department of Food and Agriculture and Environmental Health.
- C. Verify that vendors:
  - 1) are current members
  - 2) have obtained all the appropriate certificates, permits and documents before selling, including but not limited to vehicle insurance for the vehicle used at the market.

- D. Maintain a stall fee collection sheet each market day showing gross sales, CDFA tax and stall fees collected from each vendor.
- E. Provide monthly reporting to the Office Manager by the 7<sup>th</sup> of each month.
- F. Create advertising, local publicity and promotions within the Operating Budget of the market. Place posters and fliers in as many locations as possible.
- G. Obtain all the necessary permits and arrangements for the market space prior to beginning of market season.
- H. Resolve disputes at market.
- I. Control traffic and animals at market, ie. dogs, bikes, skateboards...
- J. Place signs for announcing the market and signs regarding rules for No Dogs, No Smoking and WIC acceptance.
- K. Read, understand and implement information provided in the Market Manager's Manual.

#### **VIII. Dismissal or Suspension of a Member from a Market**

A member may be dismissed or suspended from a market or have selling privileges in that market become restricted by a Market Manager for any of the following reasons:

- A. Failure to obey and conform to State and local government agencies or MCFARM By Laws and Market Rules and Regulations.
- B. Causing or maintaining unsafe or unsanitary conditions at the market.
- C. Unreasonable or outrageous conduct considered detrimental to the welfare of the market.
- D. Failure to attend at a previously reserved market space without adequate prior notification.
- E. Failure to comply with any condition which was placed on the admission of a member to that market.
- F. Failure to arrive at the market early enough to be set up prior to the opening on time.

The severity of any such action imposed by a Market Manager shall be directly related to the gravity or repetition of the violation.

Members are responsible for the actions of their representatives, employees or agents.

If possible and reasonable under the circumstances, a market manager must give adequate warning and notice of consequential action prior to the actual action of dismissal, suspension, or restriction.

Any member dismissed or suspended by the action of the Market Manager shall have the right of appeal to be reviewed at an emergency session of the Operating Committee. This shall be conducted within 21 days of receiving a written request for such an emergency review session from the aggrieved member. Such written request shall be made within 30 days from the date of the removal or suspension, or the right to an appeal shall be considered waived. Any member who has requested an appeal will be allowed to be present at that emergency session for the purpose of representation.

The Operating Committee, after review, may uphold, modify or vacate any decision made by the Market Manager. The decision of the Operating Committee is final.

# Mendocino County Farmers Market Association

## **MCFARM**

### **Market Rules and Regulations**

Revised 1/25/1998  
1/15/2000  
5/17/2006

#### 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). All sellers must have a current Membership Card from MCFARM.

The Governing Body of MCFARM, its management and its designated agents will implement and enforce all Rules and Regulations pertaining to the operation of the Certified Farmers Markets under its control in a fair and equitable manner.

#### II. STATE REGULATIONS:

The regulations of the California Department of Food and Agriculture pertaining to Direct Marketing (Article 6.5, Group 4, Subchapter 1, Chapter 3, Title 3 of the California Administrative Code) are hereby incorporated by reference to be part of these Rules and Regulations. (For details on specific subjects see your Market Manager).

Specifically restated are the following provisions of such regulations:

A. Producers of fresh fruits, nuts, vegetables, shell eggs, honey, flowers and nursery stock must obtain a Certified Producer's Certificate prior to selling such commodities at a Certified Farmers Market. Such commodities must have been produced by the producer by the practice of the agricultural arts upon land which the producer farms and owns, rents, leases, or sharecrops. All fish must be harvested in accordance with state laws.

B. Fresh fruits, nuts and vegetables listed on a Producer's Certificate may be sold directly to consumers exempt from size, standard pack, container, and labeling requirements with the exception that all prepackaged closed consumer containers of agricultural products shall be labeled with the name, address, zip code and e-mail or web address of the producer and a declaration of identity and net quantity of the commodity in the package. However, a package containing 6 or fewer items which are fully visible does not need a statement of count.

C. All agricultural products sold at the market shall comply with the regulations of the California code governing maturity and quality.

D. All agricultural products, other than exempt fresh fruits, nuts and vegetables, which are sold at the markets must comply with all applicable laws pertaining to their grading and labeling.

E. 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 or ordinances.

F. Only the producer or the producer's parents, children, grandparents and grandchildren or a relative regularly residing in the producer's household 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. It does not include a person who is reselling or whose compensation is primarily based on a commission on sales.

G. A Certified Producer's Certificate (embossed photocopy) must accompany the certified agricultural products during transportation and must be conspicuously posted at the point of sale.

H. 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.

I. When a producer has been granted the privilege of selling for another certified producer, it shall be under the following conditions:

1. The agricultural products shall be separated at the stand and be clearly identifiable by the respective certificates. Seller shall report gross sales separately for each certificate holder, and shall pay stall fees for each certificate based upon the gross sales for each grower.

2. The producer selling for the other producer must also sell or offer for sale agricultural products which the selling producer has produced. Seller's produce shall be predominate over that of the other producer.

3. Prior to sale, the producer selling has furnished a written letter from the additional producer which verifies the selling producer's authority to sell their products on their behalf.

J. A 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. Some of these not stated elsewhere are: Nursery Certificate to sell nursery stock, Seller's Permit from the State Board of Equalization for all non-food items and Proof of Automobile Insurance.

K. When selling at the Certified Farmers Markets, the producer and the producer's agricultural products shall comply with all applicable requirements of the California Uniform Retail Food Facilities Law and the California Sherman Food, Drug and Cosmetic Law. Specifically:

1. All produce and containers of produce must be kept at least 6 inches above the ground.
2. Food preparation (except trimming) is prohibited. Chef demonstrations will comply with Environmental Health Regulations.
3. Processed foods must be processed and stored in an approved facility and properly packaged and labeled under clean and sanitary conditions before coming to market. These foods must be transported to market and stored or displayed in an approved manner. A copy of the facility's Health certificate shall be posted at the seller's point of sale.
4. Dried fruits, shelled nuts, and other processed foods that are sold in bulk form must be displayed with a cover and conform to dispensing methods approved by the local Environmental Health Department.
5. Eggs must have the appropriate certification and comply with the storage, packaging, and labeling specifications that are required by the local Environmental Health Department.
6. 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, except service dogs which shall be kept on a leash.
7. Members selling non-agricultural food products are required to have valid permits from the local jurisdiction and are not considered part of the Certified section of the Farmers' Market.
8. All products sold as organic must be grown, produced and processed in accordance with the USDA National Organic Program. The producers of organic labeled produce must be registered as organic producers with the County Agricultural Commissioner. A Registered Organic Certificate must be provided to the Market Manager and MCFARM Office Manager. If the operation's gross agricultural income from organic sales totals more than \$5000 annually, they need to be certified organic by an accredited certifying agent and provide a copy of their organic certificate to the Market Manager and MCFARM Office Manager.
9. Smoking is not permitted within the market, at or behind vendor areas.
10. All processed certifiable agricultural products must have, and be accompanied by a verifiable listing of the fresh product on the seller's Producer's Certificate. Sellers must be able to show location and capability of processing. If the processing is done by a second party, the seller must be able to show the method used to insure that the processed product returned by the processor is from the original product submitted by the producer for processing. Receipts, volume date, and letters verifying methodology may be requested or required. The seller must show that all processing was accomplished under safe and sanitary conditions, and, if applicable, obtain, furnish and display all necessary health permits.
11. If the local health authority approves, distribution of samples in a manner which will ensure safe, unadulterated samples for the public may be allowed. The following guidelines are to be followed:
  - a. Keep samples in clean, covered containers approved by the local health agency.
  - b. Use toothpicks or disposable utensils to distribute the samples.
  - c. Dispose of pits, peels, food waste and rubbish in leak-proof garbage receptacles with close-fitting lids.
  - d. Use clean disposable utensils to distribute the samples.
  - e. Produce intended for sampling must be washed and cleaned so as to be wholesome and safe for human consumption.
  - 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. Cutting surfaces must be smooth, non-absorbent and easily cleaned.

### III. ADMISSION OF A PRODUCER AND PRODUCTS TO A MARKET:

The major goal of our association is to operate quality certified markets that enable farmers to sell local produce directly to consumers. It is our philosophy that an open market policy provides healthy competition and allows our markets to grow economically which benefit both the farmer and the consumer. More vendors and products provide the consumer with additional choices and opportunities to support our markets. Admission of producers and their products shall be based on this philosophy.

A. Vendors with certified produce from Mendocino and nearby counties shall be accepted until all spaces are full. All products that are listed on their certificates shall be accepted at each market. Vendors must notify the market manager before the season begins in order to be assured a space in that market.

B. Managers of markets that may reach maximum capacity should give first priority to certified producers from Mendocino County and from adjacent 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 using the following factors:

1. Locality of the farm/business
2. The need for that product in the market
3. The date of request for acceptance into the market

C. Certified and non-certified Specialty Foods such as cheese, honey, and olive oil have historically been limited to a minimal number of vendors in each market. New vendors from Mendocino and nearby counties will not be excluded nor will products that are added to certificates of these growers. However, the Market Manager must inform the new vendor of the economic reality and the risks for both vendors. Competing vendors will be encouraged to meet with the Market Manager and a market representative if possible, to negotiate positive solutions such as alternate markets, alternate days, or second certificates and decide for themselves how to resolve it. If both parties decide to participate in the same market at the same time, it is imperative that both parties abide by market pricing regulations and compete in a fair and ethical manner. If the new producer is from outside our neighboring county, the Market manager may exclude the product, but should make strong attempts to honor the philosophy of an open market, considering what is ultimately best for the market and consumer.

D. New non-certified producers will only be allowed in markets that have sufficient space to allow maximum participation from all certified produce vendors who notify the market manager before the season begins. Market managers must have the latitude to use their discretion in considering market supply and demand for non-certified products. Market managers should strive to keep the number of non-certified vendors below 25% of the total vendors. Bakeries, other food providers, or community agencies who are invited by the market manager for the purpose of hospitality, education, or community service are exempt from this count.

1. Admission of vendors who sell processed food, seafood, or foods harvested in the wild, shall be based on the following factors, "a" having the most priority, as well as the factors previously listed in section "B".

- a. The food is harvested locally or caught regionally by the vendor.
- b. The food is grown or raised by the vendor and processed locally.
- c. The inclusion of this food would significantly enhance the market (based on the manager's skilled observation)
- d. The food is processed locally.
- e. It is a local business.

2. For the markets that accept crafts, admission or denial into the market shall be based upon the market managers reasoned discretion and on the number of factors included in the product, as well as the factors listed in section "B" above:

- a. The majority of the work in each craft is created by the local vendor.
- b. The person uses local products when possible.
- c. The product is farm related.
- d. The product is unique or original
- e. The quality is commendable.

E. A vendor who requests to sell for another individual with a second certificate will be allowed to sell these products. Market Managers shall use their reasoned discretion in determining acceptance of second certificate.

F. Market Managers should keep a list of vendors who requested admission, but were denied entrance because of space availability. Managers should attempt to create a schedule of markets that current vendors plan to attend in order to maximize the possibility of including the above vendors in some market days that aren't totally filled.

G. Market Managers should keep a list of vendors who have specific products that were denied access to the market in order to fill a void if needed in the future.

H. The Office Manager and affected Market Managers should keep a list of names of producers who intend to attend specific markets in the future when their product is ready, as some products need several years to mature (e.g. olive oil, stone fruit, grapes). Membership dues each year of waiting and a letter of intent will insure a space in the market for a Mendocino County grower. High priority will be given to a certified grower in adjacent counties.

I. Whenever a producer or product is excluded from a market, that Market Manager shall document the reasons for exclusion and provide a copy to the affected producer, the Office Manager, the member representatives, and to the President of MCFARM within seven days of the request for Market access. The following is the process for appealing the decision:

J. At the written request of an excluded producer:

1. Members of the Operating Committee shall be notified by email stating the grievance. Any members of the Operating Committee that don't regularly receive email will be contacted by phone.
2. A telephone conference meeting will be held with a minimum of 7 voting members in attendance. No Operating Committee member who is part of the grievance will be allowed a vote. The decision will be based on a majority rule. The decision of the Operating Committee will be final.
3. Utilizing this appeal process in a reasonable manner will ~~not~~ be a factor in future market participation.

#### IV. OTHER MARKET RULES, POLICIES AND REQUIREMENTS:

- 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 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 plastic bags for their customers shall insure that such bags 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:** Producer certificates with two or more names listed as producer must provide acknowledged evidence of partnership or other legitimate business agreement. All applicable certificates must be visibly posted by each vendor. 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 (see State Regulations I.).
- D. **Food Coupons:** MCFARM is authorized as an organization to accept Food Stamps. However, our organization is not accepting Food Stamps at this time as coupons need to be redeemed electronically at the market. Any vendor selling produce must accept WIC coupons and post signs to indicate acceptance. No change may be given to the customer. Instead, vendors are encouraged to give extra produce to create an equal exchange. Vendors must write or stamp their certificate number on each coupon. WIC coupons are redeemed by the individual seller at a bank to be treated like cash.
- E. **Market Hours: 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 market.
- 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 and Assessments:** 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. Elimination or downward adjustments of the stall fees shall only be used infrequently, should be justified, and will be at the discretion of the Market Manager.
- H. **Setups and Safety:** Vendors must set up in a way that minimizes safety hazards. All display table frontage must be behind the setup line designated by management. No boxes or produce displays may extend into 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 and uncompromised removal. Electric cords must be placed, marked and/or taped down in a way that greatly reduces the risks of tripping on them.

#### V. STANDARDS OF CONDUCT

- A. **Noise, Disturbance and Intrusion:** Radios or other electronic music players are not allowed to be played during market sales hours. No loud hawking or shouting to promote products is allowed. Disruptive or confrontational behavior in the market is prohibited.
- B. **Producers and employees representing producers must:**
1. Be knowledgeable about product, how it is used, grown or produced and communicate clearly to the customers
  2. Be courteous, professional and presentable
  3. Display products in a clean and attractive way
- C. **Producers are expected to be honest and to conduct themselves at all times in a courteous and business-like manner. Participants are expected to dress and behave in an appropriate manner. Drinking, yelling, swearing, name-calling, slanderous remarks and other rude behavior will not be allowed.**
- D. **Customers are expected to be courteous as well. Producers experiencing any difficulty with customers in this regard are encouraged to refer the matter to MCFARM management.**
- E. **Participants are expected to treat each other, staff, customers and officials with respect.**
- F. **Participants are expected to wear shirts, shoes, or sandals during market hours.**
- Any complaints about other participants or the Market Rules and Regulations should be made to the Market Manager and MCFARM Officers.