

# 2018 RULES & REGULATIONS

PO BOX 782 | OCCIDENTAL, CA 95465 | 707-874-8478 | INFO@OCCIDENTALFARMERSMARKET.COM



## MARKET DESCRIPTION & PHILOSOPHY

The Occidental Bohemian Farmers Market (OBFM) is a California state Certified Farmers Market held primarily for the benefit of growers and producers of agricultural products, and for the benefit of consumers. The OBFM is organized by the Farmers Market Board of the OBFM.

The OBFM should be made up of at least 75% growers each week; growers and food processors will have priority placement. Second priority goes to craftspeople; tables will be available in an adjacent vendor area.

Space assignments will be determined by the Market Manager using the following priorities, in order of importance:

1. Compliance with specified regulations
2. Market safety
3. Separation of certified & non-certified sellers
4. Overall balance of the Market
5. Seniority
6. Space Availability

The OBFM has the right to deny admission to vendors, and any other party wishing to occupy space at the market, in order to uphold the stated purpose and bylaws of the OBFM.

The selling of arts, crafts, live animals, or processed food is not allowed within the area designated for certified farmers. Exceptions allowed within this area include non-certifiable agricultural products such as cheese and honey from the farmer's animals, and dried fruit, flowers, and herbs. *All* ingredients in

such products must be grown and processed by the seller on his/her property.

## TIME & LOCATION

The OBFM is held in the parking lot spanning the front of Howard's Cafe to the Bohemian Market in downtown Occidental. The Market will be held every Friday from 4pm until dusk, June 1 through October 26, 2018, rain or shine.

## WHO MAY SELL

**All vendors must have an accepted application on file and Manager permission to sell at the OBFM.**

An application must be submitted to the OBFM at least one week prior to selling at the Market.

**The application must be accompanied by:** a signed and initialed copy of the *OBFM Market Rules Agreement* (found on reverse of application), \$20 non-refundable application processing fee, copies of all required licenses and certificates, *California Board of Equalization Form 410d*, and advance payment for the first two Market stall fees. New vendors are subject to a three-market probationary period to ensure mutual compatibility. Spaces may not be sold, sublet, or given to another vendor at any time; spaces may be shared only with express permission from the Market Manager.

### *Certified Growers*

Growers must be county-certified farmers. Sonoma County growers are preferred; non-local exceptions may be made at the discretion of the OBFM. The grower and/or members of the grower's family, or employees of the grower must be present at the Market. Growers must be

registered with the California Department of Food & Agriculture (CDFA) and possess a Certified Producer's Certificate (CPC), available from the Department of Agriculture. (*This will only be issued after an inspection of your farm/garden. For this certificate to be issued, you must also have paid the fee for State direct marketing certification—[form available here.](#)*) This certificate must be posted in a conspicuous place at each stall. A copy of the CPC must be provided to the OBFM. For those selling live plants, a copy of the Nursery License must also be provided to the OBFM. For those selling fish, a copy of the commercial fishing license must be provided to the OBFM. Producers are also required to post a conspicuous sign that contains the farm or ranch name, the county of production, and a statement that they only sell what they grow or similar representation.

Products such as bakery/bread, soaps, candles, crafts, and others are now defined as nonagricultural products and may *not* be sold in the Certified Producers Section. This includes beeswax candles and honey sticks. **Certified growers may not sell ANY non-ag products in their booths.**

### *Non-Certifiable Agricultural Products (Meat, Dairy)*

This group is also under the purview of the CDFA, and includes farmed seafood, livestock and livestock products, and poultry and poultry products. Though these products are not "certified," they must have been produced or derived from animals raised or produced by the producer; Sonoma County producers are preferred. Red meats must be certified by the USDA and poultry must come from an approved source, as defined by the Department of Public Health.

Meat producers selling value-added products such as sausage with ingredients other than basic powered or granulated flavor additives that they did not grow or produce themselves (such as herbs, peppers, cheese, etc.) may *not* sell these products in the Certified Producers Section.

#### *Food Processors*

Prepared foods may be sold at the OBFM. Food processors must prepare their products in a certified kitchen and possess a current Temporary Food Facility Permit or county-issued Cottage Foods Permit. All vendors selling hermetically sealed foods (e.g. "canned") must hold a Processed Food Registration from the California Department of Public Health. The Market Manager must have copies of all documentation which verifies that sellers of processed foods comply with production requirements of the Sonoma County Health Code. Any product requiring a Department of Health certificate must post that certificate at the point of sale. All food vendors must follow all food handling and sampling guidelines set forth by the Department of Health.

#### *Crafters*

Crafters must make their wares themselves in Sonoma County and must provide photos of their products with their application.

**Due to limited availability and high demand, crafters cannot hold more than three stall reservations at a time. All stall spaces must be paid for in advance.** Cancellations will be credited to another date only if at least 48 hours notice is given or if the stall is rebooked by the OBFM.

## SELLER STALLS AND SET-UP

There are two options for stall fees: (1) Weekly single stall space is \$25 per date, or (2) the full season is \$500, paid in advance of opening day, in full. Farmers must pay \$2 per additional CPC, per market. Fees for smaller sized stalls may be negotiated with the Market Manager. Growers under 18 years of age may have half-size stalls free of charge, space permitting. One half-size stall will be allocated every week to a non-profit educational group.

All sellers must sell at the stall space, and only that space, designated by the manager.

All vendors are responsible for bringing anything they need for their booth, including tables, chairs, canopy, etc. No power or water is available at the OBFM. All signage, canopies, and umbrellas must be firmly secured and/or weighted. All of these items must be within the allotted stall space and shall not extend into the aisle beyond the line or neighboring vendors.

Reserved spaces will be held until 3:30pm on the day of the Market. Vehicles may remain in the Market area during selling hours for holders of stall spaces, but may not leave until the Market is over. For those not using vehicles as part of their Market setup, unloading must be completed by 3:45pm and vehicles must be moved out by that time. Set-up may start at 3:15pm with sales starting at 4:00pm. No selling before 4:00pm. Stalls must remain open until the end of the Market, and may not be vacated without prior permission from the Market Manager.

**Sellers must notify the OBFM at least 48 hours in advance if they will not be selling on a Market day for which they are scheduled. Sellers who fail to notify with the required notice will be charged for the stall space. No-shows will forfeit all future reservations and will be required to prepay for any re-bookings.**

The OBFM Manager will also monitor sellers for compliance with the following:

- All prices must be clearly posted. Prices may be listed on a board or items may be individually priced.
- All required certifications must be clearly posted.
- Containers used in the sale of any produce must have all words of misidentification obliterated, and/or bear the seller's own label.
- All scales must be approved commercial scales certified each year by the County Sealer, Office of Weights and Measures.
- All scales must face the customer.
- Stalls must be kept clean and neat during Market and must be dismantled with all trash and equipment removed by nightfall.

Please remember: the quality of your products reflects on your reputation as sellers and on the OBFM. The OBFM Manager will monitor products to assure that they are of high quality.

#### *Garbage*

**There are no municipal trash facilities available in Occidental; you must take your trash away with you. *If the Market Manager***

*finds it necessary to clean up after you, you will be charged an extra stall fee for that day.*

Since the majority of the Market's trash consists of to-go plates and napkins, prepared food vendors must participate in our Plate Away program as well as choose from one of the following three options:

- (1) Pay an extra \$5 garbage fee;
- (2) Provide their own full-size garbage can at the front of your booth—accessible to customers—and dispose of the trash on their own (outside of Occidental); or
- (3) Serve prepared foods on reusable/non-disposable dishware exclusively. *This means NO paper plates, to-go containers, etc.*

## LATE FEES

The OBFM opens for business at 4pm, at which time vendors should be ready to sell and all vehicle movement is prohibited. This means that vendors should be arriving by 3:30pm to set up, and no later than 3:45pm.

More than an imposition on those who do arrive on time and more than a professional courtesy, late arrivals are a safety issue and specifically banned by our insurance carrier. *Please note that if we cannot safely provide access to a vehicle arriving late, entry will be prohibited and offloading from outside the Market will be required.*

Late fees will be charged on top of the usual stall fees if a vendor arrives after 3:45pm.

**1st offense: Warning**

**2nd offense: \$5**

**3rd offense: \$10**

**4th and subsequent offenses: \$20, and possible dismissal from market**

## SAFETY AND HEALTH CODES

The OBFM Manager will monitor sellers for compliance with the following:

- No smoking.
- No pets, or any live animal, allowed in any area of the Market where food is stored or sold.
- Tables and displays, including umbrellas and canopies, must be stable and secure.
- A sign on the stall identifying the seller must be clearly visible.
- Vendors are responsible for the safety and behavior of their own children.
- All food must be at least 6 inches off the ground.
- No vehicle may enter the market after the opening of the market, or leave the market prior to the close of the market.
- Samples must be presented in a sanitary manner in compliance with Sonoma County Department of Health rules, including:
  - Samples kept in clean, covered containers.
  - Garbage container available for trash, pits, seeds, and peels.
  - Handwashing station with warm water available for sample preparers.
  - Toothpicks used to distribute samples.

- Clean, disposable plastic gloves used when cutting produce for samples.
- Produce intended for sampling must be washed and free of dirt.
- Utensils and cutting surfaces are washed and sanitized.
- Cutting surfaces are smooth, non-absorbent and cleanable.

Any grower in violation of Health Department regulations will be required to obtain his/her own Temporary Food Facility permit.

The OBFM insurance policy covers the market organization only, not any individual grower or market participant. Individual vendors are responsible for their own insurance.

Vendors are responsible for any fees or penalties incurred by the Market because of their non-compliance with any county or state codes, and will not be admitted back into the Market until resolved.

## GROWER REQUIREMENTS

As per Assembly Bill 593, each grower at a Certified Farmers Market must:

- Conform to state laws and Market rules regarding selling for another producer. The law allows sellers to sell for a maximum of two other growers during a 12-month period as long as written authorization is provided to the county Ag Commissioner, and the seller has for sale more of his/her own product by

weight or value. Current copies of all pertinent CPCs must be given to the OBFM prior to sale.

- *Load Lists:* Each grower must keep a record of how much of each product he/she sells at the Market, including all processed products sold in the certified ag area, and furnish a list to the Market Manager.
  - Varieties and unit types on load lists must correspond with varieties and units on CPCs.
  - Load lists may not be turned in before the end of the market.
  - A late fee will be imposed for every load list not turned in within 1 week.

## VIOLATIONS AND PROCEDURE FOR SELLER REMOVAL

Whenever the market manager, in good faith, believes a seller has violated the rules and regulations of the OBFM, including any governing public agency described therein, the manager will issue a verbal warning to the seller, and then a written confirmation. Sufficiently egregious behavior may result in immediate removal from the market, or loss of privileges to sell at the market, for that market day.

If the violation continues, the manager will issue a second written warning to the seller, and also provide a copy of the written warning to the OBFM board. The board may further suspend the seller for one market day.

Upon subsequent violation, the manager will issue a third written warning, and the board may suspend the seller for thirty days.

The seller has the right to appeal the removal or suspension to the OBFM Board of Directors at a hearing to be held before the next market day.

If the Board, after a hearing, determines that the seller has violated the rules and regulations of the OBFM, or any governing agency described therein, it may extend the suspension period to a maximum of 60 days. The Board may indefinitely suspend or revoke the privilege of any seller whose privileges have been suspended twice in a two-year period. Notification of the Board's decision will be provided in writing. The Board and its agents shall implement and enforce all rules and regulations of the market in a fair and equitable manner.

## ENTERTAINMENT

A space will be made available for acoustic-only performers each week. Please check with the OBFM for scheduling.

*Thank you for participating and contributing to the success of our local market!*



# 2018 non-PROFIT/COMMUNITY SERVICE APPLICATION

Organization Name: \_\_\_\_\_

Contact Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Phone(s): \_\_\_\_\_

Email: \_\_\_\_\_

Website: \_\_\_\_\_

Best way to reach you:  Phone  Email Best time: \_\_\_\_\_

As per OBFM Rules & Regulations, we allocate two half-size stalls each week for non-profit and/or community service tabling, at no charge. You must provide your own card-size table and chair(s), and the stall does not include space for a vehicle.

Please mark below the dates you would like to table. **YOUR RESERVATION REQUEST(S) WILL BE CONFIRMED BY AN OBFM MARKET MANAGER AFTER YOUR APPLICATION IS PROCESSED.**

For more info, email: [info@occidentalfarmersmarket.com](mailto:info@occidentalfarmersmarket.com).

Mail completed application to:  
Occidental Bohemian Farmers Market, PO Box 782, Occidental, CA 95465

## non-PROFIT/COMMUNITY SERVICE

Please describe your outreach/messaging intent:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Name of person(s) who will work table:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### MUST INCLUDE THE FOLLOWING WITH APPLICATION:

- \$20 annual application fee
- Initialed & signed copy of the *Market Rules Agreement* (on reverse/page 2 of application)

*Applications that are not fully completed will not be processed.*

**Due to limited availability, space may be booked for a maximum of 3 markets at a time. Once a month reservations may be available by special arrangement.**

### JUNE

1  8  15  22  29

### JULY

6  13  20  27

### AUGUST

3  10  17  24  31

### SEPTEMBER

7  14  21  28

### OCTOBER

5  12  19  26

- It's ok to give out my phone/email if a customer contacts the OBFM wanting to know more about my organization.

# market rules agreement

PO BOX 782 | OCCIDENTAL, CA 95465 | 707-793-2159 | INFO@OCCIDENTALFARMERSMARKET.COM



Please initial the following items as part of the application process (*incomplete applications will not be accepted*):

- \_\_\_\_\_ I agree to cooperate with the Market Manager and the other vendors in maintaining harmony at the Market.
- \_\_\_\_\_ I will ensure that anyone working in my booth, either with or for me, will understand and abide by the *OBFM Rules & Regulations*.
- \_\_\_\_\_ I agree to give the Market Manager at least 48 hours notice if I will not be attending the next Market for which I have reserved space. I agree to pay the stall space fee if I do not show up.
- \_\_\_\_\_ I understand that any no-shows will forfeit all future reservations.
- \_\_\_\_\_ I understand that the Department of Health regulates the Market with a Retail Food Facility Permit, and that dogs or other animals are not allowed within 20 feet of food and produce (*with the exception of service animals*). I will do my part to make sure my customers and fellow vendors understand this rule, and will not bring any pets or other animals into the Market.
- \_\_\_\_\_ I understand that Market is a public place and that pictures taken of me at the Market may be used on the Market website or other promotional materials.
- \_\_\_\_\_ I agree that I must take into consideration how my canopies and the positioning of my tables and signs affect the overall aesthetics and safety of the Market and my neighbors.
- \_\_\_\_\_ I agree to take responsibility for my children when they are brought to the Market.
- \_\_\_\_\_ I understand that it is strictly forbidden for any vender, as defined in the *OBFM Rules & Regulations*, to resell

products other than those covered in the description of A.B. 593 and the OBFM rules, whether they are accepted or not in any other Certified Farmers Market. I understand that the OBFM will suspend any owner, producer, employee, or representative associated with a business that violates this regulation.

\_\_\_\_\_

I have read and agree to abide by the *OBFM Rules & Regulations*, as well as all federal, state and county laws pertaining to selling at a Farmers Market.

Signature: \_\_\_\_\_

Print Full Name: \_\_\_\_\_

Name of Business: \_\_\_\_\_

Date: \_\_\_\_\_

**FOR USE BY MANAGERS ONLY**

DATE APPLICATION RECEIVED: \_\_\_\_\_

AMOUNT OF PAYMENT RECEIVED: \_\_\_\_\_

DATE OF NO SHOW: \_\_\_\_\_

LATE PENALTIES:

1st offense (\$0) \_\_\_\_\_

2nd offense (\$5) \_\_\_\_\_

3rd offense (\$10) \_\_\_\_\_

4th offense (\$20) \_\_\_\_\_

Add'l offense \_\_\_\_\_

Add'l offense \_\_\_\_\_

NOTES:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_