



North Coast Growers' Association

Humboldt County Farmers' Markets

www.northcoastgrowersassociation.org

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Updated April 2018

NCGA CERTIFIED FARMERS' MARKET RULES AND REGULATIONS **NON-AGRICULTURAL MEMBERS**

MISSION STATEMENT: The non-agricultural section of the NCGA Farmers' Market was developed to create a space within the market in which products created and processed in Humboldt County may be sold. Our non-agricultural food products compliment and augment what the North Coast Growers of Humboldt County provide to Farmers Market attendees. Humboldt County vendors provide a greater array of locally produced value added goods to meet Market demand. Working together Humboldt's finest agricultural and culinary experts provide fresh food ready for the basket.

A. CERTIFICATES AND PERMITS

1. As a market participant you must be a current NCGA member and comply with NCGA rules and regulations. All applicable CA Department of Food and Agriculture Direct Marketing regulations must be strictly adhered to. Members must annually sign a compliance agreement as part of NCGA membership.

2. **You may only sell products that you have produced yourself.** Pre-packaged, pre-processed goods by anyone other than the vendor are not allowed at the Market; rather, the non-agricultural section is intended to be a venue for locally produced goods.

3. All processed packaged products shall bear labels including: the name of the product, ingredients, weight, the qualified seller's name and address. (See California Uniform Retail Food Facilities Law, articles 6 and 15, Health and Safety Code, sections 27590 et seq., and sections 27831 et seq., respectively).

4. If you are promoting, representing or selling a product as organic you must follow the requirements of the Organic Foods Production Act of 1990

B. HEALTH DEPARTMENT GUIDELINES

1. All participants interested in selling processed products in the non-agricultural section of the market must obtain the required health certificates and-permits from the County Environmental Health Department and see the Market Manager prior to bringing products into the market.

2. All food products must be elevated a minimum of 6 inches above ground level at all times. This includes off-loading prior to setting up your displays. State health laws prohibit the placing of food products on the ground or sidewalk. Off-loading onto empty boxes or pallets is recommended.

3. Sampling of food is permitted at our CFM. Producers must follow the Humboldt County Department of Health and Social Services-Environmental Health regulations for sampling of produce or processed food products at the Market. The county regulations can be accessed at the County Department of Health and Human Services, Division of Environmental Health, 100 H Street, Eureka, CA 95501, 707-445-6215, www.envhealth@co.humboldt.ca.us. See Market Manager for a list of specific regulations.

4. Labeling of all closed containers is required. Labels must include identity and address of the producer, and the identity and quantity of the product.

5. Food Vendors are required by the County Health Department to have a restroom and hand washing facility within 300' from their stall.

C. STALL ASSIGNMENTS AND PROCEDURES

1. The Market Manager will determine when any particular commodity is in excess and will assign spaces accordingly. Appeals may be submitted in writing to the NCGA Board of Directors. No vendor may hold more than one stall space at any given time.

2. Stall spaces are assigned by the Market Manager. Assignment at all markets is based on product distribution and CA Certified Farmers' Market Regulations.

3. Stall spaces will be held until 30 minutes prior to the start of each market, at which time the Market Manager may assign another vendor to your space. Please be sure to arrive at least 30 minutes prior to the start of each market so you are set up and ready to sell by the time the market begins. If you are unable to be at a market where you have been assigned a space, you must call the Market Manager as far in advance as possible, but no later than 48 hours before that market. This allows the Manager to assign your space to someone else for that date. **You will be charged a full stall fee if you do not show up at the Market without calling 48 hours in advance, or for repeated late arrivals.**

Vendors are permitted 2 excused absences for the duration of the main season (including cancelations due to expected rain). If more than 2 absences are requested, full stall fees will be charged for each additional absence. **If you have more than 2 unexcused absences (without 48 hour notice), you will be charged a full stall fee and risk losing your space for the season.**

4. Each stall must be identified with a sign. You may not sell at the market if you do not have the following information posted:

Business Name (phone # optional)

Location

City of Arcata Business License (for selling at the Arcata CFM)

Organic Registration/certification from the State (CDFA) if you are selling as organic

Environmental Health permit(s)

Resale License if applicable

5. You may not start selling before the opening market time at the Saturday Arcata Plaza Market. Each vendor must wait for the opening signal prior to selling. All vendors must be cleaned-up and cleared from the market no later than one hour after closing. You may be charged a \$10 fine for stall areas not thoroughly cleaned.

6. The set up and break down procedures for vendor stalls at any market location will be established by the board, conveyed and enforced by the market manager for the purpose of courteous, efficient and safe set up and break down. Please do not park in the farmers' stall spaces or fire lanes when you are off-loading/loading.

D. MEMBERSHIP AND STALL FEES

1. Membership in the NCGA must be obtained by sending annual dues to NCGA and completing a membership application. There are two types of members at NCGA Farmers' Markets:

1) **Agricultural Members** are members who raise agricultural crops for sale in Humboldt County, and whose products are defined as "agricultural products" by the California Department of Food and Agriculture (CDFA).

2) **Non-Agricultural Members** are members whose products are defined as "non-agricultural" by CDFA, including but not limited to prepared foods and other processed products.

2018 Annual Membership dues are as follows:

Ag and Non-Ag Members attending Arcata Plaza and any weekday market(s): \$150

Ag and Non-Ag Members attending only weekday market(s): \$100

Supporting Members: \$35

(Supporting Members are 2nd producers and those who attend no more than 6 markets per location; do not accrue seniority and may not vote in association business. Supporting members can be Ag or Non-Ag.)

2. Annual membership dues are due and payable March 1st. Dues become delinquent April 1. Delinquent dues may be assessed a \$10/month late penalty until July 1st, after which date membership will be lost. New members may apply at any time, but must apply at least two weeks prior to the first market they wish to attend.

3. Market fees are to be paid to the Market Manager **no later than 30 minutes** after the closing of each

market. The board establishes stall fees each year at the Spring meeting. 2018 stall fees are as follows:

Arcata Plaza Main Season Food Court: \$80 full stall; \$50 half stall; \$40 third stall

Arcata Plaza Winter Market: \$35 flat rate

Weekday Markets: 15% of your gross sales, with a minimum of \$14 and a maximum of \$34.

E. GRIEVANCE PROTOCOL

1. All market concerns are to be presented to the Market Manager for resolution.

A spirit of respect, consideration and cooperation must exist between members, board members, market patrons, market managers and assistants. It is not acceptable to verbally abuse, yell at or intimidate fellow farmers, customers, board members or market managers.

2. Whenever the Market Manager, or other agent assigned to do so, acting in good faith, believes a seller has violated any of the NCGA CFM rules, a written warning will be issued. A second violation within one growing season will result in a \$20 fine and referral to the NCGA Board of Directors. A third violation within one growing season will result in immediate expulsion from the market. Re-entry into the market may be attempted through written appeal to the NCGA Board of Directors.

If any other type of misconduct clearly occurs, please report it to the market manager immediately. The market manager will approach both parties and try to resolve the issue at the time of the incident. If resolved, a report of that resolution will be given to the Executive Director documenting the incident.

If no resolution is reached in the matter, both parties will need to file a written complaint at that time. This written complaint will be turned into the Executive Director for further consideration. The Executive Director will try to resolve the issue and then give the NCGA Board a written report on the situation.

If the Executive Director fails to achieve resolution, the matter will be referred to the NCGA Board of Directors. Both parties may be required to attend a meeting with the NCGA Board for discussion of the situation. The Board will review the situation and a final decision will be made. Both parties will be notified as to the final judgment.

Simple apologies between parties may be enough but in extreme cases, penalties may be assessed including Market suspension and/or membership suspension from NCGA. The NCGA Board has the discretion to suspend, revoke, and permanently disallow membership when resolution to grievances cannot be achieved through the process outlined above.