



REDWOOD CITY KIWANIS FARMERS MARKET

A Certified Farmers Market

Serving the Community since 1979



MARKET RULES AND REGULATIONS

Section 1

- 1. Purpose:** The Redwood City Kiwanis Farmers Market, referred to as “the market,” operates for the benefit of both vendors and consumers. It provides vendors an outlet to sell at prices normally higher than wholesale, and consumers an opportunity to buy at prices lower than retail.
- 2. Type of Market:** The market is a **certified farmers market** operating in accordance with the rules and regulations established by the California Department of Food and Agriculture. The market is primarily for the sale of agricultural products; there is a separate designated area for non-agricultural goods.
- 3. Certified agricultural products:** These are products certified by the California Department of Food and Agriculture relative to inspection and verification of compliance with direct marketing regulations. These products include fresh fruit, vegetables, honey, eggs, flowers, nuts, and nursery stocks.
- 4. Market operator:** The market is operated by **The Redwood City Kiwanis Club**, a non-profit service organization involved in helping underprivileged children in the community.
- 5. Application:** Prospective vendors should apply **in writing** to the market operator for permission to occupy a space. Applications are available at the market, or by contacting the market office at: rwckiwanis@gmail.com
- 6. Participation:** Permission to participate as a vendor is granted by the market operator. Such permission shall be granted upon space availability and upon condition that the vendor agrees to abide by all the rules and regulations of the market. In the exercise of its discretion, the market operator does not discriminate against any person or organization on the basis of race, religion, nationality or sexual orientation, but otherwise reserve the right to decline admittance to the market to any person or organization.
- 9. Space assignment:** Retail spaces are approximately ten feet wide. Location assignment within the market is at the discretion of the market operator. The assignment may be subjected to changes under extenuating circumstances without advanced notice.
- 10. Public service space assignment:** Persons or not-for-profit organizations may be occasionally given a space for the purpose of providing non-political information to the general public. The determination of the appropriate nature of the material distributed or what might be said to market attendees is solely in the discretion of the market operator.
- 11. Fees:** Vendors shall pay a weekly space rental fee, which is set by the market operator at the beginning of each market season. This fee, on rare occasions, may change upon 30 days written notice. Annual registration fees must also be paid at the beginning of each market season.
- 12. Hours of operation:** 8 a.m. to 12 noon, Saturdays, April through November. Vendors are required to be in place 30 minutes prior to market opening for setting-up. **Driving into the market area is NOT permitted after 8 a.m.** Vendors arriving after this time must carry their products and equipment into the market. Vendors are not allowed to leave the market prior to 12 noon, unless an exception has been prearranged with the market operator.
- 13. Selling** shall not begin before 8 a.m. Only those items listed on the market registration form and/or the Certified Producer’s Certificate may be sold. All product promotion must occur within the space assigned to the vendor and not in the common area.

14. **Closing:** Selling shall cease and clean-up commenced by no later than 12:15 p.m. The sales area must be cleaned by the vendor. **All garbage must be hauled away and NOT be disposed on the premise.** Vendors are prohibited from using city or local merchant garbage or recycle containers. Sale areas must be swept and cleaned after each market session. A \$20 CLEANING FEE will be levied for non-compliance.
15. **Cancellation of market date:** Vendors **must** call the market office (650.421.5686) to cancel a market date if they are unable to attend. Calls must be placed 24 hours prior to the market opening or the vendor will be charged for the stall fee, at the discretion of the market operator, to be paid on the following market date.
16. **Load list requirements:**
 - a. The load list is a form identifying the certified producer/vendor. The vendor is required to list the type and the quantity of each product sold and the sum of the total sales for the day. Each vendor **must** complete a Load List form in its entirety.
 - b. The list of products sold must match those listed on the producer's certificate.
 - c. The form will be distributed during each market session. It must be filled out by the vendor and returned to the MARKET INFORMATION TABLE by no later than 12:30 p.m.
 - d. The Load List forms will be filed by the market operator for a period of 18 months.
17. **Signage:** Vendors must display a sign identifying the name of their establishment along with the city where production occurred. **Prices of all goods must be clearly marked and displayed at all times.**
18. **Insurance:** Vendors must have a current insurance policy in the minimum amount of \$250,000 for each of the following: GENERAL LIABILITY, PRODUCT LIABILITY and AUTOMOBILE. **The market manager must be furnished a copy of the certificate no later than the vendor's first visit to market.** Vendors are fully responsible for any and all personal injuries caused by their products, equipment, or display accessories, and will fully compensate the injured party and/or the market for any and all losses incurred.
19. **Certificates:** Growers must have a current Certified Producer's Certificate from their county Agricultural Commissioner. The original embossed certificate must accompany the products during transportation and must be conspicuously posted at the point of sale. **The market manager must be furnished a copy of the certificate no later than the vendor's first visit to the market.**
20. **Second Certificate:** A certified producer may sell on behalf of other certified producers. The producer acting as vendor must:
 - a. not represent more than two other certified producers per year
 - b. separate products by producer's certificate at the point of sale
 - c. list his/her name on any certificate when representing or represented by another certified producer, i.e., farmer A must have farmer B listed and vice versa.
 - d. have a greater volume of produce at the start of the market than the producer(s) for whom he/she represents
 - e. not deal in commissioned sales or in buying between producers
 - f. retain the records of products transferred and sold for three years, and submit such records to the California Department of Food and Agriculture upon their request
 - g. pay the registration fee for the second and/or the third certificate (may be done on the same registration form for the first certified producer)
21. **Organic products:** Organic growers must be registered as such with the office of the County Agricultural Commissioner. **The market manager must be furnished a copy of the certificate no later than the vendor's first visit to the market.**
22. **Supplies and equipment:** Vendors are responsible for their own supplies and equipments, including tables, shades, scales, waste containers, brooms, bags, change and hand washing station (when applicable).

- 23. Food preparation** (except trimming) is prohibited in the certified portion of the market.
- 24. Scales:** Scales must be tested, approved, and sealed by the County Agricultural Commissioner, Sealer of Weights and Measures. For further information contact: San Mateo County Agriculture Weights and Measures 728 Heller Street, Redwood City, CA 94064. Phone 650.363.4700, Fax 650.367.0130.
- 25. Packaged products:** These shall be clearly labeled with the name and the address of the producer, the quantity (or weight) within the package, and all additives used in the preparation.
- 26. Storage:** Products may not be sold from the ground or stored upon the ground. All products must be kept at least 6 inches above the ground.
- 27. Wholesale:** The market is for retail sales only. Wholesale must be done off premise or after hours.
- 28. Food sampling:** Samples may be given in accordance with the following guidelines:
 - a. Keep samples in clean covered containers.
 - b. Use toothpicks or disposable utensils
 - c. Dispose of pits, peels and waste in leak-proof garbage containers.
 - d. Produce intended for sampling must be washed and cleaned –not in the restrooms provided for personal use. Please contact Environmental Health at 650-363.4305 if you have any questions.
 - e. 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) - not in the restrooms provided for personal use. Please reference the Environmental Health Hand washing Station Regulations.
 - f. Cutting surfaces must be smooth, non-absorbent and easily cleaned
- 29. Guarantee of Products:** Vendors shall back the freshness and quality of their merchandise.
- 30. WIC vouchers:** All agricultural vendors shall accept WIC (Women, Infants and Children federal program) vouchers for unprocessed, fresh, locally grown fruits, vegetable and herbs. These vouchers may not be used for meat, honey, nuts, eggs, flowers or baked goods. The vouchers may be deposited at banks as cash equivalents or used as payment for space rental fees.
- 31. Live Animals:** State law prohibits the sale of live animals from places where food is sold. No dogs allowed except for service dogs meeting ADA requirements by law.
- 32. Vendors of non-agricultural food products** (meat, fish, shellfish, smoked fish, jams and jellies, bottled sauces, and bakery products) must meet the following conditions:
 - a. Have a current Health permit from the San Mateo County Environmental Health Department
 - b. Bring a vehicle onsite (with the permit affixed to the vehicle). Any exceptions to this must obtain a letter from Environmental Health Agency granting exception.
 - c. The vehicle must have a sign with the name and the location of the company/vendor. Removable signs are satisfactory.
- 33. Inspections:** There will be unannounced San Mateo County Agriculture and Health Department inspections throughout the market season. Any fine incurred as a result of vendor non-compliance will be passed on to the vendor.
- 34. REUSE OF FRUIT/VEGETABLE CONTAINERS:**
 - a. All non-applicable markings (including but not limited to brand marks, responsibility statements, identity statements, variety names, quantity statements and grade designations) must be completely obliterated.
 - b. The reuse of containers solely as platforms for display purposes is permitted.
 - c. Producers reusing containers for transporting to/from a certified market are not required to obliterate old markings. Such containers cannot be used for display/sale unless old inapplicable markings are obliterated.

35. **Noise:** No loud noise (e.g., shouting) is allowed. The market operator may use a public address system for entertainment purposes.
36. **Conduct:** Any statement and/or action deemed offensive, abusive or inappropriate to customers, market staff, other vendors, or government officials will not be tolerated.
37. **Dress code:** All vendors and their employees must be cleanly groomed and appropriately dressed to work at the market. Inappropriate words or pictures on clothing will not be tolerated. Violators will be asked to change or leave the market.
38. Vendors may withdraw participation from the market upon written notice to the market operator.
39. Permission to participate as a market vendor may be evoked upon 30-day written notice.
40. Failure to abide by the rules and regulations of the market shall constitute cause to revoke permission to participate in the market without the necessity of a 30-day written notice.
41. The market operator will have the final authority in interpreting and enforcing these market rules. The market operator reserves the right to make additions or deletions to these rules when deemed necessary. Written notices of these changes will be provided to the vendors. If a vendor challenges the market operator in a court of law and the court rules in favor of the market operator, the vendor shall compensate the market operator all costs associated with the legal action.
42. Violations of any of the above rules or policies may result in the following disciplinary steps. Severity of penalties will be dependent upon the nature and intent of the offense and may not necessarily follow in the order below:
 - a. first written notice
 - b. second written notice
 - c. written notice with fine
 - d. temporary and/or permanent market suspension

Section 2

POLICY ON SIGNS AND PERMITS FOR NON-AGRICULTURAL FOOD VENDORS

According to the information provided by the San Mateo County Environmental Health Services Department, all non-certified operators (not farmers), must have the business name, address, and telephone number indicated on both sides of the vehicle exterior they use to transport items to the market. The letters must be at least 3 inches high and strokes at least 3/8 inch wide. Please be sure that this is taken care of before the market opens. You can purchase an inexpensive magnetic sign that can be removed. A cardboard sign should also satisfy the requirement. You must also have a valid health permit from San Mateo County Environmental Health Department, 2000 Alameda de las Pulgas, Suite 100, San Mateo, CA 94403. Questions: Call the Health Department, phone 650.372.6200, fax 650.627.8244, www.smchealth.org/environ.

Section 3
San Mateo County Division of Environmental Health
CERTIFIED FARMERS MARKET POLICY

1. The organizers of the Certified Farmers Market (CFM) shall have a health permit from the Environmental Health Division for each site prior to beginning operation.
2. Certified Farmers' Markets shall meet the provisions of Article 6 and Article 15 of the Health and Safety Code.
3. All food shall be stored at least 6 inches off the ground.
4. Food preparation on site is prohibited.
5. Toilet and handwashing facilities shall be available within 200 feet of the market.
6. No live animals, birds or fowl shall be kept or allowed within 20 feet of any area where food is stored or held for sale. (This does not apply to guide dogs, signal dogs, or service dogs when used in the manner specified in Section 54.1 of the Civil Code.)
7. All garbage shall be stored and disposed of, in a sanitary manner, approved by the Environmental Health Division.
8. The following foods are allowed:
 - a. Certified Agricultural Products
 - i. These are agricultural products certified under the jurisdiction of the county agricultural commissioner relative to inspection and verification of compliance with the provisions of the California Department of Food and Agriculture, Direct Marketing regulations. Included are fresh fruits; nuts; vegetables in their raw, unprocessed state, [grown and sold by a certified farmer with documentation from the county agricultural commissioner]; shell eggs; honey; flowers; and nursery stock.
 - b. Non-certifiable Agricultural Products
 - i. These are products which are part of the definition of agricultural products, but are not certified by the agricultural commissioner. These products include processed products from certified agricultural products such as fruit and vegetable juices; shelled nuts; jams; jellies; and wine. Other examples include catfish, trout, and oysters from controlled agriculture operations in waters or ponds located in California.
 - ii. Processed products must have been produced or derived from plants or animals raised or produced by the producer. These non-certifiable processed agricultural products may include, or have added to them, a limited number of ingredients or additives which act only as preservatives or are essential in the preparation of the product.
 - iii. All certified agricultural products that have been processed must have been grown by a certified farmer and then processed in an approved facility. Documentation must be provided showing that the processing facility is licensed by the appropriate county, state, or federal agency.
9. Dispensing and storage methods: Bulk, ready-to-eat foods, such as shelled nuts and dried fruit, shall be protected from contamination. Acceptable methods include prepackaging food at an approved facility or Displaying food in approved containers with lids. Dispensing methods shall avoid direct hand contact with ready-to-eat food, and be approved by the Environmental Health Division. Customer self service of non-certifiable agricultural food products is not permitted. Processed foods shall be prepackaged or displayed in a protective case or container that will prevent contamination.
10. Potentially hazardous food must be stored and displayed at or below 45°F at all times. Use of an ice chest, in lieu of mechanical refrigeration, requires approval from the Division of Environmental Health.
11. Foods which do not meet the above conditions are not allowed under the CFM permit. Some examples of these unacceptable foods are: meat, bakery products, salads, and bean dips.
12. Sampling of food is conditionally permitted, subject to study and review. The requirements of the Health and Safety Code, Article 7, Sections 27600 -27615 must be adhered to and the following procedures shall be followed:
 - a. No food preparation on site, other than portioning (i.e. cutting apple slices).
 - b. Food samples are stored and displayed in clean, sanitary, and covered or otherwise protected from contamination.
 - c. Self-service of food samples is prohibited. Samples shall be in a single serve container or on a single serve utensil, and be served by an employee of the vendor directly to the consumer. For example:
 - i. To offer a sample of a dip and a cracker, the sample should be contained in a single serve container and handed to the consumer by the vendor.
 - ii. To offer a slice of cut produce, the sample should be on a toothpick and handed to the consumer by the vendor.
 - d. Handwashing facilities must be provided at each sampling site.**
 - e. Utensils must be sanitized at frequent intervals. A solution of bleach and water is recommended.
13. The market manager has the responsibility to exclude any food handler exhibiting signs of illness or injury which might contaminate food.
14. Nonagricultural Products:
 - a. Only certified and non-certifiable agricultural products may be sold in the "designated area" of the CFM. The exclusion of nonagricultural products is intended to maintain the intent and integrity of a CFM, which is the direct sale of products produced solely by the producer.
 - b. Vendors selling nonagricultural food products are not considered part of the CFM and are required to have a valid permit from the San Mateo County, Division of Environmental Health. Permits from other counties or state agencies are not valid for retail food sales in San Mateo County.

Section 4

CHECKLIST OF THINGS TO REMEMBER

- ✔ Obtain a current Certified Producer's Certificate from your County Agricultural Commissioner. A photocopy of the certificate must be prominently displayed at the market. Provide another copy for the Market Manager
- ✔ All scales must be commercial types that have been inspected and sealed.
- ✔ Bring a water sprayer with a plastic container (an atomizer) to keep your produce from wilting.
- ✔ Have a sign with the name of your establishment and the city where production occurs.
- ✔ Bring your own tables or platforms. All food must be kept off the ground.
- ✔ The market is located in a parking lot. You may want to bring something to shield your produce from the sun.
- ✔ Pre-package products must have the business name, the business address and the quantity printed on each container. All chemicals and preservative used in processing must also be listed.
- ✔ Bring plenty of change.
- ✔ You are responsible for your own clean-up.
- ✔ State law prohibits pets from places where food is sold. Our Environmental Health Department will ask you to leave the Market premises.

Section 5

ASSEMBLY BILL 2518 INFORMATION

Governor Pete Wilson signed Assembly Bill 2518. This Bill sets forth requirements for Farmers Markets as follows:

1. All food shall be stored at least 6 inches off the floor or ground.
2. Food preparation is forbidden at certified farmers' markets with the exception of food samples. Distribution of food samples is allowed provided that the following conditions exist:
 - a. Samples shall be kept in approved, clean, covered containers.
 - b. All food samples shall be distributed by the producer in a sanitary manner
 - c. Clean, disposable plastic gloves shall be used when cutting food samples.
 - d. Food intended for sampling shall be washed, or cleaned in another manner, of any soil or other material by potable water in order that it is wholesome and safe for consumption.
 - e. Potable water shall be available for hand washing or sanitizing as approved by the local enforcement agency.
 - f. Potentially hazardous food samples shall be maintained at or below 45 degrees Fahrenheit. All other food samples shall be disposed of within two hours after cutting.
 - g. Utensil and hand washing water shall be disposed of in a facility connected to the public sewer system or in a manner approved by the local enforcement agency.
 - h. Utensils and cutting surfaces shall be smooth, nonabsorbent, and easily cleaned or disposed of as approved by the local environmental health agency.
 - i. No live animals, birds, or fowl shall be kept or allowed within 20 feet of any area where food is stored or held for sale.
 - j. Garbage/rubbish shall be stored, and disposed of in a manner approved by the enforcement officer.
 - k. Toilet and hand washing facilities shall be available within 200 feet of the market or as approved by enforcement officer.