

# SUSTAINABLE ECONOMIC ENTERPRISES of LOS ANGELES

*A California Nonprofit Corporation & Operator of  
the Hollywood, Los Angeles Medical Center, Echo Park, Central Avenue  
Crenshaw, Watts Healthy & Atwater Village Farmers' Markets –*

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*"Sustainable Vision"*

## **Certified Farmers' Market Rules & Regulations**

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## **I. PURPOSE**

SEE-LA Certified Farmers' Markets provide producers with a direct market outlet at which they can sell at prices normally higher than wholesale, and consumers with an opportunity to buy fresher food at prices normally lower than retail. The Markets are "Community Events" as authorized by California Retail Food Code § 114371 of the California Health and Safety Code. They are community educational centers and meeting places that contribute to each neighborhood's identity as a center for commerce, entertainment and public activities. SEE-LA's Certified Farmers' Markets offer ongoing opportunities for gaining information and knowledge about food and nutrition, preservation and preparation, farming and gardening, produce varieties, cultures and customs. The Markets also offer opportunities for small business start-up in the food vendor and artisan sections. In this way, the Markets seek to improve the quality of life for all people residing in and visiting the local area.

## **II. TYPE OF MARKET**

SEE-LA operates Certified Farmers' Markets, operating in accordance with regulations published in California Code of Regulations, Title 3, Division 3, Chapter 1, Subchapter 4, Article 6.5. ("Direct Marketing Regulations") The Markets are subject to all pertinent city, county, state, and federal regulations and laws. All participating producers are required to be familiar with the current provisions of the Direct Marketing Regulations. The Markets are in a location approved by city and county agencies, as well as the County Agricultural Commissioner, who also certifies and inspects each farmer to ensure that he/she actually grew the commodity being sold at the Markets. Consequently, the produce is fresher, vine-ripened, of better quality, and greater variety.

## **III. GOVERNANCE**

Sustainable Economic Enterprises of Los Angeles (SEE-LA), a non-profit dedicated to supporting farmers and community development projects which serve the low and moderate-income population, manages and operates each of its Certified Farmers' Markets. The SEE-LA Board of Directors develops policies to regulate market operations and has adopted the following regulations to clarify and supplement the California Direct Marketing Regulations. The SEE-LA Board reserves the right to change, delete or modify its policies, procedures and Rules and Regulations.

## **IV. DEFINITIONS**

### **THE MARKET**

"The Market" refers to each individual, certified farmers' market operated by SEE-LA.

### **SUSTAINABLE ECONOMIC ENTERPRISES OF LOS ANGELES (SEE-LA)**

The non-profit corporation operating Certified Farmers' Markets and administering other social and community enhancement programs in Los Angeles.

### **CERTIFIED FARMERS MARKET**

A location authorized by the County Agricultural Commissioner where certified producers of fresh fruits, vegetables, and nuts may sell their produce directly to consumers exempt from standard pack labeling and grading regulations.

### **MARKET MANAGER**

Employee of SEE-LA who is responsible for the affairs of the Market and the authorized arbiter of the Market Rules and Regulations.

### **MARKET RULES**

This document which is governed by California Code of Regulations, Title 3, Division 3, Chapter 1, Subchapter 4, Article 6.5 on Direct Marketing, CRFC, and the Sherman Food, Drug, and Cosmetic Law.

## **SELLERS**

## CERTIFIED PRODUCER

A person or his/her agent and employees authorized by the County Agricultural Commissioner to sell fresh fruits and vegetables, nuts, apiary products, cut flowers and nursery products directly to consumers at this Certified Farmers' Market. Products must be produced on land owned, leased or licensed by the producer.

## PRODUCER

1. (Farmer) A person, partnership, corporation or any other entity that produces agricultural products other than certified produce by practice of the agricultural arts upon the land or waters which the person or entity controls. These products may include but are not limited to: poultry and meat products; aquacultural products; viticultural products; dried fruits and vegetables; juices, jams or other processed agricultural products.

2. (Fisherman) A person or entity that catches pelagic and/or freshwater fish or shellfish from boats which the person or entity controls.

## FOOD VENDOR

A person or entity that produces or controls the production of baked, processed, or prepared foods.

## ARTISAN

A person, who through the practice of the applied arts, creates original craftwork or an artist or sculptor.

## NON-PROFIT CORPORATION

An incorporated organization which has attained 501(c)(3) non-profit status under the Internal Revenue Code.

## COMMERCIAL SELLER

A person or entity who resells goods for a profit.

## OTHER DEFINITIONS

### EMPLOYEE

"Any person employed by a producer at a regular salary wage, on either a full or part-time basis. It does not include any person who is reselling or whose compensation is primarily based on a commission of sales." (Direct Marketing Regulations § 1392.2.)

### FOOD PREPARATION

"Packaging, processing, assembling, portioning, or any operation which changes the form, flavor, or consistency of food, but does not include trimming of produce." Source: California Retail Food Code, §113791. This includes but is not limited to: juices, jams, flavored nuts, nut butters, baked items, dairy products, and cleaned fish.

### IMMEDIATE FAMILY

"Parents, children, grandparents, or grandchildren of the certified producer or a family member regularly residing in the certified producer's household." (Direct Marketing Regulations § 1392.2)

### LOAD LIST

"an itemized list of all products sold at the certified farmers' market each market day...[which]... shall state the name of the certified producer, the identity of each product sold as it appears on the certified producer's certificate, and the quantity of each product sold at the market." (Direct Marketing Regulations § 1392.9)

### PARTNERSHIP

"A partnership is a separate entity distinct from its individual members. As a separate entity, a partnership must obtain a certified producer's certificate to market, directly to consumers, its agricultural products, which shall be produced by practice of the agricultural arts upon land that the partnership, as a separate entity, exclusively controls." (Direct Marketing Regulations §1392.2)

## V. ALL SELLERS

### General Rules

1. All sellers shall complete the applicable application described in Section XII.
2. All sellers must sign and return the “Hold Harmless” Agreement to the Market Manager which, among other things, acknowledges receipt of these rules.
3. All sellers must be either:
  - a. Certified Producers or Producers
  - b. Food Vendors
  - c. Artisans
  - d. Non-Profit Corporations
  - e. Commercial Sellers
4. Only those who have applied for and received permission from the Market Manager may sell at the Market. Entry requirements differ for each category and are described below. Permission to occupy a space at the Market is given only after the Market Manager has received copies of all required documents and has confirmed a space reservation for the applicant. The seller must receive approval, at the discretion of the Market Manager, for all products offered for sale, under whichever categories and approval procedures are dictated by these rules.
5. Sellers shall only display or advertise items that have been approved for sale by the market manager. All products offered for sale in a gift box or other container must be approved items and be of the seller’s own production. Sellers may only promote their farm-related activities at their stalls at the discretion and approval of the Market Manager.
6. No seller may assign or sublet stall space.
7. Market Manager has discretion to remove a seller from the Market due to low sales.
8. The Market is conducted in accordance with state and federal laws and local agencies. Sellers are expected to be familiar with the Market Safety Rules as described below, and to comply with them. Sellers will immediately comply with the Market Manager's directions in matters relating to safety.
9. All sellers shall have product liability insurance, which indemnifies the SEE-LA, and provide evidence thereof along with general liability (bodily injury, property damage) and Worker’s Compensation insurance.
10. The Market is authorized to accept EBT/food stamp cards, and Senior & Women, Infants and Children Farmers’ Market Nutrition Program (FMNP) checks. EBT Cards may be used to purchase EBT Market Dollars with which to shop in the market. EBT Market Dollars may only be accepted for foods for human consumption, and for seeds and plants which produce food. EBT Market Dollars cannot be accepted for vitamins, food supplements, minerals, cosmetics, grooming items, or hot food that is consumed on the premises where it is sold. FMNP checks may only be accepted for fresh fruits and vegetables. No change may be given to either EBT Market Dollars or FMNP checks.
11. All sellers must accept EBT Market Dollars, FMNP Checks, and SEE-LA Market Money for authorized purchases.
12. All sellers acknowledge and agree to cooperate with any additional documentation that may be required and with any representative of the Market who may visit the farm, workshop, kitchen, or other location as necessary to verify compliance with all regulations.

### Stall Space Set-up and Breakdown

13. A seller’s stall size, location and other factors of the space assignment of selling space within the Market shall be at the discretion of the Market Manager. In making any determination in this regard, the Market Manager may consider, among many factors, the following:
  - a. The maintenance of present and past consumer-producer relationships.
  - b. The maintenance and extent of a good product mix and consumer traffic flow.
  - c. The principles of good Market and product promotion.
  - d. Length of seniority for the space.

14. All sellers must post visible price signs and all required permits, licenses and certificates. Failure to post prices and permits may result in fines levied per occurrence.
15. All sellers must visibly post a sign with business name and contact information. Failure to post signs may result in fines levied per occurrence.
16. All promotions and sales shall occur within the space provided. Aisle space, within the flow of customer traffic, may not be used without permission from the Market Manager.
17. In an effort to present a pleasant setting to the public, the Market Manager may require or restrict the use of certain types of shades, awnings, or tables.
18. When vacating their space, the seller shall remove all equipment, product, trimming, wrappings, and containers within two hours after the closing of the Market. Sellers are responsible for cleaning their own stall space and the aisle area in front of, behind, and around their stall at the end of the Market and disposing of trash.
19. Sellers shall reimburse the Market for any expenses incurred to return the stall space to the condition in which it was found (reasonable wear and tear excepted). This includes cleanup costs incurred by the Market Manager for any reason, including but not limited to grease, produce refuse and other conditions.

### **Market Hours**

20. Market hours will be set by the Market Manager.
21. No selling is allowed before or after the times established by the Market Manager without the Market Manager's explicit permission.
22. All sellers are expected to arrive at the Market for stall space assignment, set-up, and important notices an hour before the selling hours each Market day. Those sellers who arrive late jeopardize their selling space reservation. The Market Manager will make every reasonable effort to keep selling space open for late arrivals. However, the Market Manager reserves the right to reassign late sellers to another selling space or to offer empty spaces to other sellers. Late sellers may be required to unload offsite and carry in products for sale.
23. Sellers who repeatedly arrive late may permanently lose their selling space and/or right to sell in the Market or repeated failure to arrive on-time may result in fines levied per occurrence.
24. Sellers will be allowed a two hour take down time after the Market day.
25. Sellers shall wait at least 15 minutes after closing time before exiting the market in their vehicle.
26. No seller may leave the Market without permission before the Market closes.

### **Fee Payment**

27. Load lists are handed out by the Market Manager at the beginning of each Market day. Load lists must be completely filled out by every seller and turned in to the Market Manager within one hour of the closing of the Market. Load lists must be turned in by every seller for every Market day present. Failure to do so may result in fines levied per occurrence.
28. Load lists are to be filled out honestly and accurately. The Market Manager reserves the right to audit any vendor at any time. Failure to report honestly and accurately may result in fines or further market disciplinary action.
29. Fees must be paid at the end of Market day by check, money order, EBT Market Dollars, FMNP coupons, or Market Money. No cash over \$10 will be accepted. Any payments not submitted at the end of the Market day must be mailed to the Market Office within three days of the Market day. Failure to do so may result in fines levied per occurrence.
30. Sellers are required to reimburse the Market for all applicable bank fees for returned checks.

### **Market Safety**

30. All sellers shall comply with all applicable requirements of the California Retail Food Code and the Sherman Food, Drug and Cosmetic Law, specifically:
  - a. Every stall selling food shall have a clean trash box in front of their stalls for public use.

- b. No display tables may be filled over carrying capacity. Items on display must be stable. Table legs must be secure and tables must not cave in.
  - c. All connecting rods of the shade set-ups must be secure in their fittings. Shade set-ups must be tied to seller's tables or vehicle. Tarps must be securely fastened.
  - d. "All food shall be stored at least 6 inches off the ground."(CRFC § 114371a)
  - e. Smoking is not permitted in produce display, food preparation and immediate sales areas.
31. Auto and truck ingress and egress must not endanger pedestrians. After the Market starting time, no moving vehicles will be allowed in the Market. All off-loading vehicles must exit the Market before market starting time. Failure to do so may result in fines levied per occurrence.
  32. No live animals, birds or fowl may be kept or allowed within 20 feet of any area where food is stored or held pursuant to California Retail Food Code requirements. This includes pets in Market vendor's vehicles.
  33. No bicycling, skating, or skateboarding is allowed in the Market.
  34. Smoking is not allowed in the Market.
  35. All sellers shall keep their vehicles, merchandise and tables within their assigned stall space. No part of the seller's stall set-up may encroach on the mandated fire lane nor congest pedestrian flow.
  36. All sellers are required to clean their own area and keep it safe; this includes protecting the sidewalk and pavement from grease, produce refuse, and other potential stains and/or safety hazards. Any cleanup costs incurred by the Market Manager due to grease, produce refuse and other conditions will be charged to the offending vendors.

### **Market Conduct**

37. At Market closing each seller is responsible for leaving his or her stall space completely clean and carrying offsite all trash generated. Trash may not be placed in street trash bins or the Market dumpster. Failure to comply may result in fines levied per occurrence.
38. Consumption of alcoholic beverages, yelling, swearing, name-calling, slanderous remarks and other rude behavior will not be tolerated. Any behavior or language considered to be deleterious to the normal operation of the Market will be grounds for expulsion from the Market with reinstatement to be based upon review by the Market Manager.
39. Customers who have a legitimate complaint about the product that they purchase should be given a full monetary refund or replacement of equal value. It is the Market's policy to satisfy the customer and to promote goodwill by being generous. Complaints or disagreements will be mediated by the Market Manager. In general, the benefit of the doubt will be given to the consumer.
40. Sellers are expected to treat each other, staff, customers, officials, and the Market Manager with respect.
41. Sellers are responsible for the actions of their representatives, employees or agents.
42. Any complaints about other sellers should be made to the Market Manager and never to customers.
43. Collusion among sellers to change prices or exertion of any influence, pressure or persuasion to cause a seller to increase prices is strictly forbidden (state law). Prices should reflect the advantages of direct marketing by being below normal retail.
44. Sellers are expected to wear proper attire during Market hours, including shirts and shoes.
45. No radios, boom boxes, or sound devices may be played during Market hours without permission of the Market Manager. No hawking, shouting or barking to promote products is allowed.
46. Conduct considered by the Market Manager to be detrimental to the welfare of the Market may result in removal from the Market.

### **Violation of Rules**

47. The Market Manager is responsible to interpret, implement, and enforce all rules and regulations pertaining to the running of the Market in a fair and equitable manner.

48. The Market Manager has the authority to issue fines and warnings and to take appropriate action against participating sellers who violate these rules and all other applicable regulations and laws. Notwithstanding any other provisions of these Rules, the Market Manager also has the power to immediately suspend or remove any vendor for any health, safety, and liability risks caused by any single violation. In the case where the Market Rules specifically allow for a fine, vendors will first be given a warning and may be charged a fine of \$50 for the second offense and \$100 for the third offense. After the third offense, vendors can be suspended or removed from the Market. In other circumstances, a written Notice of Violation will be issued with the following schedule of penalties:
- 1<sup>st</sup> violation – Warning
  - 2<sup>nd</sup> violation – Warning
  - 3<sup>rd</sup> violation – Suspension or permanent removal from the Market
49. Any person aggrieved by a decision of the Market Manager may appeal to the Sustainable Economic Enterprises of Los Angeles’ Board of Directors in writing. The Board's decision will be given in writing within 30 days of receipt of the complaint by the Chair or Vice-Chairperson of the Board.

## VI. CERTIFIED PRODUCERS AND PRODUCERS

1. All Certified Producers and Producers shall complete the “Certified Producer and Producer” Application. (See Section XII)
2. All products must be grown in California or caught in state waters.
3. Admission to sell at the Market shall be at the discretion of the Market Manager. In making any determination in this regard, the Market Manager shall consider many factors including the following:
  - a. Producer’s positive or negative history of compliance with state, local government and this and other Market Rules and Regulations.
  - b. Producer’s history of Market participation. When practical, significant weight, priority and preference should be given to producers returning from previous seasons.
  - c. The competitive availability and number of sellers of the same type of products as producers present within the Market. If practical, monopolies and surfeits (gluts) should be avoided.
  - d. Whether the present number of sellers of the same type of product as the producer’s product are adequately supplying consumer demand.
  - e. The number of stall spaces and other limitations of the Market
4. The following may be offered for sale under this designation:
  - a. Certified Products: fresh fruits and vegetables, nuts, honey, eggs, flowers, nursery stock;
  - b. Non-Certifiable Products: dried fruits and vegetables, juices, wine, cheese, pelagic and fresh water fish and shellfish, poultry, meats, live animals and other agricultural products may be sold if produced or caught (as in fish) by the producer selling them.
  - c. All products sold at the Market must meet requirements of the California Food & Agricultural Code and California Health & Safety Code.
5. A producer may sell only those products listed on the application and approved by the Market Manager. Any changes, modifications, or additions must be approved by the Market Manager.
6. The actual producer of the product(s) is encouraged to attend the Market regularly; however, an employee may sell as long as:
  - a. The producer sells at the Market at least two (2) times each calendar year,
  - b. No commissions are paid to or received by the employee in connection with sales at the Market.
7. Certified producers, producers, their immediate family, and their employees may sell at the Market.
8. To sell fresh fruits, vegetables and nuts at a Certified Farmers Market, the seller shall have a Certified Producer Certificate issued by the Agricultural Commissioner in the county of origin of his/her produce (state law).
9. Certified producers are required to ensure that the Market Manager has copies of all current certificates and permits.
10. Producers of non-certifiable agricultural products may sell upon approval of the Market Manager and shall possess the appropriate licenses and permits for their product.
11. Prepared or processed products may be sold by producers if prepared in accordance with the State Health & Safety Code and the prepared product is produced entirely by the producer and the producer has product liability insurance which indemnifies the Market.
12. Bulk foods, such as dried fruit or shelled nuts may be sold from washable, labeled bulk containers with attached self closing lids and attached utensil. (CRFD § 114060a)
13. No persons engaged in the buying and selling of farm products from a certified producer, as defined under Food and Agricultural Code § 56181, will be permitted in the designated certified section of the Market.
14. Any farmer, producer, partnership, owner representative, agent or employee whose Certified Producer Certificate has been revoked or canceled for resale of agricultural products will not be allowed to participate in the Market.
15. High quality, vine-ripened, recently harvested produce is expected. Lower grade fruits and vegetables must be marked as such and priced accordingly. However, lower grade produce is only permissible if

higher grades are also available at the same stall (state law). Over 80% of products presented must be of the highest quality. The Market Manager has the authority to require that poor quality produce be removed.

16. One certified producer (including farmers, nurserymen, fishermen and other agricultural producers) may sell for another certified producer including, but not limited to, separate entities, such as partnerships in which the certified producer has an interest as an individual member, only at the express permission of the Market Manager. All producers wishing to carry a second certificate must meet the following CDFA Direct Marketing Regulations:
  - 1392.4.f.1 “A certified producer shall not represent, nor be represented by more than two other certified producers in a 12-month period.
  - 1392.4.f.2 “Each certified producer’s certified agricultural products to be sold or offered for sale shall be separated and identifiable by each certified producer’s valid certificate at point of sale.”
  - 1392.4.f.3 “The name of the certified producer for whom another certified producer is selling shall appear on the certificate of the person selling his/her products.”
  - 1392.4.f.4 “The name of the certified producer who is selling the products of another certified producer shall appear on the certificate of the person for whom s/he is selling.”
  - 1392.4.f.5 “The certified producer selling for another certified producer shall be selling or offering for sale certified agricultural products which s/he has produced and which are greater than the amount by volume offered for sale for the other certified producer.”
17. Producers are permitted to carry a second certificate only at the discretion of the Market Manager and only if CDFA regulations concerning second certificates are met.
18. All prepackaged closed consumer containers of agricultural products shall be labeled with the name, address, and zip code of the producer and a declaration of identity and net quantity of the commodity in the package. (CDFA Code 1392.1.f)
19. All producers must complete the Applications Use Form every year. (See Appendix B)
20. Any producer claiming to have Certified Organic produce or products shall have grown or produced the product in accordance with the California Organic Products Act of 2003 and the National Organic Standards.
21. Signs stating that Certified Organic produce or products have been organically grown shall comply with the National Organic Standards.
22. Organic certification and registration shall be posted at the producer’s stall and copies of all certification forms shall be submitted to the Market Manager. Producers selling less than \$5000 annually of organic produce may simply post organic registration.
23. The sign “no spray” will not be permitted, as it is vague and does not identify compounds applied. Only the words “no chemicals” or “no pesticides” may be used. Farming practices must be fully and truthfully disclosed when customers inquire. All producers who are not organic who wish to state that they do not use chemical pesticides and/or fertilizers must display the completed Applications Use Form at their stall. (See Appendix B)
24. All producers must display a sign identifying their name or the name of their establishment and the city or town where their production occurs.
20. Sampling guidelines have been set by the Health Department and must be followed. (see Appendix E)
21. Producers not attending a Market day must give 4 days notice to the Market Manager.
22. Sellers who do not comply with the State Direct Marketing Regulations, pertinent State and County regulations, or the regulations set forth herein, may forfeit their right to sell at the Market.

## VII. FOOD VENDORS

1. A prospective Food Vendor shall complete the “Food Vendor” Application. (See Section XII)
2. Food Vendors are required to have a valid permit from the Los Angeles County Health Department and their local jurisdiction.
3. The Market Manager selects prepared foods that are original, of high quality and that do not excessively duplicate foods already sold at Market. To benefit consumers, no food vendor will have exclusive right to sale of any category of food product. Food Vendors' products may not directly compete with products made and sold by producers from their own farm products.
4. All food stalls where cooking is taking place are required by the Los Angeles City Fire Marshall to have on site at all times a fire extinguisher and a water container. Sellers must not change propane cylinders during Market hours. All food stalls where cooking is taking place must meet Fire Department requirements for tarps and canopies (such as fireproofing and height requirements.)
5. All food stalls must have a trash can in front of the stall for customer use.
6. All food stalls must have a hand-washing sink.
7. All food stalls where cooking is taking place are required to have a floor cover.
8. All menus must be clearly marked as to price and type. Food Vendors may not sell food not originally listed on the application without prior approval of the Market Manager.
9. All Los Angeles County and State Health Department regulations must be followed.
10. All food vendors shall use the sink provided by the Market to wash all equipment and utensils or provide their own Health Department approved sink.
11. All state and local requirements shall be met before a food vendor may sell at the Market. Food vendors must provide a copy of the following documents to the Market Manager and have on display, as applicable:
  - a. Current Retail Food Vehicle Permit or Temporary Event Permit, or other required permit from the Los Angeles County Health Department
  - b. Proof of product liability insurance listing the Market as an additional insured.
  - c. Seller’s Permit from the State Board of Equalization
  - d. Los Angeles City business license.
12. Priority consideration will be given to food vendors who make their own products, are local to the Market area, and use produce from SEE-LA Certified Farmers’ Market producers.
13. Prepared food vendors must provide adequate facilities to keep hot and cold foods at prescribed temperatures as per Los Angeles County Health Department requirements.
14. Food Vendors must accept EBT Market Dollars for take-home food products but must not accept EBT Market Dollars for food products prepared for immediate consumption. SEE-LA Market Dollars may be accepted for any purchase. All Market Dollars may be used to pay stall fees. (See Appendix D) Senior & Women, Infants and Children Farmers’ Market Nutrition Program (FMNP) checks may not be accepted by any food vendor.
15. Food Vendors are encouraged to use recyclable and/or compostable packaging and containers for processed and prepared foods. Vendors are prohibited from using extruded polystyrene (Styrofoam) products.

## VIII. ARTISANS

1. A prospective artisan shall complete the "Artisan" Application. (See Section XII)
2. Each artisan must have a Seller's Permit from the State Board of Equalization and a City of Los Angeles Business License.
3. In accord with the "producer-to-consumer" philosophy, only an artisan (fine artist or skilled craftsperson) who designs and is involved in all aspects of production of her/his art work or craft work will be considered to sell under this designation. All interested artisans must first complete an application before being considered for acceptance by the Market Manager.
4. The Market selects for consideration only original art and applied crafts that are self-produced, hand-crafted and of high quality workmanship while avoiding too much duplication of any given category (fine art, jewelry, textiles, ceramics). Artisans must have created, sewn, constructed or otherwise fashioned from component materials the item(s) they sell. The component materials must be sufficiently modified from their original state to demonstrate true craftsmanship. No reproductions or mass-produced items allowed. Art or craftsmanship that is thematic with the Market is preferred.
5. Consideration will be given to the following qualifications when evaluating applications: Creativity, originality, and uniqueness; Quality of product; Skill and technical execution; Presentation and display; Farmers' market relatedness (farm/food, garden, ecological themes); Seniority and past participation.
6. Artisans previously accepted may be re-evaluated so as to maintain the high standards of the Market. Anyone who is rejected may reapply with new products. While a balance of products is intended, the Market does not assure exclusive rights to any category or product.
7. All items in an artisan's line may be reviewed by an Artisan Review Committee. The committee may review, on an ongoing basis, the artisans' stall and activities for any violations of these Market rules and regulations.
8. Current artisans must receive the approval of the Market Manager before selling any new products in the market. Any products offered for sale not listed on the application are subject to removal.
9. Products shall not compete with items made by producers from their own farm-produced materials.
10. Products designed by the artisan, and produced with the help of apprentices or employees may be sold providing that:
  - a. The artisan has complete control of the production by apprentices or employees, and
  - b. The artisan can provide documentation of their design work, proof of control of production, and receipts for raw materials used in the product sold. If requested, she/he must also show the Market Manager unfinished goods in progress, raw materials and tools used to create the product. The Market Manager reserves the right to visit the production site to verify compliance with these rules.
9. No resale of any items is permitted. The Market defines resale as using items not of his/her own production in an artwork. If using a commercial component in his/her own work, the artisan must substantially alter the item using great skill or technique and original design.
10. Artisans may be allowed to share booth space on a limited basis with Market Manager's approval. Each artisan must apply and receive approval separately prior to selling in the Market. Both artisans should be present at the Market. Limit two artisans per booth space.
11. Artisans who reside or do business in the immediate area of a Market will be given preference.
12. Artisans who create or demonstrate at the Market will be given preference.
13. The Market Manager reserves the right to determine on which Market days the artisan may sell and the rotation of artisans.
14. An artisan's application may be suspended if he/she has not sold at the Market for four consecutive weeks without notification to management. Artisans are accepted on a trial basis.
15. Previously admitted artisans who have not sold in the Market for over a 12-month period may be required to submit a new application.
16. Space reservations must be requested at least five days before the Market day.

## IX. NON-PROFIT CORPORATIONS

1. A prospective Non-Profit Corporation shall complete the “Non-Profit Corporation” Application. (See Section XII)
2. Non-profit corporations may apply to sell select products on a limited basis.
3. Non-profit corporations may also apply for a stall space to publicize their services and/or activities. The Market Manager may authorize such use of stall space on a week-by-week, space available basis only.
4. Application for stall space shall be made at least five days before Market day.
5. Applicant shall provide proof of the organization’s charitable, 501(c)3 non-profit status and his/her position as representative of that organization.
6. When only information is dispersed, no fee will be charged and no items, tangible or intangible, may be offered for sale.
7. When arts and crafts, prepared foods, or commercial goods are being offered for sale, the non-profit must apply and be approved under the conditions described under the appropriate category in these Rules and Regulations. No items may compete with products offered for sale by producers, food vendors or artisans.
8. Any organization selling prepared foods must obtain a temporary event permit from the Health Department.
9. The organization shall provide all necessary furnishings for their space. Because a stall atmosphere is desired, a table and/or chairs with a large umbrella to provide shelter from the sun are recommended.
10. Organization representatives shall not interfere with Market operations by aggressively soliciting signatures, donations or attention. Such activities shall not block walkways or access to assigned stall spaces.
11. The Market retains the right to regulate the time, place and manner of activities relating to displays, signs, posters, placards, and other expressions of the interests represented. The use of fighting words, obscenities, grisly or gruesome displays or highly inflammatory slogans likely to provoke a disturbance may be prohibited by the Market Manager.
12. The Market prohibits proselytizing and/or campaigning for and against any ballot measure, political candidate or public office. This prohibition does not preclude any person or organization from conducting such activity during Market hours on public sidewalks or other public property adjacent to the Market. Violation of this prohibition may result in expulsion from the Market for the remainder of that Market day.
13. Non-profit corporations, whether dispensing information or selling, must comply with the Market Rules & Regulations, including Section V for all sellers.

## X. COMMERCIAL SELLERS

1. A prospective Commercial Seller shall complete the “Commercial Seller” Application. (See Section XII)
2. Commercial sellers selling select products may be permitted on a limited basis at the discretion of the Market Manager.
3. Commercial sellers may sell only high-quality products, approved by the Market Manager.
4. Because of the Markets “producer-to-consumer” philosophy, the Market Manager will be highly selective of products offered for resale. Items must be unique, well made, and conform to the overall atmosphere of the Market. No mass-market items will be accepted. No resale items may compete with items offered for sale by producers, food vendors or artisans.

## XI. ENTERTAINERS

1. A prospective Entertainer shall complete the “Entertainer” Application. (See Section XII)
2. All entertainers at the Market must be pre-approved and scheduled by the Market Manager at least five days in advance.

3. All Entertainers are considered on an “as space allows” basis. Certain areas of the Market may be designated as a “no music” area and any musician setting up there may be asked to move.
4. All Entertainers perform at the discretion of the Market Management. The Market Management reserves the right to relocate or remove any entertainers.

## **XII. APPLICATION REQUIREMENTS**

### **A. INSTRUCTIONS**

1. Read and sign the SEE-LA Certified Farmers’ Market Rules and Regulations.
2. Complete all applicable forms.
3. Return completed forms with photocopies of required permits, licenses and other documents to:  
     Sustainable Economic Enterprises of Los Angeles  
     6605 Hollywood Blvd., Suite 220  
     Hollywood, CA 90028
4. The Market Manager will acknowledge receipt of your application by mail or telephone.

### **B. REQUIRED DOCUMENTS FOR ALL SELLERS AND ENTERTAINERS**

1. All sellers, non-profits and entertainers must sign and return the “Hold Harmless” agreement to the Market Manager which acknowledges receipt by all sellers, non-profits, and entertainers of these Rules & Regulations.
2. General Liability Insurance
3. Product Liability Insurance
4. Any other licenses or permits required by seller category.

### **C. REQUIRED DOCUMENTS BY SELLER CATEGORY**

#### **1. CERTIFIED PRODUCER**

##### **Certified Producer’s Certificate**

Producers of fresh fruits, nuts, vegetables, shell eggs, honey, flowers and nursery stock must obtain a Certified Producers Certificate prior to selling such commodities at the Market. Such commodities must have been produced by the producer by the practice of the agricultural arts upon land that the producer farms and owns, rents, leases or sharecrops. **Any producer who sells produce that is not of his/her own production while claiming that it is will be permanently expelled from the Market.** A certificate is issued by the County Agricultural Commissioner which exempts a producer of fresh fruits, vegetables and nuts from standard size, standard pack, container and labeling laws and which permits the producer to transport and sell his/her produce at a Certified Farmers Market. The Certified Producer’s Certificate must list Los Angeles County as an “authorized County” if the certificate was issued outside of LA County. Producers may be required to submit additional proof that they produce what they or their representatives sell.

**CERTIFIED PRODUCERS AND PRODUCERS** will be required to have based on product:

- Apiary Registration
- Avocado Exemption Permit or Proof of Inspection
- Board of Equalization Permit
- Boat Registration/Commercial Fish Business License
- Commercial Fishing License
- Employee Agreement Form

- Health Processing Permit(s)
- Milk Handler's License
- Nursery License
- Organic Registration and/or Certification
- Scale Registration
- Other supporting documents such as lease or partnership agreements
- Any other licenses or permits required by regulatory agencies.

All the above documentation with the exception of the "Hold Harmless" agreement shall be visibly posted during Market hours.

## 2. **FOOD VENDORS**

- a. Public Health Operating Permit and other Department of Health Permits:
  - Temporary Event Permit (if you prepare and/or sample and sell foods at the Market site)
  - Food Vehicle Permit (for prepackaged food items only)
- b. Selling Permit from the State Board of Equalization
- c. Product Liability Insurance. Copy to be submitted before selling at the Market. We require that the Market be added to the policy as an additional insured.
- d. City of Los Angeles Business License

## 3. **ARTISANS**

- a. Selling Permit from the State Board of Equalization
- b. Samples of products
- c. Detailed written description of product
- d. Detailed written description of how and where the products are produced
- e. Product Liability Insurance. Copy to be submitted before selling at the Market. We require that the Market be added to the policy as an additional insured.
- f. City of Los Angeles Business License

## 4. **NON-PROFIT CORPORATIONS**

- a. Organizational Mission Statement
- b. Letter of Determination from the IRS stating tax-exempt status

## 5. **COMMERCIAL SELLERS**

- a. Selling Permit from the State Board of Equalization
- b. Product Liability Insurance. Copy to be submitted before selling at the Market. We require that the HFM be added to the policy as an additional insured.
- c. City of Los Angeles Business License

**“HOLD HARMLESS” AGREEMENT**

I, Owner of \_\_\_\_\_, whose address is \_\_\_\_\_

(hereinafter “Seller”), in consideration of being provided selling space at SEE-LA Certified Farmers’

Markets agree to the following terms and conditions:

- 1. Seller shall indemnify, defend, and hold harmless Sustainable Economic Enterprises of Los Angeles, its Board of Directors, agents, servants, employees, and volunteers from and against any and all loss, damages, liability, claims, suits, costs and expenses, whatsoever, including reasonable attorneys’ fees arising from or in any manner connected to the willful misconduct or to the passively or actively negligent acts, errors, or omissions of Seller, its agents and employees, in connection with Seller’s participation in SEE-LA Certified Farmers’ Markets and in the performance of services, work or activities under this Agreement and the SEE-LA Certified Farmers’ Market Rules & Regulations.
- 2. Seller acknowledges receipt of and agrees to comply with each and every rule, regulation, procedure, term and condition set forth in the SEE-LA Certified Farmers’ Market Rules and Regulations including (please initial):
  - a. Sampling Procedure \_\_\_\_\_
  - b. Market Coupon Acceptance Policy \_\_\_\_\_

In witness whereof, this Agreement is executed this day of \_\_\_\_\_, 20\_\_\_\_\_

Owner’s Name (Print) \_\_\_\_\_

Owner’s Signature \_\_\_\_\_

Phone \_\_\_\_\_

I agree to the above terms for each of the following SEE-LA operated Certified Farmers’ Markets: (Mark all that apply)

- Hollywood Farmers’ Market**, Sunday
- Atwater Village Farmers’ Market**, Sunday
- L.A. Medical Center Farmers’ Market**, Wed.
- Echo Park Farmers’ Market**, Friday
- Central Avenue Farmers’ Market**, Thursday
- Crenshaw Farmers’ Market**, Saturday
- Watts Healthy Farmers’ Market**, Saturday

**Appendix B**

**APPLICATIONS USE FORM**

Date/Season: \_\_\_\_\_

Farm Name: \_\_\_\_\_

Nearest Town: \_\_\_\_\_

County: \_\_\_\_\_

yes  no **Certified Organic** by a third party certifier

Name of Certifier: \_\_\_\_\_

yes  no **Registered Organic** with State of California

• **To control pests, we use:**

\_\_\_\_\_

(Please list all materials which may be applied and all mechanical techniques used.)

• **To control weeds we use:**

\_\_\_\_\_

(Please list all materials which may be applied and all mechanical techniques used.)

• **To control rot, fungus, and/or spoilage, we use:**

\_\_\_\_\_

(Please list all materials which may be applied and all mechanical techniques used.)

• **Fertilizers we use:**

\_\_\_\_\_

(Please list all materials which may be applied and all mechanical techniques used.)

• **To enhance and/or control size, flavor, ripeness or appearance, we use:**

\_\_\_\_\_

(Please list all materials which may be applied and all mechanical techniques used.)

• **To increase soil fertility and conserve water, we use the following cover crops:**

\_\_\_\_\_

(Please list all materials which may be applied and all mechanical techniques used.)

Appendix C

NOTICE OF VIOLATION

Date \_\_\_\_\_

Violation No. \_\_\_\_\_

Name \_\_\_\_\_

Business Name \_\_\_\_\_

Address \_\_\_\_\_

This notice is being issued to you for the following reason(s):

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

This is a violation of Market rule # \_\_\_\_\_.

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

As a signatory to the SEE-LA Certified Farmers' Market Rules & Regulations, you have acknowledged and agreed to comply with all rules and regulations pertaining to your selling privileges at SEE-LA's Markets.

Please be advised that subsequent violations of Market rules could result in your suspension from all SEE-LA markets. Violations will be removed after a 12-month period, if no new violations are issued.

- First Violation – Warning
- Second Violation – Warning
- Third Violation – Suspension or permanent removal from all SEE-LA Markets

Signed:

Market Manager \_\_\_\_\_

Market Participant \_\_\_\_\_

Action Taken \_\_\_\_\_

(Market Manager reserves the right to immediately remove vendor from Market based on severity of violation.)

## Appendix D

### Market Coupon Acceptance Policy

SEE-LA is pleased to have received approval from the US Department of Agriculture (USDA) and the State of California to accept both EBT/Food Stamps and Farmers' Market Nutrition Program (FMNP) checks from Market customers. These programs benefit both the customer and you, the producer and food vendor. The Market also issues Market Dollars for purchase by customers. Customers shopping with Market Coupons should always be treated the same as cash-paying customers. We ask for your help to maintain successful programs at the Market by carefully reading our policy and adhering to the following rules:

#### EBT Market Dollars

SEE-LA issues its own paper "EBT Market Dollars" to EBT customers. The EBT Market Dollars are red, bear the name "Sustainable Economic Enterprises of Los Angeles" and come only in \$1 denominations. Each EBT Market Dollar has its own serial number stamped in the upper right hand corner. Customers can purchase these coupons with their EBT card from the Market Manager.

EBT Market Dollars may only be accepted for foods for human consumption, and for seeds and plants which produce food. EBT Market Dollars may not be accepted for vitamins, food supplements, minerals, cosmetics, grooming items, or hot food that is consumed on the premises where it is sold.

No change may be given for purchases made with EBT Market Dollars. When the amount is less than the value of the coupon, additional fruits and vegetables should be added.

#### FARMERS' MARKET NUTRITION PROGRAM (FMNP) CHECKS

FMNP checks come in booklets of ten \$2 checks. Each check bears a unique serial number and the words "State of California Farmers' Market Nutrition Program Check" across the top.

FMNP checks may only be accepted for fresh fruits, vegetables and fresh cut herbs. No honey, nuts, eggs, meats, flowers, dried fruits or juices may be purchased with FMNP checks.

No change may be given for purchases made with FMNP Checks. When the amount is less than the value of the coupon, additional fruits and vegetables should be added.

#### MARKET DOLLARS

SEE-LA issues its own paper "Market Dollars" to market customers. The Market Dollars are green, bear the name "Sustainable Economic Enterprises of Los Angeles" and come only in \$1 denominations. Each Market Dollar has its own serial number stamped in the upper right hand corner. Customers can purchase these coupons with their credit card from the Market Manager.

Market Dollars may be accepted for any market purchase.

#### HOW TO REDEEM YOUR COUPONS

EBT Market Dollars, FMNP Checks and Market Dollars can be used to pay your Market stall fees. FMNP Checks can also be deposited directly into your bank account like a regular check.

Please read and follow these rules carefully. We will be inspected on a periodic basis by both the USDA and the California Farmers' Market Nutrition Program to ensure compliance. If you have questions regarding any coupons or these rules, please ask the Market Manager.

## Appendix E

### Sampling Guidelines for the Certified Farmers' Market

Sampling guidelines have been set by the Los Angeles County Health Department and must be followed. To be allowed to sample you must have a complete sampling set-up and follow sampling procedures as follows:

#### Sampling Set-up

- a. Water container with a downward-facing spout (for hands and produce washing)
- b. Non-absorbent cutting board
- c. A knife used exclusively for sampling
- d. 1% chlorine solution for sanitizing the cutting knife
- e. Liquid pump soap dispenser (bar soap is not acceptable)
- f. Single use (paper) towels
- g. Sneeze-guard cover for cut samples
- h. Toothpicks or skewers for handing out samples
- i. Bucket to catch wash water

#### Sampling Procedures

- a. All produce must be washed before cutting.
- b. Samples must be cut out of reach of customers.
- c. Cut samples must either: 1. Be kept covered out of reach of customers and handed directly to the customer on a toothpick or with tongs or 2. Be kept under a sneeze-guard type of sampling apparatus with toothpicks.
- d. A covered trash can must be available for discarded samples & toothpicks.
- e. Hands must be washed before cutting samples. Plastic gloves may be worn but they do not replace hand-washing requirements.
- f. Bucket containing wash water must be disposed of in a public sewer system or taken home for disposal. Wash water may not be dumped into planters or storm drains.

## Appendix F

### **Responsibilities of Artisan Review Committee**

At the Market Manager's discretion, an Artisan Review Committee may be formed to advise the Market Manager on adherence to Market rules with regard to the Artisan section of the Market. Additionally, the Artisan Review Committee will advise the Market Manager on the qualifications of new applicants into the Market.

In the instance that new artisan applicants are reviewed by the Artisan Review Committee, consideration will be given to the following qualifications:

- a. Creativity, originality, and uniqueness
- b. Quality of product
- c. Skill and technical execution
- d. Presentation and display
- e. Farmers' market relatedness (farm/food, garden, ecological themes)
- f. Seniority and past participation.

Additionally, artisans who reside or do business in the immediate neighborhood of a SEE-LA Certified Farmers' Market and artisans who create or demonstrate at the Market will be given preference.

APPENDIX G

TIME, PLACE AND MANNER RULES

At the discretion of the Market Manager, SEE-LA allows community organizations and information groups to be present at the Market in a designated area. That area will be determined and assigned by the Market Manager. All interested parties requesting such a space should check with the Manager before setting up for proper placement. Nonprofit corporations with 501(c)3 status can apply for table space through normal market application procedures.

Groups/individuals must abide by the following rules while at SEE-LA Certified Farmers Markets:

1. Individuals or groups may not interfere with Market operations by aggressively soliciting signatures, donations or attention. Such activities may not block sidewalks or access to assigned seller stall spaces.
2. All individuals or groups must stay within the designated area. At no time may representatives walk through the Market handing out information.
3. Groups are allowed space in the Market for informational purposes only. No sale of items is allowed. Any groups conducting fundraising must provide proof of the organization's charitable status and of the individual's position as a representative of the organization.
4. Individuals or groups must accept the spaces assigned to them by the Market Manager.
5. Each organization or individual must prominently display its name and must comply with all applicable Market rules.
6. The Market retains the right to regulate the time, place and manner of activities relating to displays, signs, posters, placards and other expressions of the interests represented. The use of "fighting words," obscenities, grisly or gruesome displays or highly inflammatory slogans likely to provoke a disturbance may be prohibited by the Market Manager.
7. The Market prohibits proselytizing and/or campaigning for and against any ballot measure, political candidate or public office. This prohibition does not preclude any person or organization from conducting such activity during Market hours on public sidewalks or other public property adjacent to the Market. Violation of this prohibition may result in expulsion from the Market for the remainder of that Market day.
8. Yelling, swearing, name-calling, slanderous remarks and other rude behavior will not be tolerated. Any behavior or language considered to be deleterious to the normal operation of the Market will be grounds for expulsion from the Market .

The Board of Directors has authorized the Market Manager to enforce the above rules. Violation could mean expulsion from the Market. The Market cannot endorse the opinions or positions of any group or individual. Questions regarding these rules should be directed to the Market Manager.

-----  
I HAVE READ AND AGREE TO ABIDE BY THE ABOVE MARKET POLICY

Return to: SEE-LA, 6605 Hollywood Blvd. Suite 220, Hollywood, CA 90028, (323) 463-3171, Fax: (323) 463-1062

Signature \_\_\_\_\_ Date: \_\_\_\_\_  
 Organization \_\_\_\_\_  
 Contact Person \_\_\_\_\_ Phone: \_\_\_\_\_