BOARD APPROVED: 6/7/21 LATEST UPDATE: 01/04/26

Davis Farmers Market Alliance Rules

APPLICATION INFORMATION

Procedure to become an approved seller:

1. Read the Davis Farmers Market Alliance Rules.
2. Completely fill out the application form.
3. Return the completed form along with photocopies of appropriate permits and licenses by mail to:

- Davis Farmers Market Alliance
- P.O. Box 1813 Davis, CA 95617
- (530) 756-1695
- www.davisfarmersmarket.org
- E-mail: dfma@dcn.org
- or in person at the Market.

4. When received, your complete application will be submitted to the DFMA Governing Board for approval.
5. You will be notified of the decision by Market Management.
6. If your application is approved, you should contact the Market Manager to arrange to sell at the Market.

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1) RESERVATIONS:

Advance stall space reservations are required for all Markets. If a seller reserves a space and fails to either cancel at least 36 hours previous or appear to do business on the Market Day, a fine equivalent to the minimum stall fee shall be assessed to the seller.

2) GENERAL MARKET INFORMATION:

Market Locations and Selling Hours:

Davis Farmers Market	301 C St., Central Park, Davis, CA 95616 Rain or Shine and Year-round (except for unforeseen weather conditions) Saturdays: Selling hours: 8am – 1pm Wednesdays: Selling hours: 3pm – 6pm; however, Summer hours can change to: 3pm – 7pm (typically May through September)
Sutter Davis Hospital FM	2000 Sutter Pl, Davis, CA 95616 Thursdays: 10am – 1pm, May through September
UC Davis FM	UC Davis Campus, North Quad Wednesdays: 11am – 1:30pm, Fall and Spring Quarters
Sutter Medical Center Sacramento FM	2825 Capitol Ave, Sacramento, CA 95816 Thursdays: 2:30p – 5:30pm, Year-round, weather permitting

3) APPROPRIATE LICENSES AND PERMITS:

Agricultural Sellers –

- Certified Producers Certificate (County Ag)
- Non-Certified Agricultural Producers (County Health Dept. & County Ag)
- Avocado Inspection Certification/Avocado Inspection Permit (County Ag)
- Nursery Stock License (State CDFA Ag)
- Apiary Registration (County Ag)
- Organic: Registration and/or Certification
- Cut Flowers/Gourds and other non-edible Ag Products: Sellers Permit (*)
- Wine: Alcoholic Beverage Control Permit #79 (**)
- Product Liability Insurance-processed non-certifiable agricultural products and processed foods.

Non-Agricultural Sellers-

- Meat: USDA processing agreement, copy of processing facility permit
- Ocean Fish: Fish and Game Licenses, Boat Registration, Commercial Permits, Dock Landing Receipts, City of Davis Business License.
- Prepared Foods/Processed: County Health Dept. Permit, Product Liability Insurance, City of Davis Business License.
- Crafts: CA Dept of Tax & Fee Admin (*) Seller's Permit and City of Davis Business License.

LOCAL LICENSING AGENTS:

Yolo Co. Ag Commissioner	70 Cottonwood St, Woodland, CA 95695 (530) 666-8140
City of Davis	23 Russell Blvd. Davis, CA 95616 (530) 757-5602
Dept. of Fish & Game	3211 S Street Sacramento, CA 95816 (916) 227-6700
Yolo Co. Dept. of Health	20 Cottonwood St, Woodland, CA 95695 (530) 666-8646
(*) CA Dept of Tax & Fee Administration	(800) 400-7115 https://www.cdtfa.ca.gov/
(**) Wine: CA Alcoholic Beverage Control-Permit 79	www.abc.ca.gov

MARKET RULES

I. STATEMENT OF INTENT

NATURE OF THE MARKET: The Davis Farmers Market, UC Davis Farmers Market, Sutter Davis Hospital Farmers Market and Sutter Medical Center Sacramento Farmers Markets are diversified markets offering agricultural (both certifiable and non-certifiable) and non-agricultural goods for sale.

The markets are Certified Farmers Markets and are operated in accordance with regulations established in the California Code of Regulations, Title 3, section 1392 et seq. on Direct Marketing. See also Cal. Food & Ag. Code §§ 47000 et seq. and http://www.cdfa.ca.gov/is/fveqc/cfmprogram.htm.

The markets are certified by the County Agricultural Commissioner as a direct marketing outlet for producers of certified and non-certified agricultural products. These producers may sell their agricultural products directly to consumers without meeting the usual size, standard pack and container requirements for such products except in the case of eggs and pre-packaged items. However, all produce must meet minimum quality standards.

The non-agricultural goods add variety and enhance the festive ambiance of the Market. The same producer-to-consumer philosophy applies for all items sold at the Market, including non-agricultural items.

The resale of all products is prohibited except as provided in these Rules; Section IV., 4, Rules and Regulations for Non-Profit Organizations and Community Information Groups.

MANAGEMENT: The Markets are managed, operated and controlled by the Davis Farmers Market Alliance (DFMA). The market are governed by the Davis Farmers Market Alliance board of directors (governing body), its Executive Director, Market Managers, and all other designated agents and shall implement and enforce all rules and regulations pertaining to the operation of the markets in a fair and equitable manner. Any approved seller or applicant aggrieved by the action of the Market Manager or other agent can appeal to the Governing Board whose decision shall be final.

CURRENT STALL FEE STRUCTURE: Stall fees at the Davis Farmers Market are calculated as a percentage of the seller's gross sales for that market day with minimum fees. A stall fee will be collected for each space used, even in the case of no sales.

II. DEFINITION OF TERMS

The following definitions apply to the context of the Rules unless otherwise specified within a particular category.

Agricultural Producer or Producer: A person or entity who produces agricultural products by the practice of the agricultural arts upon land which the person or entity controls.

Approved Seller: A person whose application to sell has been approved by the DFMA and who is selling or offering for sale at the Market an approved item or commodity which he/she has:

as in Agricultural-

a) Grown upon land, which the person controls, in the case of fresh fruits and vegetables, nuts in the shell, nursery stock, cut flowers, processed agricultural products.
b) Bred, raised, cultivated, or collected in the case of animal, poultry, wine, worms, fish, aquaculture, eggs, honey, and bee products;

as in Processed Foods-

Cooked, canned, baked, preserved, or otherwise significantly treated,

Certified Agricultural Producer: A producer authorized by the County Agricultural Commissioner to sell directly to consumers at a Certified Farmers Market certified agricultural products produced upon land which the certified producer controls.

Certifiable Agricultural Products: Fresh fruits and vegetables, nuts in the shell, honey, eggs, nursery stock, and cut flowers which have been produced as the result of the practice of the agricultural arts by a producer upon land which the producer controls. These items shall be considered agricultural products only when in the possession of the producer who produced them, the producer's employees, or the producer's immediate family or a consumer.

Certified Farmers Market: A location approved by the County Agricultural Commissioner of the county where products may be sold by Agricultural Producers directly to consumers. A Certified Farmers Market may be operated by one or more Certified Producers, by a non-profit organization, or by a local government agency.

Certified Farmers Market Certificate: A certificate which authorizes the location wherein products may be sold by Agricultural Producers directly to consumers. Any Certified Farmers Market Certificate shall be considered valid only when bearing original signatures of the issuing Agricultural Commissioner and the authorized representative of the certified farmers market.

Certified Producers Certificate: A certificate, which authorizes the transportation to and sale of products at a Certified Farmers Market. The certificate shall be issued by the County Agricultural Commissioner on a form approved by the Director and the original kept on file at the county of origin. Photocopies of the original Certified Producer's Certificates should be considered valid only when bearing an embossment from the issuing Agricultural Commissioner.

Consumer: A person who purchases and receives products at a certified farmers market, but not a person who purchases products for commercial resale unless such products comply with all applicable size, standard pack, containers, and labeling requirements.

DFMA: Davis Farmers Market Alliance

Governing Board: The Board of Directors or other ruling committee of the Davis Farmers Market Alliance.

Davis Farmers Market Alliance: The entity that controls, manages and operates the Davis Farmers Market, the Sutter Davis Hospital Farmers Market, the Sutter Medical Center Sacramento Farmers Market and the UC Davis Farmers Market.

Employee: Except members of the immediate family as defined below, persons employed by an approved seller at a regular salary or hourly wage, either full time or part-time, but not including any persons whose compensation in whole or in part is based on, or consists of a commission on sales.

Entity: A group of two or more approved sellers each of whom is joined by either marital status, partnership, corporate status, family farm status, co-op, joint venture or other legal status.

Family Member: Parents, children, grandchildren, grandparents, and in addition any other family member regularly residing in the approved seller's household.

Land Which the Agricultural Producer Controls: Land that the agricultural producer farms and owns, rents, leases or share crops.

Load List: A form created by the DFMA that all sellers shall fill out and return to the management each time sellers sell products on any given market day.

Markets: Davis Farmers Market, Sutter Davis Hospital Farmers Market and the UC Davis Farmers Market are permitted (certified) by the Yolo County Agricultural Commissioner as a Certified Farmers Market. Sutter Medical Center Sacramento Farmers Market is permitted (certified) by the Sacramento County Agricultural Commissioner as a Certified Farmers Market.

Market Manager: A person or persons empowered by the DFMA Governing Board to implement Market policies and directives, and to oversee the operation of the Market.

Non-Agricultural Products: Goods offered for sale at the Market other than certified agricultural and non-certified agricultural products. These include prepared foods and crafts.

Non-Agricultural Seller: A person who produces and sells other than agricultural products, such as a prepared foods or crafts seller.

Non-Certifiable Agricultural Products: Agricultural products that are not certified. This category of products includes but is not limited to: wine, worms, fish, aquaculture, livestock, poultry, dried fruits and vegetables, and processed agricultural products such as nuts, oils, nut butters, jams, pickles and smoked products.

Non-Profit Organization: An organization that has current tax-exempt status under the law of the State of California.

Notice of Proposed Suspension: A document informing a seller of a proposed rescission, suspension or modification of selling privileges at the Davis Farmers Market Alliance operated markets, and informing a seller of the time, place and reason for a hearing before the Governing Board or other ruling committee regarding such proposed rescission, suspension or modification.

"Organic" or **"Organically Produced Foods"** is a labeling term that denotes products produced under the authority of the Organic Foods Production Act.

Peddlers or Vendors: Persons who sell items they did not produce themselves; a re-seller.

Prepared Foods Seller: A person, who through the practice of the culinary arts, produces prepared foods.

Primary Certificate Seller: A certified agricultural producer who occupies his or her own assigned stall space at the Markets.

Product Liability Insurance: This insurance coverage must be obtained by sellers of non-certifiable processed agricultural products and prepared and processed food sellers. The Governing Body will set the liability limits. The policy must list the DFMA and the City of Davis as an additional insured.

Seasonal Seller: A seller whose normal practice is to sell for a period of less than a market season. For example, a seller who grows commodities limited to the fall harvest, or a single commodity seller such as a peach seller, is a seasonal seller.

Second Certificate Seller: An approved certified agricultural producer who sells his or her product at the Markets at a primary certificate seller's stand in the market.

Seller: An approved seller.

III. RULES FOR APPROVED SELLERS

In order to ensure the successful maintenance of the Markets as an efficient and effective outlet for producers to sell their products directly to consumers, the Davis Farmers Market Alliance has established the following rules for approved sellers:

SECTION A: ADMISSION OF AN APPROVED SELLER

1. To become an approved seller at the Markets, a prospective seller must complete an application-to-sell. All items intended for sale shall be listed on the application and only those items approved for sale are allowed to

be sold. The application must be approved prior to the seller exercising the privilege of selling at the Markets. A completed application packet includes:

a. The completed application-to-sell; and
b. Copies of all appropriate certificates, permits and proof of insurance.

Only approved sellers shall be admitted to sell at the Markets.

2. Admission to the markets as an approved seller shall be subject to consideration of an approved seller's history of compliance with state, local government and market rules.
3. Stall space allocation shall be based on consideration of the following factors as determined by the market manager and DFMA Governing Board: Consumer demand; record of attendance; market commodity mix, compliance with the DFMA Market Rules and local production (Yolo and adjacent counties).
4. Second Certificate sellers shall be allocated stall spaces only after primary certificate sellers are accommodated and only on a case by case basis at the discretion of the Market Manager and the Governing Board.
5. The number of approved seller stall spaces for each category of products shall be set by the Governing Board and the Market Manager.
6. Admission of an approved seller may be conditioned by the type of product they sell.
7. All new sellers will be subject to a ninety (90) day at-will probationary period from the first date of selling.

SECTION B: ADMISSION OF PRODUCT

1. Admission of a product shall be based on market commodity mix and consumer demand as determined by the market manager.
2. Admission of product will be based on the producer's history of selling such product.
3. Admission of product will be based on the present competitive availability (number of sellers) of the producer's product. If practical, monopolies and surfeits (gluts) should be avoided.

SECTION C: GENERAL RULES FOR APPROVED SELLERS

1. Only approved sellers as defined in each category (as defined in sections E, F and G of these Rules) may sell at the Markets. All approved sellers must appear to sell for their first Market Day. A family member or employee may sell for an approved Seller. A family member or employee

of an approved seller may sell for a second certificate seller. Seller employers or employees may be required to show the Market Manager proof of employee status (current W-4 form and/or payroll check stub) upon request. Employees may not receive commissions.

2. Approved sellers must appear in person to sell for their first market day of their season.
3. All sellers must complete and submit the annual Seller Registration form to the Market office in January of each year, indicating their plans to sell at the Market during that year, and listing the products they would like to sell (including any new products not previously sold and any deletion of products previously sold). Sellers must submit any additional documentation required by DFMA, including but not necessarily limited to agreements related to updated versions of these Market Rules.
4. Sellers must grant permission to the Market Manager or other DFMA representative to enter the seller's premises for the reasonable inspection of: land, facilities, proof of ownership, partnership agreement, land lease and other applicable agreements in order to determine whether the seller is in compliance with the certificate, license, or permit conditions.
5. No peddlers or vendors will be permitted at the Markets. Further, resale of products at the Markets is prohibited except as provided in Section E of these Rules. Resale is permitted by non-profit organizations, including the DFMA, so long as the resale of items is related to or in support of their organization for fundraising purposes. All resale items sold by the non-profit organizations at the Market must be approved by the Market Management prior to sale.
6. Sellers shall only display or advertise items that have been approved for sale. 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 promote their farm-related activities at their stalls at the discretion and approval of the Manager.
7. All scales must bear current seal from the County Sealer of Weights and Measures (e.g. sellers from Yolo County can obtain a scale permit from the Yolo County Agricultural Commissioner’s office, 70 Cottonwood, Woodland, CA (916) 666-8140).
8. Pre-packaged items sold by weight must be labeled with the net weight and name and address of the seller.
9. Sellers must post prices. Failure to post signs may result in fines levied per occurrence. Collusion among sellers to raise prices or any attempt to influence a seller to increase prices is strictly prohibited.
10. Sellers must display a sign (at least 12” x 24”) bearing the producer’s business/farm name, and county of origin. The letters on the sign must be a minimum of 2 inches in height. Failure to display a sign may result in fines levied per occurrence.

11. All required permits and licenses shall be displayed prominently during selling hours. This includes, but is not limited to, the Certified Producers Certificate (state law), Nursery Stock License and Nursery Seller's Permit (state law), County Health Permit, and Aquaculture License, State Board of Equalization Seller's Permit (state law). Failure to post permits and licenses may result in fines levied per occurrence.
12. All sellers must comply with Health and Safety Code section 114350(b) as it may be amended from time to time, or any other law regulating food sampling at a certified farmer's market, and the guidelines listed below. Failure to do so may result in fines levied per occurrence. Any fines levied on the Market by the County Environmental Health Department for incorrect sampling procedures shall be assessed to the vendor responsible for the non-compliance.

    Sampling must be authorized by the Yolo County Environmental Health Department and DFMA Board of Director's approval.

    a. All foods shall be stored at least six inches off the floor or ground or under any other conditions that are approved.
    b. Distribution of food samples is allowed provided that the following sanitary conditions exist:
        (1.) Samples shall be personally distributed only by the seller to the customer on a one-to-one basis; customers are not to serve themselves. Any samples observed to be in violation will be removed and discarded. Samples shall be distributed by the producer in a sanitary manner.
        (2.) Samples shall be kept in approved, clean, covered containers.
        (3.) Clean, disposable plastic gloves shall be used when cutting samples.
        (4.) 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 be wholesome and safe for consumption.
        (5.) Potable water shall be available for hand washing and sanitizing as approved by the local enforcement agency.
        (6.) 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.
        (7.) 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.

(8.) All garbage and rubbish shall be stored and disposed of in a manner approved by the enforcement officer,

13. Sellers of salad mix shall post a notice indicating that the mix is field harvested and should be rinsed before serving. If the salad mix has been washed in a certified kitchen in accordance with health department regulations, such notice is not needed.
14. Stall fees are set by the DFMA Governing Board. All sellers must pay stall fees according to the current fee schedule set by the DFMA Governing Board. Stall fees are collected by the Market Manager at the end of each Market Day no later than 45 minutes after close of market. Sellers must comply with stall fee payment procedures. Failure to do so may result in fines levied per occurrence.
15. Sellers in all categories shall complete a load list on each Market day and submit it to the Market Manager before departing from the Market.
16. Stall space assignments and selling hours:
    a. Sellers must accept the stall space assigned by the Market Manager.
    b. Selling hours are as described in section 2) under General Market Information on page 2 above. Sellers may not sell after the close of the applicable selling hours. Sellers may arrive at the market to set up two hours prior to the start of the applicable selling hours. Sellers must depart the market premises no later than one hour after the close of the applicable selling hours. During the Wednesday Davis Farmers Market, from May to September when the selling hours are extended to 7pm, sellers must depart the market premises by 7:30pm.
    c. Whenever a seller does not adhere to Market arrival and departure times, or fails to notify the Manager of his/her intention to sell at the Market on a specific day, the Manager may revoke the seller's stall space reservation for two weeks.
    d. Sellers must maintain their stall spaces in a clean and sanitary condition. Each seller shall remove containers, waste, and trimmings before leaving the Market. Sellers shall not use the City trash bins. Refuse collected must be disposed off-site by sellers.
    e. Sellers must provide their own tables.
17. Standards of Conduct:

    Sellers who do not comply with these standards of conduct may be subject to discipline as set forth in Section D of these rules.
    a. Sellers shall be honest and shall conduct themselves at all times in a courteous and business-like manner. Rude, abusive or other disruptive or offensive conduct is not permitted.
    b. Conduct by sellers that is materially and seriously prejudicial to the reputation or operation of the Market is not permitted.

c. Sellers experiencing any difficulty with customers or other sellers in this regard should refer the matter promptly to management.
d. No radios or boom boxes may be played during market hours. No loud hawking, shouting or barking to promote products is allowed.
e. All product promotion must occur within the space assigned to the producer and not in any common area.
f. Seller's pets are not allowed in the Market per the CA State Health and Safety Code; this includes no pets in seller's vehicles.

18. Sellers are responsible for the actions of their representatives, employees or agents.
19. All sellers must comply with all applicable Federal, State and local laws, ordinances and regulations.
20. All sellers must comply with the Market's Safety Program and Emergency Protocol.
21. All sellers and their employees must adhere to the Market vehicle parking policy. Non-compliance may result in fines being levied.
22. **ABSOLUTELY NO STYROFOAM PACKAGING OR CONTAINERS ALLOWED**. **The goal of the DFMA is zero waste. Compostable or recyclable containers only.**
23. All sellers must submit in writing any complaints/grievances that they wish the Governing Board to address.

SECTION D: DISCIPLINE OR REMOVAL OF AN APPROVED SELLER; APPEALS

1. A seller may be removed or suspended from any market or have selling privileges in the market conditioned, modified, limited or terminated by the DFMA Governing Board.
2. Sellers who are in violation of any state, local or DFMA rules; or who are aggrieved by a DFMA Governing Board decision, will be subject to the following procedures:
    a. Whenever the Market Manager or DFMA Governing Board believes a seller has violated the conditions of the permit to sell or any of the rules or regulations of the Market, the Market Manager may issue a verbal or written warning or may issue a notice of proposed suspension.
    b. Any verbal warning or informal written warning may be followed by written notice of proposed suspension documenting such warning. Such written notice of proposed suspension or modification of selling privileges shall be mailed or personally delivered to the seller within seven (7) days of such verbal warning. The notice shall state the time and place of the Governing Board hearing on the proposed suspension or other action. Such hearing shall be held no

later than thirty (30) days after mailing or personal service of the written notice of proposed suspension. The Market Manager shall inform the seller of the reasons for the warning or notice.

c. If the Market Manager issues a notice of proposed suspension, the seller may appear at a hearing before the DFMA Governing Board at the time and place in the notice. The seller shall be entitled to present written evidence and written argument to the DFMA Governing Board before the hearing and shall be entitled to present written and oral evidence at the hearing. The seller may, at his or her sole expense, be represented by legal counsel at the hearing or in written communication to the DFMA Governing Board. The DFMA Governing Board does not transcribe its proceedings. If a seller wishes to obtain a verbatim record, the qualified seller shall arrange for attendance by a court reporter or for some other acceptable means of recordation. Such arrangements shall be at the qualified seller's sole expense. If the seller challenges in court the action taken by the DFMA Governing Board, the challenge shall be limited to raising only those issues raised at the hearing or in written correspondence delivered to the DFMA Governing Board at or prior to the hearing.
d. The DFMA Governing Board shall, at the time and place set forth in the notice, hold a hearing on the proposed suspension. At the hearing, the seller shall be entitled to present written or oral evidence and argument as to why the permit should not be suspended. The Board shall also consider the testimony of the Market Manager or his or her designee. The DFMA Governing Board may, in its discretion, continue the hearing once to a future date.
e. If the DFMA Governing Board, after a hearing, determines that the seller has violated the permit conditions or the Market rules and regulations, it may suspend the seller's permit for a maximum of 90 days.
f. The DFMA Governing Board may suspend, for any period deemed appropriate, or may revoke, the permit of any seller whose permit has been previously suspended. The DFMA Governing Board may also refer the matter to a governmental agency with jurisdiction over the subject at issue. The DFMA Governing Board shall promptly notify the seller in writing of its decision and the findings of fact supporting the decision. Any seller whose permit has been suspended previously must reapply to be a seller at the Davis Farmers Market Alliance markets when requesting to return to selling. Admission is not guaranteed.

g. A seller whose permit has been suspended, or a seller or applicant aggrieved by a decision of the DFMA Governing Board, may file a written request with the Market Manager requesting reconsideration of a determination made by the DFMA Governing Board. The person requesting reconsideration shall file the written request within ten (10) days of the adoption of the DFMA Governing Board's determination. If no person files a timely request, the Governing Board shall not take any action pursuant to this action pursuant to this section and the Governing Board's decision shall be considered final. If a timely request for reconsideration has been filed, at the next available meeting the DFMA Governing Board shall consider the request for reconsideration and shall receive any oral or written testimony. The DFMA Governing Board's decision shall be final.
h. Whenever the Market Manager determines that an immediate suspension of a seller's privilege in the Market is necessary to preserve the health, safety or welfare of the Market customers, other Market sellers, Market staff, or the public, the Market Manager may suspend a seller's permit to sell. Such suspension shall be effective immediately. The Market Manager shall provide the seller with a notice of suspension stating the date, time and place of the DFMA Governing Board's hearing on the suspension. Thereafter, the hearing procedures detailed above shall be followed.
i. Whenever a seller has had their state or county permit to sell at a Certified Farmers Market revoked, that seller must re-apply to sell at the Davis Farmers Market Alliance markets, and may not be guaranteed admission to sell.

SECTION E: RULES FOR SELLERS OF CERTIFIABLE AGRICULTURAL PRODUCTS

Fresh Fruits and Vegetables, Nuts in the shell, Shelled Eggs, Honey, Cut Flowers, Nursery Stock

1. Sellers in this category are those who have grown or produced the products they sell in a facility which the seller controls.
2. All certified agricultural products must be sold in accordance with State Direct Marketing Regulations for Certified Producers (Cal. Code of Regs., Tit. 3, § 1392.)
3. All sellers of certified agricultural products must obtain a Certified Producer's Certificate issued by the Agricultural Commissioner from the

county in which the produce is grown. All products for sale must be listed on the certificate and an embossed photocopy certificate shall accompany the certified agricultural products during transportation and be posted at the Markets. All certificates shall be displayed in full view of customers during each Market.

4. Second Certificates: A certified producer may sell for another certified producer provided that the seller is also selling his/her own product, he/she displays both growers' certificates, and he/she notifies Market staff that he/she is selling for another producer. In addition, each certified producer selling at the Market through another producer must:
    a. have an approved application-to-sell on file with the Market Manager;
    b. have been granted permission to sell the second certificate products by the Market Manager;
    c. appear to sell for the first market day and at least once thereafter for every 6 months of sales;
    d. agree to pay a separate stall fee.
    e. have a separate display of product, not to be mixed in any way with the primary producer's product as in bouquets, dried fruits and salad mixes or gift baskets.

At least 50% (based on fair Market value) of each primary certificate holder's produce for sale must be of his/her own production

5. Growing Practices: Signs and labels must clearly identify the products on a vendor's table that are certified organic. The use of the term "organic", verbal or written, can only be used by a producer who has been certified organic by a USDA approved certifier. The use of the term "organic" by non-certified-organic producers is prohibited. Vendors electing not to be certified organic must describe their product without using the word "organic". Farming practices must be fully and truthfully disclosed when customers inquire. Failure to do so will result in disciplinary action, including possible revocation of selling privileges. All produce grown hydroponically or in greenhouses must be so labeled.

SECTION F: RULES FOR SELLERS OF NON-CERTIFIABLE AGRICULTURAL PRODUCTS

Live Animals, Livestock, Fish, Aquaculture, Wine, Worms, Dried Fruits and Vegetables, Processed Nuts, Juices, Pickled Fruits & Vegetables, Jams.

1. Sellers in this category are those who have grown, bred, raised, or cultivated, the products in fresh or processed form. These sellers may have their products dried, ground, roasted, juiced, smoked or otherwise

altered in one stage process by a second party. All sellers of non-certifiable agricultural products must obtain a certified producer's certificate for the fresh product from which the processed product was derived. The certified producer's certificate must have been issued by the Agricultural Commissioner from the county where the fresh product was grown or produced. These fresh products must be listed on the certificate and an embossed photocopy certificate shall accompany the processed non-certifiable agricultural products during transportation and shall be posted at the Market. All certificates must be displayed in full view of customers during each market.

2. Only those processed agricultural products which a producer can verify are his/her own product will be allowed for sale at the Market. Dry yard and/or processing plant receipts may be requested for verification of producership.
3. All sellers must obtain and display all necessary permits, including but not limited to health permits.
4. All sellers of non-certifiable processed agricultural products must provide the market with proof of product liability insurance naming the Market and the City of Davis as an additional insured.

SECTION G: RULES AND FOR SELLERS OF NON-AGRICULTURAL PRODUCTS
(PREPARED FOODS AND CRAFTS)

Priority for stall space will be based on consideration of the factors set forth in section II; A;3 of these Rules (Consumer demand, record of attendance, compliance with the DFMA Rules and market commodity mix. In addition, priority will be given to applicants who are local (Yolo and adjacent counties), or whose processed foods are made using ingredients from DFMA agricultural sellers.

1. **Rules and Regulations for Sellers of Processed/Prepared Foods**
    a. Sellers in this category are those who have cooked, canned, baked, preserved or otherwise treated the product they sell. Sellers shall prepare the finished product.
    b. All sellers must obtain and display all applicable permits, including a permit from the health department of the county from which the products originate.
    c. All processed/prepared foods/food vendors must provide the market with proof of product liability insurance naming the Market as an additional insured.
    d. All products within this category 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 27831 et seq., respectively.)

e. Low acid canned foods are prohibited from the Market (including, but not limited to, vegetables, meats, low acid olives).
f. The Market may adopt benefits for sellers, including but not limited to financial benefits, incentives and cooperative promotions to encourage principles it wishes to promote.

2. Rules for Sellers of Crafts

a. Sellers in this category are those who 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 fine craftsmanship.
b. Each craft application must include a photocopy of appropriate permits, i.e. seller's permit from the State Board of Equalization and Business License if applicable.
c. A representative sample and photos/slides of each craft item to be sold at the Market must be submitted at the time of application. Only those items approved at the time of application may be sold at the Market.
d. The above rules apply to all sellers of crafts, including Agricultural Producers who may sell soaps, lotions, scrubs, and salves that they create made from the agricultural and processed agricultural products they produce (must be listed on their Certified Producers Certificate). The sale of these crafts by Agricultural Producers must take place in the designated craft area of the market.

IV. RULES FOR FREE SPEECH/NON-PROFIT ORGANIZATIONS AND COMMUNITY INFORMATION GROUPS

1. Non-profit organizations shall be allowed space for a booth in the Free Speech of the Market. All organizations must set up in the designated space assigned by the Market Manager. The DFMA Free Speech Area is controlled under the authority of the Davis Municipal Code/13.01/070.
2. An organization's completed application for space and registration fees must be submitted to the Market Manager prior to the designated Market day. Non- Profit applications must include proof of the organization's non-profit status.

3. Non Profit stalls are intended as informational opportunities. Resale or fundraising activities must be preapproved by the Market Manager, and comply with branding requirements. Not food or pet foods are allowed to be sold or given away in the Free Speech/Community Groups area.
4. Organization representatives shall not interfere with Market operations by aggressively soliciting signatures, donations or attention. Such activities shall not block sidewalks or access to assigned stall spaces.
5. 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.
6. Each organization must prominently display its name, and must comply with all applicable Market rules.