

## Vendors and Commodities

1. All vendors must fill out an application to sell products at the Oakdale Farmers Market (OFM). Once approved to participate, payment and acceptance of the rules of the market is considered confirmation. Each booth must display all required permits, certificates, licenses, and vendor name, in their stall, at each market they attend.
2. Certified Farm vendors shall sell only the commodities that:
  - a. Are listed on a valid and current Certified Producer Certificate.
  - b. Have been listed on the vendor's application.
  - c. Have been approved for sale at OFM and/or have been permitted to be sold on an interim basis, at the discretion of the Market Manager or Board of Directors ("The Board").
3. A Vendor who would like to sell any commodity not listed on the vendor's original application shall first inform the Market Manager, who must approve of the sale of such new commodity before it may be brought to any market. Vendors will be required to remove all unapproved commodities from their market stall.
  - a. Farmer vendors who visually display or otherwise claim that their produce is Organically Grown or Certified must be registered with the California State Department of Food & Agriculture and must also post current certification according to the CDFA Rules and Regulations.
  - b. Any organic farmer who also sells conventional products, must clearly specify visually the products which are not organically grown. Non-organic product must be completely separated from the organic product and placed on a separate table. Failure to differentiate will not be tolerated.
4. Non-certified items shall be signed as such.
  - a. All products sold in the non-certified section must be approved by the Board and comply with all applicable regulations.
  - b. Vendors selling non-certified products shall be proportionate to the number of certified OFM members.
  - c. Fishermen vendors who have all appropriate Fish and Game licenses and health permits may be permitted to sell products in the non-certified section of the market.
5. The Board sets limits on the number of vendors selling a particular product or commodity. No vendor will be given exclusive right to sell a commodity or product at the OFM. The Board in its sole discretion will determine the number of vendors who may sell the same product or commodity in accordance with seasonal variations and customer demand. If a sufficient number of vendors are already selling a particular item or group of items, the vendor may request to be added to a waiting list for future availability to sell such product.
6. Any vendor cited or fined by the office of the County Agricultural Commissioner for any violation regarding a produce commodity, shall not bring that commodity to the market until such commodity is properly listed on the certificate or the issue has been addressed with the county. If any vendor has a certified producer's certificate suspended, revoked, or rescinded, under his/her name or any other name, shall be terminated.

## Membership

The term of membership in OFM commences January 1<sup>st</sup> to December 31<sup>st</sup> of each calendar year. Unless a vendor has been subject to disciplinary action or a vendor's membership has been terminated in the term, a vendor will be allowed to renew his or her membership in OFM for the following year. Applications for renewal of membership in OFM will be available by March 1<sup>st</sup> of each year.

## New Vendors – New Products

1. Each new vendor shall be allowed to sell at the OFM for a probationary period determined by the Board. A probationary period will also be established for any vendor who wants to sell products not listed on vendor's original application. The length of a probationary period is set at the sole discretion of the Board. Prior to selling at any OFM market, the new vendor or vendor with new products shall sign a letter indicating vendor's agreement to the following:
  - a. The type of products the vendor is allowed to sell.
  - b. The length of time at which the vendor will sell the designated products.
  - c. If the product or display does not meet the expectations of the Board, the vendor will be asked to remove the product from the market. Market Conduct and Market Procedures
2. Regular market attendance is very important to the continued success of the market. Prior to the start of the market season, vendors must commit to the months that they intend to participate. Once a vendor has begun attending the market for the season they will be required to attend all markets until the market season is over or until they no longer wish to attend for the season. We recognize that some products are seasonal; if such a vendor wishes to attend the OFM they must give notice of the time frame they intend to participate for approval. Sellers are expected to attend the market regardless of weather conditions. Sickesses, medical emergency, lack of product or vehicular breakdown are among the few legitimate excuses for missing a market. Irregular attendance for other reasons, including wet weather and anticipated slow sales, will be grounds for suspension. Other vendors and customers count on sellers' regular attendance.
  - a. If a member is unable to attend a market, he/she must contact the Market Manager in advance.
3. Due to crowded conditions and safety concerns, time of arrival at each market must be strictly adhered to. A <sup>nd</sup> vendor will receive a verbal warning the first time they are late. A 2<sup>nd</sup> tardiness will result in a written warning from the Market Manager. If a vendor continues to be late they may be suspended or fined \$50. If such a fine is assessed, it must be paid prior to the vendor being reinstated to the market. Any suspension will result in the forfeit of booth location and no refund will be given for Membership Fees.
  - a. Street closure- 4:30pm. Please arrive no later than 4:30pm. Vehicles must be off the street by 5:00 pm for safety.
  - b. If a vendor is not on-site by 4:30pm, the Market Manager at their discretion may place another vendor in the location in order to fill the gaps and ensure a cohesive market. If such vendor arrives late they will be given a new location.
  - c. Booth location is only guaranteed for regular, on-time attenders.
  - d. Vendors must stay for the duration of the market. There will be no tear-down prior to 8:00pm.
4. Vendor's maximum length of displayed products and vendor's vehicle shall not exceed 24 feet from curb; and must be in accordance with applicable laws for fire lane access. Locations of market stall spaces are not guaranteed to a vendor from year to year.

5. Vendors who are certified and have received training may accept WIC or SNAP coupons for fresh fruits and vegetables only. All vendors selling other items may not accept WIC or SNAP. Vendors are responsible for depositing coupons with their bank. OFM will not exchange coupons for cash.
6. Market stall protocol:
  - a. All scales must have a current seal by the Department of Weights and Measures.
  - b. Vendors shall keep their market stalls as safe and orderly as possible and shall comply with county health codes that require that all produce be kept at least 6 inches above the ground.
  - c. Market stall must be cleaned before leaving the market.
  - d. Pre-packaged goods sold must display the weight, the contents and the seller's name and address on the container.
  - e. No alcoholic beverages (or drinking alcohol while attending the market), chewing tobacco, smoking, bicycling, skating, skateboarding, or dogs are permitted in or around the market area.
  - f. Radios or music are not allowed to be played during market hours, unless otherwise approved by the market manager.
  - g. Vendors shall be appropriately attired during market hours. Shoes and shirts must be worn at all times. All vendors are responsible for the actions of their employees during each market. The Market Manager may eject a vendor or their employee for any inappropriate market conduct.
7. OFM permits vendors to offer samples of produce or market products only under the following conditions:
  - a. All samples shall be provided in compliance with the Stanislaus County office of Environmental Resources. These regulations include, but are not limited to; having proper sanitation and cleaning procedures, providing sampling utensils and covered sample containers and offering samples in a covered location.
  - b. A vendor shall promptly pay any fine levied by a County Health Department for violation of its regulations on samples.
  - c. For health and liability purposes, farmer vendors will not be allowed to cook any products in the certified area of the market. Other than samples, no food preparation will be allowed.

## Discipline

1. All vendors shall cooperate with the Market Manager and the Board of the OFM regarding market conduct and the enforcement of these Rules. All vendors and their employees are expected to conduct themselves in a polite, civilized and cooperative manner. In the event of a dispute over any action taken as a result of the behavior of a vendor or a vendor's employees' at the market, or as a result of the vendor's failure to comply with these rules; the vendor and the Board shall submit the matter to binding arbitration. Vendors acknowledge that the Bylaws of OFM provide that membership may be revoked by vote of the Board for any member whose behavior is determined to be disruptive or who violates these Rules.
2. OFM disciplinary action for violation of these Rules may be given as follows:
  - a. First violation: A verbal warning from the Market Manager.
  - b. Second violation: A written warning from the Market Manager and vendor shall appear before the Board, who will decide whether to impose a fine, or suspend the vendor's right to attend future markets.
  - c. Third violation: vendor's membership in OFM will be terminated and vendor shall no longer be

permitted to sell any product at the OFM market.

#### Seniority of Vendors

1. Although membership in OFM is accepted on an annual basis, renewing members can accrue a preference over other vendors with respect to the selling of certain products continuously sold by the vendor in the past. This is referred to as product "seniority". A product seniority list is kept by the Market Manager. Product Seniority is accrued over the number of years that a vendor has sold continuously in a particular market. Seniority in one product does not give that vendor seniority for any other products. If a vendor would like to sell new products at a market, the vendor must obtain the approval of the Board for such new products. Vendors will be required to remove all unapproved products from their stall. Organic and conventional products are considered two different commodities.

We ask all vendors to be considerate of their fellow vendors when giving discounts at the end of market. If a vendor would like to give their customers a substantial discount on product please do so at the CLOSE of market. The market closes at 8:00 PM. We urge any leftover product to be given to the charity of the vendors' choosing, such as United Samaritans (located 2 blocks south of the market) or Second Harvest Food Bank.

#### Closing Statement

The Board of Directors of OFM would like to remind all members that it holds regular Board meetings to discuss all matters of market business. If a vendor has any grievances, suggestions, safety issues, commodity additions or any other concerns please contact the Market Manager, or a board member about having the item placed on the Board meeting agenda. If a vendor is unable to attend the next board meeting, the vendor's concern should be submitted in writing and given to the Market Manager or Board member for presentation at the next meeting. The Board meeting is the proper forum to resolve any conflicts or concerns of vendors, not the market. It is the goal of the OFM to provide a pleasant family-friendly atmosphere for all customers; OFM vendors are expected to encourage this.

I hereby accept the rules and regulations of the Oakdale Farmers' Market:

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

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

Farm or Business Name: \_\_\_\_\_