

Imperial Beach Certified Farmers' Market

Pier Plaza, 10 Evergreen Ave., Seacoast Blvd. Imperial Beach, CA 91932

Market Rules and Regulations

Published February 4, 2010

Market Times

Summer Hours: April through September 2 p.m. – 7:30 p.m.
(vendors set-up after Noon)

Winter Hours: October through March 2 p.m. – 7:00 p.m.
(vendors set-up after Noon)

I.B. Beautiful, Inc. and the management of the Imperial Beach Farmers' Market shall implement and enforce all of the following rules and regulations in a fair and equitable manner

Admission of any producer to the Imperial Beach Certified Farmers' Market must follow the requirements and rules herein:

1. Fees: Payment along with any paperwork required must be turned in to Market managers 30 minutes prior to the close of Market.

2. Permits and Sales:

Farmers/Vendors shall have all appropriate certificates, business licenses, proof of liability and permits

Sellers must conspicuously post all required permits, licenses, and certificates per State regulations, prior to commencing sales.

The Market Manager will ensure that each Vendor has the required permits and licenses prior to participation in the Market:

- Business Tax Certificate (if applicable)
- I. B. Business License
- Temporary Food Facility Permit (if necessary)
- **Fire Extinguisher**
- Proof of Insurance
- Health Certificate (if necessary)
- Agricultural Permit

☐ A certified producer shall not represent, nor be represented by more than two other certified producers in a 12 month period.

☐ 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 the point of sale.

☐ The name of the certified producer for whom another certified producer is selling shall appear on the certificate of the certified producer that is conducting sales.

☐ The name of the certified producer who is selling the products of another certified producer shall appear on the certificate of the person or entity for whom the certified producer is selling.

☒ The certified producer selling for another certified producer shall be selling or offering for sale, at the same certified farmers' market on the same day, certified agricultural products which the certified producer conducting the sales has produced and which are in greater volume than the volume offered for sale for the other certified producer. The volume shall be measured by the weight or dollar value of the products at the time and point of sale. This volume requirement shall apply only at the beginning of each day of sale.

☒ The producer applying for certification shall obtain and submit to the agricultural commissioner, prior to certification, written authority from said or other certified producers on their behalf.

☒ A certified producer who sells certified agricultural products on behalf of another certified producer or whose products are sold by another certified producer shall keep for a period of not less than three years, the following records relating to such products:

☒ Date of transfer to seller and accurate amount of products, by weight, dry measure, or count, transferred. Each separate product and amount shall be recorded according to variety.

☒ Date of sale and accurate amount of products, by weight, dry measure, or count, sold. Each separate product and amount shall be recorded according to variety.

☒ Names of both certified producers involved.

A certified producer subject to this subdivision shall produce, for inspection, records required by this section upon demand of a representative of the department or county agricultural commissioner.

3. Scales:

Scales used in the Market must have currently valid inspection seals from the County agent in charge of weights and measures. Additionally, vendors must have a copy of the current Device Registration placed next to the scale.

4. Attendance:

☒ Vendors must be set-up and ready to sell 30 minutes before market opens. Vehicles may not travel through Market area during open hours.

☒ Only persons listed as employees or authorized sellers for a vendor may assist any vendor (see #2 Permits and Sales)

☒ Vendors and all equipment must vacate area within two hours of the close of the Farmers' Market

☒ Producers/sellers are asked to notify the Market Manager if they will not be attending the next week's Market.

☒ Producers/sellers or their representative must notify the Market Manager before 9 p.m. the day prior to Market day if they are unable to participate on that given day. Failure to comply will cause vendor probation.

☒ Vendors that arrive after market opens will not be allowed to set up.

☒ Vendors may not break down booth before end of market day unless prior arrangements are made with market manager.

5. Products/Merchandise:

Farmers/Vendors may not sell any item not listed on their certified producer certificate, load sheet or application without prior approval of the Market Manager. All products must be clearly marked as to price.

☒ Any person selling organic products or representing products as organic shall conspicuously post at the point of sale a photocopy of the represented certified producers' current State of California organic registration and, if applicable, documentation of the represented certified producers' organic certification. Prior to posting organic documents, it is permissible to conceal from public view acreage and dollar amounts pertaining to annual sales. A complete photocopy of the original, unaltered, current organic document(s) shall, upon the request of an enforcement officer, be made available for review at any time during participation in the market.

☒ A certified producer shall not sell or represent sprouts as his or her own production resulting from practicing the agricultural arts if less than 50 percent of the seeds, legumes or nuts in any package or container have sprouts that have emerged from the seed, legume or nut coat, husk, pericarp or other type of covering.

6. Booths:

All booth locations are assigned by Market Management.

Required for all booths: 2A:10B:C fire extinguisher with annual California State Fire Marshal certification tag affixed

7. Trash/Waste:

All vendors are required to notify Market Management if any spills occur. Vendors must have trash receptacles and be responsible for removing any debris or trash that is generated by them. Cans, bottles, paper and cardboard, or any other recyclable material, shall be properly recycled. No water, or any liquid or material, will be disposed of down the storm drain, parking lot or sidewalk. All food vendors will at all times have a protective covering placed on the ground directly under their canopy/work area. If a substance comes in contact with the pavement, it will be cleaned by vendor.

All vendors shall receive a copy of Farmers' Market Best Management Practices and a copy of the City of Imperial Beach Best Management Practices for businesses brochure.

8. Public Safety

All vendors to be in compliance with the California Fire Code (CFC) 2007 edition and City of Imperial Beach Municipal Code. Fire hydrants shall not be blocked or obstructed at any time.

9. Tents/Canopies:

All tents/canopies must be tied down securely. No exceptions. Tie downs will be inspected each Friday. Noncompliance will result in termination from the market.

Tents having an area in excess of 200 square feet and or canopies placed together in excess of 400 square feet or multiple tents and or canopies placed together equaling or greater than the above stated area, are to be used, they shall be flame-retardant treated with an approved State Fire Marshal seal attached. A permit from the Fire Department must be obtained. **All tents, canopies and temporary membrane structures shall be provided with a minimum (1) 2A:10B:C: FIRE EXTINGUISHER WITH ANNUAL CALIFORNIA STATE FIRE MARSHAL CERTIFICATION TAG AFFIXED.**

10. Electricity:

Extension cords, power cables must be of an approved type, and appropriately rated and sized for the intended use, amperage and length. Cords, cables are required to be rated for outdoor use. Electrical cords and cables are not allowed on walkways unless an approved protective ramp or other device shall protect any electrical cords or cables that are exposed to pedestrian or vehicle traffic. All electrical appliances/devices must be plugged directly into an approved power tap which is a polarized or grounded type, equipped with (circuit breaker reset), and shall be listed in accordance with UL 1363. Providing an approved power tap appliance is the responsibility of every vendor using electricity.

11. Food Vendors:

Cooking or Heating Appliances: All cooking and heating appliances are to be of an approved type and in good working conditions. All cooking and heating devices must be vented to the outside by approved means. Where vents or flues are used, all portions of the canopy or tent shall be no less than 12 inches from the flue or vent. Cooking and heating appliance shall not be placed in close proximity to tent or canopy walls, netting, cover, etc. **All food booths will have protective ground covering. No exceptions.**

All food samples must be kept covered.

Required: a2A:10B:C fire extinguisher with annual California State Fire Marshal certification tag affixed

Propane: All vendors utilizing propane shall maintain all tanks in a secure and upright position at all times. The use of approved tank stands is recommended. Bulk storage of propane tanks must be in preapproved location with approved signage and security.

Cooking Booths: Where cooking appliances are present, canopies shall be flame retardant treated with an approved State Fire Marshal seal attached. Individual canopies or groups of canopies totaling 400 square feet shall be separated by a minimum of 20 feet from other canopies. The use of charcoal and lighter fluid is prohibited and shall not be used for any reason. Smoking or open flame devices, such as candles, tiki torches, etc. shall not be permitted within or adjacent to canopies or tents.

12. Fuel Powered Equipment:

Generators and Fuel powered equipment shall have a 4A:60B:C rated fire extinguisher with annual California State Fire Marshal Certification tag affixed mounted near the equipment, within the operator's control.

13. Vendor Trucks on Plaza:

All vendors utilizing trucks on plaza MUST have protective drip pans beneath their truck. NO EXCEPTIONS!

14. Personal Code of Conduct:

- No smoking
- No drinking
- No illegal drug use
- Appropriate clothing (it can get very cool, windy and foggy by the beach).
 - o Sales persons MUST wear CLEAN attire.
 - o Sales persons must practice personal hygiene
- Gossip, rumor spreading and general negativity among participants will not be tolerated.