Dear Market Managers
and Certified Producers:
We are your partners in bringing
agriculture direct to consumers.
Let us work together to
make Market Magic!

COUNTY OF LOS ANGELES

Department of Agricultural Commissioner / Weights & Measures

acwm.lacounty.gov

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Department of Agricultural Commissioner/ Weights & Measures

COMMON VIOLATIONS AT CERTIFIED FARMERS' MARKETS & HOW TO AVOID THEM

COUNTY OF LOS ANGELES

Common Violations at Farmers' Markets & How to Avoid Them

Certified Farmers' Markets (CFMs) benefit the agricultural community and consumers by providing fresh produce to consumers, while providing them with an opportunity to meet the producers. Although producers at CFMs are exempt from packing, sizing and labeling requirements, they must meet other requirements to avoid possible violations.

The following is a list of the five most common violations found by inspectors at certified farmers' markets:

#1 Selling products not listed on the certificate or not of their own production.

3 CCR § 1392.4(a)*

The entire purpose for direct marketing is to provide an outlet for farmers to take the products they grow direct to consumers without having to size, pack and label them according to state standards applied in other sales venues. Only mature, good quality products are allowed to be sold at a Certified Farmers' Market. No farmer is allowed to sell products he/she did not produce. Certifiable agricultural products may be sold only if they are listed on the certificate. Notify your CAC to amend your certificate before selling any product not listed on your certificate.

#2 Certified Producer's Certificate expired, not embossed, or not posted.

3 CCR § 1392.4(d) & 1392.7(c)*

Valid certificates, which are embossed and not more than 12 months from the date of issue, must be posted at the point of sale. Please renew your certificate early and ask your County Agricultural Commissioner (CAC) for a sufficient number of embossed copies to cover the markets where you sell.

#3 Selling product as organic without being registered with the California Department of Food and Agriculture (CDFA) or certified by a private entity that is accredited by the United States Department of Agriculture (USDA).

FAC § 46013.1(a)** and 3 CCR § 1392.10(h)*

Before selling your product as organic, contact your CAC to register with the CDFA Organic Program. If your annual sales exceed $5,000, you need to be certified by an accredited organic certifying agency. When registering with CDFA, make sure to list all your organic grown products on your registration. For a list of USDA accredited organic certifiers or for more information on how to become an organic producer, contact your local CAC.

#4 Selling products by weight without having an approved, tested, and sealed scale.

3 CCR § 1392.4(e)*

All weighing scales used for commercial purposes in California must be tested and sealed through a local CAC.

#5 Selling for another producer whose name is not listed on their certificate.

3 CCR § 1392.4(f)(3) & 1392.4(f)4*

A producer may not sell for more than two other producers in a 12-month period. When selling for another producer, your name must be listed on their certificate as a person allowed to sell their product, and their name must be listed on your certificate as a person you are allowed to sell for. Producers need to complete and sign authorization forms through a CAC before selling for other producers.

References:

*California Code of Regulations, Title 3 (3 CCR)
http://www.oal.ca.gov/ccr.htm

**California Food and Agricultural Code (FAC)
http://www.leginfo.ca.gov/calaw.htm