



COUNTY OF SAN LUIS OBISPO

DEPARTMENT OF AGRICULTURE / WEIGHTS & MEASURES

Martin Settevendemie, Agricultural Commissioner / Sealer of Weights & Measures

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Dear Certified Producer:

Total fees due: \$ _____. Certificate is \$ _____. Site inspection is \$ _____.
Additional embossed certificates \$ _____. This is based on what your business paid last year. *

The fee schedule is below. Make modifications to the amount you owe, as needed.

Fee Schedule:

Certificate: \$100 (includes one embossed copy)

Additional embossed certificates: \$5 each

Site inspection: \$70 (for one site)

Additional site inspections: \$35 per site

Certificate modifications: \$10 each occurrence

Veterans' Exemption: \$ 0 cost. See packet for qualifying documents required.



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Checklist for all applicants for Certified Producer's Certificates

New and renewing applicants must complete the following questions and provide the specified documents in accordance with changes to the California Code of Regulations, Sections 1392.4, 1392.9 and 1392.9.1 (effective May, 2005.)

1) Are you authorized to sell for any other certified producers? Yes__No__

If yes, written authorization must be presented, and the names of the certified producers you represent must be put on your certificate. You may sell for no more than 2 other certified producers in a 12-month period.

2) Do you authorize any certified producers to sell for you? Yes__No__

If yes, their names must be put on your certificate. No more than 2 certified producers may sell on your behalf in a 12-month period.

3) Are you applying for a certified producer's certificate based on being in a farming partnership, sharecropping agreement, or similar contractual agreement?

Yes__No__

If yes, proof of partnership or a copy of the current written agreement must be provided to the Agricultural Commissioner at the time of application. The information must contain all of the following details:

- a) A clear description of the property location and size.
- b) The degree of financial and material involvement by each party.
- c) The date of the agreement.
- d) The length of the agreement.
- e) NOTARIZED signatures of all parties executing the agreement.

4) Are you leasing the farm property on which the certified agricultural products are produced?

Yes__No__

If yes, a copy of the current written lease agreement must be provided to the Agricultural Commissioner at the time of application, with the following details:

- a) A clear description of the size and location of the property.
- b) The cost of the lease.
- c) The date of the agreement.
- d) The length of the lease or agreement.
- e) NOTARIZED signatures of all parties executing the agreement.

EXTRA REQUIREMENTS APPLY TO THE FOLLOWING COMMODITIES:

APPLES

Apple Maggot trapping is required if you plan to sell apples in another state or the following counties: Contra Costa, El Dorado, Fresno, Kern, Kings, Madera, Merced, Monterey, San Benito, San Joaquin, Santa Cruz, Santa Barbara, Stanislaus, Tulare and Ventura.

AVOCADOS

Avocado growers must obtain an avocado exemption permit (for maturity standards) from the Avocado Inspection Services in Escondido. To obtain the exemption permit, send a copy of the certified producer's certificate to 326 State Place, Escondido, CA., 92029. For more information, contact the Avocado Inspection Office at (760) 743-4712.

EGGS

All egg producers are required to **register with the California Department of Agriculture** (CDFA) before the eggs/chickens can get listed on the certified producer's certificate. CDFA charges a fee of \$15 to sell eggs at the Farmers' Market. See handout "Egg Sales at the Farmer's Markets".

NURSERY STOCK (plants in pots)

A **Nursery License or Nursery License exemption** is required to sell nursery stock at a Certified Farmers' Market.

PACKAGED GOODS

Any product put in a bag; whether left open or closed, must have a label with the identity, responsibility and quantity (IRQ). Refer producer to The Department of Weights & Measures for further inquiries (805) 781-5910.

To sell **salad mix or sprouts**, check with the Environmental Health Department (805) 781-5544 for **food safety requirements**.

PERMANENT CROPS

All permanent crops must be listed by variety. If all the commodities are permanent, and the producer has had a site inspection, and there are no additions to the certificate, the San Luis Obispo County Agriculture Commissioner (CAC) may waive the site inspection and fee. The CAC reserves the right to do a site inspection if it is deemed necessary.

Producer's signature

Certificate number

Date

CERTIFIED PRODUCER MAP

Office Use Only CPC# Application Date First Site Insp Date
--

Certified Producer Applicant: _____

Location Address & #:

To assist in the certification process, please sketch a map of your growing grounds. Be sure to draw one map for each location.

Include the following:

- | | |
|--|---|
| 1. Nearest cross streets | 2. Special directions to growing location |
| 3. Location and dimensions of growing area(s) | 4. Location of storage areas |
| 5. Location of structures (i.e. house, barns, etc) | 6. Location of permanent Crops |
| 7. Location of creeks, ponds | |

Directions to Growing Location:



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I, _____, do hereby authorize the following individuals to act as lawful authorized representatives for me at California certified farmers' markets. I am aware that only a producer or authorized representative of a producer may sell agricultural products in a certified farmers' market. I acknowledge that any violation of California Food and Agriculture Code or the California Code of Regulations pertaining to direct marketing by myself or an authorized representative may result in a civil penalty or misdemeanor.

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Certified Producers Signature _____

Certificate Number _____

Date _____

Authorization for Direct Marketing Sales by Certified Producers

I, _____, a certified producer who holds certified
name of certified producer giving consent
producer's certificate number _____, issued in _____,
certificate number County
authorize _____, of _____ County,
Certificate Number _____ to sell on my behalf in accordance
with the California Code of Regulations, Title 3, Article 6.5, Section 1392.4(f).

signature

date

Section 1392.4 Conditions of Direct Marketing

(f) A certified farmer's market may allow, or prohibit, a certified producer or his/her immediate family member or employee to sell at that market certified agricultural products on behalf of two other certified producers including, but not limited to, separate entities, such as partnerships, in which the certified producer has an interest as an individual member. If such practice is allowed, the following provisions shall be met by the certified producer and shall be specified in the certified farmer's market's rules and regulations:

- 1) A certified producer shall not represent, nor be represented by more than two other certified producers in a 12-month period.
- 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 the point of sale.
- 3) 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 at a certified farmers' market.
- 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 the certified producer is selling.
- 5) 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. For purposes of this section, 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.
- 6) The producer applying for certification shall obtain and submit to the agricultural commissioner, prior to certification, written authority from said other certified producers to sell on their behalf.
- 7) Commission sales and buying and selling between certified producers is prohibited. Any payment made for the service of one certified producer selling for another certified producer shall not be related to the volume or value of the products sold.
- 8) The operator of a certified farmers' market may prohibit or otherwise establish rules regarding sales permitted under this subsection that are more restrictive, provided that such prohibition or restriction is contained in the market's rules and regulations.
- 9) A certified producer who sells certified agricultural products on behalf of another certified producer or whose products are sold by another certified producer at a certified farmers' market shall keep for a period of not less than three years, the following records relating to such products:
 - (i) 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.
 - (ii) 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.
 - (iii) Names of both certified producers involved.
- 10) 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.



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DEPARTMENT OF AGRICULTURE / WEIGHTS & MEASURES

Martin Settevendemie, Agricultural Commissioner / Sealer of Weights & Measures

To: Certified Producers

From: Marc Lea, Deputy Agricultural Commissioner

Subject: Reporting Pesticide Use

Date: April 6, 2007

If you sell agricultural products at Farmers' Markets that will be grown using pesticides, then you must first obtain an Operator's Identification Number or a Restricted Material Permit from the County Agricultural Commissioner. (Pesticides include: fungicides, herbicides, insecticides, rodenticides, and home-use products, etc.)

Section 6626 of the California Code of Regulations (CCR) requires the operator of the property, who is producing an agricultural commodity, report the use of pesticides to the Agricultural Commissioner monthly. Section 6624 of the CCR requires producers to maintain records of each pesticide use. Only pesticides registered with the California Department of Pesticide Regulation may be used.

For further information or to make an appointment to obtain an Operator's Identification Number or a Restricted Materials permit, please contact your local Agricultural Commissioner's office.

Templeton (805) 434-5950

Arroyo Grande (805) 473-7090

San Luis Obispo (805) 781-5910



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SHELL EGG SALES AT THE FARMERS' MARKETS

All eggs must be produced by poultry owned by the seller and collected on the seller's property. All egg producers who sell at Certified Farmers' Markets are required to register with the California Department of Food & Agriculture (CDFA) prior to selling eggs. CDFA's registration fee is \$15 payable to Egg Safety and Quality Management (ESQM), CASHIER, CDFA.

To register, please request a **Registration Form Instruction/Information Sheet** and an **In-State Egg Handlers Registration Form** (form #517-004a, Rev. 8/12) from the Agricultural Commissioner's office. Mail the completed form to:

Egg Safety and Quality Management, PO Box 942872, Sacramento, CA 94271-2872.

If you need further information, please contact the Department of Food and Agriculture, Egg Safety and Quality Management Program (ESQM) at (916) 900-5062, or write to 1220 N Street, Sacramento, CA 95814. Also, you can e-mail ESQM at ESQM@cdfa.ca.gov, or visit their internet website at <http://www.cdfa.ca.gov/ahfss/mpes/esqm.html>.

Further Requirements:

1. All shell egg cartons must meet the following requirements:
 - a) Labeled with the poultry owner's name, address and zip code. Reused commercial egg cartons must have the following obliterated: The original name and/or logo; the original "Julian pack date" and "Sell-by" dates. The cartons must be clean and sanitary.
 - b) Labeled with the statement "Keep Refrigerated" or "Refrigerate after purchase".
 - c) Labeled with a "Julian pack date" number. This is the consecutive three digit number representing the day of the year on which the eggs were packed. Examples are 001 for January 1, 185 for July 4 and 365 for December 31. Julian date calendars for "perpetual" years and for "leap years" (2016, 2020, 2024 etc.) are attached for your reference.
 - d) Labeled with the words "Sell-by" immediately followed by the month and day in bold type, for example "June 30" or "6-30." Common abbreviations of months are permitted. The "Sell-by" date shall not exceed 30 days from the date on which the eggs were packed, excluding the date of packing. The original sell-by-date shall still apply if the eggs are repacked.
 - e) Identified with the "Plant of Origin Code Number" (a 4 digit code) assigned to you when you register with CDFA.
 - f) Labeled with the size and number of eggs in the container.
 - g) Labeled with the grade of the eggs.

2. Producers may sell eggs displayed in flats or let customers put them in cartons themselves. If this method is used, a posting of a conspicuous sign of the all the above labeling information

including “Refrigerate as soon as possible” is required near the eggs.

3. Eggs for sale that are of poor quality (dirty, checked, cracked or broken) or mislabeled are prohibited at Certified Farmers’ Markets. It is unlawful to mix eggs from more than one species (duck, turkeys, geese) unless the eggs are segregated and the containers and/or sub containers of the eggs are marked or identified fully with the species of fowl from which the eggs were produced.
4. Eggs are not to be placed in direct sunlight during storage or display.
5. Raw shell eggs may be stored and displayed without refrigeration if, in addition to the above, all of the following conditions are met:
 - a) The eggs have been manually cleaned and sanitized with a commercial product labeled for sanitizing. The sanitizer must be used in accordance with the manufacturer’s use directions and must meet the requirements of Health & Safety Code §114099.6. Manual sanitization shall be accomplished in the final sanitizing rinse by one of the following:
 - (b) The application of sanitizing chemicals by immersion, manual swabbing, or brushing, using one of the following solutions:
 - (1) Contact with a solution of 100 ppm available chlorine solution for at least 30 seconds.
 - (2) Contact with a solution of 25 ppm available iodine for at least one minute.
 - (3) Contact with a solution of 200 ppm quaternary ammonium for at least one minute.
 - (4) Contact with any chemical sanitizer that meets the requirements of Section 180.940 of Title 40 of the Code of Federal Regulations when used in accordance with the manufacturer’s use directions.
 - b) Any unrefrigerated sanitized eggs that are stored and displayed at temperatures of 90 degrees Fahrenheit or below and that are unsold after four days from the date of pack shall be stored and displayed at an ambient temperature of 45 degrees Fahrenheit or below, diverted to pasteurization, or destroyed in a manner approved by the health department.
 - c) Any unrefrigerated sanitized eggs that are stored and displayed at temperatures above 90 degrees Fahrenheit that are unsold after four days from the date of pack shall be diverted to pasteurization or destroyed in a manner approved by the enforcement agency.

References: Food & Agriculture Code §27631-27644; Health & Safety Code §114730-114373 and §114099.6.



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Date: August 12, 2014

To: Veterans

Subject: Veterans Exemption

If you are a veteran of any branch of the United States military with an honorable discharge, California Business and Professions Code 16001.7 exempts you from the fees associated with obtaining a Certified Producer's Certificate.

To obtain the fee exempt status, you must present a copy of form "DD 214" at the time of application. If you do not have a copy of "DD 214" please contact:

Director
Department of Veterans Affairs
1227 O Street, Room 200 A
Sacramento, CA 95814
www.archives.gov/research_room/vetrecs/ .

You must also meet all of the following requirements:

- Certificate
1. Be the applicant and signatory for the Certified Producer's issued to you as an individual.
 2. Be a resident of the State of California.
 3. Actively participate in selling your agricultural commodities in the Certified Farmers' Market during the Certificate's period of issuance.
 4. Selling any "spirituous, malt, or vinous, or other intoxicating liquor" is prohibited under this exemption.

This fee exemption is specific to only the veteran who meets these qualifications.

If you have any questions about the veteran's fee exemption, please call our office.



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Labeling Requirements for Packaged Produce at Farmers' Markets

The three basic labeling requirements for packaged commodities are:

IRQ:

I – Identity: common or usual name of the commodity

R – Responsibility: name and address of the person responsible for the contents

Q – Quantity: statement of net weight, volume or count of the commodity

Guidelines:

Generally, all commodities offered for sale in packaged form must be clearly labeled with IRQ.

Placards or signs placed near the produce stating IRQ are no substitution for the requirement of IRQ on the product.

Commodities sold on the basis of weight that are pre-packaged (opened or closed) and not weighed at the time of sale must always have a **Quantity** statement clearly displayed on individual package labels.

Random weight packages, including meat, fish and poultry, are required to be labeled with **price per pound** and **total price**, in addition to all other required labeling.

Exceptions:

A package sold on the same premises where it was packed does not have to have a declaration of **Responsibility**.

If the commodity is sold on the basis of count, and the package contains six or fewer items which are fully visible, the package does not require a **Quantity** statement.

Any produce sold in a clear container is exempt from a declaration of **Identity**, regardless of size.

Individual “open” containers of one quart or less containing fresh fruit or fresh vegetables are exempt from the requirement for a declaration of **Identity**. An open container is defined by the Federal Food and Drug Administration as a container of rigid or semi-rigid construction not closed by a lid, wrapper, or any other material except an uncolored transparent wrapper that does not obscure the contents. This one-quart exemption applies to open opaque containers (baskets, paper bags, boxes) containing produce.

Berries sold in prescribed standard berry baskets do not need IRQ. However, any commodity other than berries placed in a berry basket requires IRQ, i.e. squash, cherry tomatoes.

Items such as cauliflower and lettuce may be sold by the head. Radishes, celery, carrots, etc. may be sold by the bunch. ****When in doubt, it is safest to label every package with IR**



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FARMERS' MARKET SCALES

1. Every scale used commercially must be a model that is approved by the California Division of Measurement Standards (Business and Professions Code (BPC) 12500.5). Before obtaining a scale to be used in direct sales, contact your local County Weights and Measures office to make sure it is an approved type.
2. All weighing devices used in direct sales must be tested and sealed each year (BPC 12107). A scale that has a current or prior year seal from another county will be honored and will be considered current. It is the owner's responsibility to have each scale tested and sealed every calendar year and to maintain the accuracy of the scale at all times.
3. Device registration fees are the responsibility of the user and must be paid annually.
4. If a scale is used commercially at a location other than a Certified Farmers' Market, i.e. farm stand, road side stand or swap meet, the user must register that location and pay a separate location fee.
5. Below are common problems encountered at Certified Farmers' Markets:
 - a. Scale performance must not be affected by any characteristic of its foundation or support. Hanging a scale from a non-rigid support, or suspending it using a bungee cord, is not allowed. A counter scale must be positioned on a sturdy surface and the scale leveled to ensure accuracy.
 - b. Scales must be continually maintained on zero. All scales have a mechanism for adjusting the scale to zero. Hanging scales have a zero adjusting screw at the base of the dial.
 - c. Scales must be continually maintained in proper operating condition. A broken or missing glass cover or a damaged scale enclosure exposes the indicator and internal components to environmental damage and interference of moving parts. These devices must be removed from service and repaired.
 - d. A scale must be positioned so the customer can clearly observe the weighing operation and the weight indications.
 - e. All commodities must be sold on the basis of net weight, that is, the weight of any bag, carton or other container shall be considered tare and not included in the quantity determination and price charged to the customer.