



Dear Processed Food Vendors:

Thank you for your interest in the **Santa Rosa Downtown Market**. **The 2011 Market Season will run for 17 weeks every Wednesday from May 13th and August 31st from 5:00-8:30 p.m.**

The Santa Rosa Downtown Market provides vendors, as well as market-goers, a wonderful event bringing the community together to enjoy a variety of food, arts & crafts, fresh produce, non-profit agencies, entertainment and activities. The Market has drawn more than one million people to Downtown Santa Rosa over the past twenty-two summers, and will continue to attract thousands each night as we enter into our 23rd year.

Enclosed you will find the 2011 Application Form and Rules & Regulations for Processed Food Vendors. Please be sure to read the 2011 Santa Rosa Downtown Market Rules and Regulations (available on our website). Once you have been accepted to the Market, you will receive a Market permit and your assigned booth location.

All applications and a separate \$12.00 non-refundable application are due by Friday, March 11 with your fee for the first two weeks (payable to the "Santa Rosa Downtown Market"). Except for the separate \$12.00 application fee, your check will not be cashed until you have been accepted as a Processed Food Vendor in the 2011 Market.

If you have any questions, please call the Market office at 707-524-2123. We will be happy to answer any questions you may have.

Thank you for your time and interest. We look forward to receiving your application.

Our best,

Santa Rosa Downtown Market

*PO Box 15140 Santa Rosa, CA 95402
707-524-2123 / Fax- 707-545-6914*

**2011 Processed Food Vendor Application
Santa Rosa Downtown Market**

**A processed food vendor wholly produces, manufactures, and packages products for sale that are NOT ready-to-eat.
A processed food vendor may sell baked goods providing that the vendor produces the majority of ingredients of that product.**

Application Deadline: Friday, March 11, 2011

Return application to:

Santa Rosa Downtown Market PO Box 15140 Santa Rosa, CA 95404
Call 707-524-2123 for information or fax to 707-545-6914
www.srdowntownmarket.com or e-mail: market@sonic.net
(Please print or type)

Name of Processed Food Vendor _____

Owner/Manager of Business _____

Mailing Address _____

City _____ State _____ Zip _____ E-mail address _____

Day phone _____ Evening phone _____ Fax # _____

Proposed Products (specify exactly what you intend to sell) _____

Describe your set up on the street (on or off vehicle, awnings, tents, etc.) _____

List the specific dates you wish to sell at the Market (or state "ALL") _____

Have you ever participated in the Downtown Market before? Yes No If yes, when? _____

Space fees of \$32 per week are payable one week in advance. Spaces are based on a 10' x 10' space along the street. The fees are set forth below. All operations must be within the allocated space. No activities are allowed on sidewalks, sidewalk peninsulas between parking bays, or within the fire lane area of the street.

Please check one of the following payment plans for one (10' x 10') booth space:

\$26/wk – 17 weeks paid in advance (\$442) \$29/wk – 6/5 weeks in advance (\$174/145) \$32/wk - paid every wk

AGREEMENT

The undersigned agrees that he/she has read and understood the 2011 Rules and Regulations of the Santa Rosa Downtown Market and will be able to comply with all of the Rules and Regulations described. The undersigned understands non-compliance may, at the discretion of the Market; result in removal of the activity from the boundaries of the Market. The undersigned further certifies that he/she is the responsible person referred to in the Rules and that he/she is authorized to 1) execute this application on behalf of the group and 2) Accept legal process on behalf of the group.

Applicant agrees to defend, hold harmless, and indemnify the City of Santa Rosa, its officers and employees, the Santa Rosa Downtown Market, its officers and its directors, and the Santa Rosa Chamber of Commerce, its officers and its employees from and against any and all claims for damages and any or all loss, provided such claim, liability or loss arises in whole or in part by any act or omission of applicant or that of any employee or agent of applicant, and so applicant agrees, irrespective of whether such claim, damages or loss also arose from or were caused by a negligent omission on the part of the City of Santa Rosa, the Santa Rosa Downtown Market, the Santa Rosa Chamber of Commerce or any of its officers or employees. Applicant has read the Santa Rosa Downtown Market's Regulations regarding the Purpose, Goals and Structure; General Policies and Operating Procedures for All Participants; Participation & Application; Hours of Market Operation; Regulatory Agencies; Equipment and Services; Fees for the 2011 Market Season, and the Section herein regarding applicant's specific area of participation and applicant agrees to conform to the regulations contained therein.

Upon approval of this application by the Santa Rosa Downtown Market I agree to provide the following to the Market prior to space being allocated to me:

Any of the following which are applicable to your business:

Health Permit
Sales Tax Permit

THERE ARE NO REFUNDS FOR RAINED OUT MARKETS.

Date _____ Signed _____

2011 (CERTIFIED) PROCESSED FOOD VENDORS RULES & REGULATIONS

Santa Rosa Downtown Market

I. INTRODUCTION

1. **PURPOSE OF MARKET:** The Santa Rosa Downtown Market Certified Farmer's Market (hereinafter "Market") is certified by the Sonoma County Agricultural Commissioner as a direct marketing outlet for producers of fruits, vegetables, nuts, eggs, honey, flowers, and nursery stock. These producers may sell directly to consumers at the Market without meeting the usual size, standard pack and container requirements for such products, under the auspices of the Direct Marketing regulations of the California Department of Food and Agriculture. Non-certifiable agricultural items may also be sold at the Market. Although the state direct marketing rules do not apply, the same producer-to-consumer philosophy applies. Agricultural products may only be sold by those who produce them.
2. **TIME AND LOCATION:** The Market is located in Downtown Santa Rosa on Fourth Street between Mendo and E Streets. Market hours will be 5:00 p.m. to 8:30 p.m. on Wednesdays. Sellers are advised to arrive an hour early to be ready to sell by 5:00 p.m. sharp.

II. COMMODITIES OR PRODUCTS SOLD

1. **FARMERS:** **Certifiable products; fresh fruits, vegetables, nuts, eggs, honey, flowers, and nursery stock may be sold. Non-certifiable agricultural products such as dried fruits, vegetables, beans, juices, jams, fresh meats, and fish and shellfish grown in controlled aquaculture facilities may also be sold.** All products sold as **ORGANIC** must be grown, produced, or processed in accordance with the California Organic Products Act of 2003. In addition, a copy of the ORGANIC REGISTRATION must be supplied to the Market.
2. **NON-AGRICULTURAL PRODUCTS:** Baked goods or prepared foods may also be sold at the discretion of the Market. **Processed Food Vendors are a separate category of vendors who apply separately and pay different fees than Certified Farmers or Food Vendors. A processed food vendor wholly produces, manufactures, and packages products for sale that are not ready-to-eat. A processed food vendor may sell baked goods providing that the vendor produces the majority of the ingredients of that product.** All products sold at the Market shall meet the requirements of the California Agricultural Code, Title 3, Article 6.5m and the California Health and Safety Code. Packaged products must be labeled with the name of the farm or producer, ingredients, address, and weight of contents. High quality, vine-ripened, fresh produce is expected. Lower grade produce must be marked as such and priced accordingly. Scales or balances are required for commodities that must be weighed. These must be certified and sealed by the County Sealer on an annual basis.

III. ADMISSION OF PRODUCERS AND PRODUCTS TO THE MARKET

Admission to sell at the Market shall be at the discretion of the Farm Market Manager, in accordance with the policies, rules and regulations established by the Santa Rosa Downtown Market. In making any determination in this regard, the Market Manager shall consider the following:

- A. Producer's positive or negative history of compliance with state, local government and Market rules and regulations.
- B. Producer's history of Market participation. When practical, significant weight, priority, and preference should be given to member growers returning from previous seasons.
- C. The competitive availability and number of sellers of producer's product present within the Market, and the relative quality of the product offered for sale. If practical, monopolies and surfeits should be avoided.
- D. The number of unreserved spaces and other limitations of the Market. Admission of a producer may be conditioned by period of attendance time and type of product allowed limitations.

IV. ASSIGNMENT OF SELLING SPACE

The producer's location, space size and other factors of assignment of selling space within the Market shall be at the reasoned discretion of the Market Manager, in accordance with the policies, rules and regulations established by the Santa Rosa Downtown Market. In making any determination in this regard, the Market Manager shall consider the following:

- A. The maintenance of present and past consumer-producer relationships.
- B. The maintenance of good product mix and consumer traffic flow.
- C. The principles of good market and product promotion.

V. STALL RULES

1. **CREDENTIALS** Processed Food Vendors must show the Farm Market Manager their required credentials. Additionally, all vendors must post their EMBOSSSED certified producer's certificate, and if applicable, their health permit and license to sell nursery stock, at the stall. Copies of these credentials must be supplied to the Farm Market Manager for inclusion in the permanent Market record.
2. **STALL SPACES:** Vendors must accept the space assigned by the Farm Market Manager. Stall spaces may be reserved in advance, but may be assigned to another vendor if not occupied by 4:45 p.m.
3. **STALL FEES:** For each Market day, the fee shall be \$32 for a 10' wide space. Fees must be paid one week before each Market. Every seller **must notify the Market Manager no later than 48 hours before the Market** if he/she will not be selling at a given Market. **You WILL be charged for the space if you do not call 707-524-2123.**
4. **PRICES:** Prices of all commodities must be clearly marked.
5. **CLEANLINESS:** Vendors must maintain the space assigned to them in a clean and sanitary condition, and when vacating the premises must remove from the area all equipment, produce, trimmings, wrappings, and containers.

6. **LIVE ANIMALS**: No live animals are allowed in any area where food is stored or sold, except for service dogs or dogs used by the blind.

7. **STALL LOCATIONS**: In accordance with the new California Direct Marketing Rules and Regulations, certifiable and non-certifiable agricultural products will be clearly separated from non-agricultural products.

VI. SELLER RULES

1. **CREDENTIALS**: Permission to occupy a space and sell goods at the Market becomes effective only after the Farm Market Manager has received all of the following:

A. **PERMITS**: All permits (Health, Food & Game, Nursery License) necessary to sell processed products must be on file with the Farm Market Manager and on display in the Market.

B. **VERIFICATION OF EMPLOYMENT**: All employees of growers must supply the Farm Market Manager with proof of employment. This includes an original letter from the grower and employment records.

C. **COPY OF CONTRACTS OR AGREEMENTS**: All partnership contracts or agreements must be legal documents and be on file with the Farm Market Manager.

D. **LIABILITY**: Vendors should be aware that Santa Rosa Downtown Market liability insurance does not cover sellers. You are required to obtain your own insurance. It is **recommended** that all applicants provide a certificate of insurance insuring them as follows: \$1,000,000 Product & Comprehensive General Liability Insurance naming the Santa Rosa Downtown Market, City of Santa Rosa, and the Santa Rosa Chamber of Commerce as additionally insured.

E. **FARM VISITS**: Seller recognizes that a representative of the Market may, by appointment, visit the farm or other locations as necessary to verify compliance with these regulations.

2. **PEDDLERS**: Not allowed at the Market.

3. **CIVILITY**: Sellers are expected to maintain high standards of honesty and to conduct themselves at all times in a courteous and business-like manner. Rude, abusive or other disruptive or offensive conduct will not be allowed in the Market at any time and is cause for expulsion without fee refund.

4. **COLLUSION**: Collusion among sellers to raise prices, or exertion of any influence, pressure of persuasion to cause a seller to increase prices, is strictly forbidden.

VII. GOVERNANCE

1. **GENERALLY**: These regulations have been adopted by the Board of Directors of the Santa Rosa Downtown Market to supplement the California Direct Marketing Regulations (California Agricultural Code, Title 3, Article 6.5). The Board has appointed a Farm Market Manager to supervise the Market and to be helpful to the producers and consumers who use it. The Farm Market Manager must act in accordance with the Santa Rosa Downtown Market's decisions and policies.

2. **NON-COMPLIANCE**: Any variation from the foregoing regulations may preclude the seller's right to participate in the Market. The Santa Rosa Downtown Market, including its officers, directors, volunteers, agents and employees, has the authority to enforce these regulations and to suspend non-conforming sellers. When the Santa Rosa Downtown Market determines that a seller should be suspended, upon first violation he or she will receive a written notice, personally or by mail, stating the rule which has been violated, and describing the facts which constitute violation of the rule. The second violation will result in one week's suspension from the Market, and the third violation will result in suspension from the entire Market Season.