

# HIGH DESERT FARMERS MARKET STANDARDS

## 1. Mission Statement

The purpose of High Desert Farmers Market is to bring a harmonious and festive atmosphere to accommodate the communities residents, and its visitors. It is the goal of the market to promote a wholesome, family atmosphere. The event is organized and administered by Kerri Santoro & Hillside Flower Growers in order to:

- Provide a forum for community activities
- To add to the positive image of the college and its community
- Maintain the center of social, civic, and retail activities
- Expose community members and visitors to fresh foods, quality & unique gifts education and ideas offered by its participants including non-profit organizations to make connections from Farms to Families

The High Desert Farmers Market must be consistent with these goals, including all its special activities. The market will take place at the Victor Valley Community College, 18422 Bear Valley Rd., Victorville, every Thursday, year-round. The market will take place on Fish Hatchery Rd, between the gym and tennis courts on the west side of the lower campus.

The HDFM market manager is responsible for the selection of all participants with regard to all applications to determine if the applicant or activity fits within the HDFM's purpose, goals, and structure. The management is knowledgeable and trained in the field of these types of events and will continue to use such expertise to determine what types of arts, crafts, antiques and unique & hard to find items, etc. are acceptable.

## 2. Participants

Each participant must fall into one of the following categories, governed by the following specific rules and/or standards:

### A. Arts, Crafts and Jewelry

1. Art, crafts, jewelry, or wearable accessories may be sold upon prior approval from management. All items must be unique and/or hard to find. All handmade items, will be given first priority. NO SWAP MEET ITEMS, tools, car stuff etc.
  - a. Contingent upon approval: Questionable items may be subject to an explanation of description.
  - b. The introduction of new products into the market must meet prior approval by management.

### B. Miscellaneous

Additional, miscellaneous, categories for participation in HDFM includes the following:

1. Antiques produced before 1950. May include Retro or vintage items.
2. Aromatics including incense, potpourri, scented oil, candles, and limited accessories, produced or mixed by participant.
3. Books including comic books bearing the seal of the Comic Code Authority or published prior to the establishment of the Comic Code Authority.
4. Collectibles appearing in a collector's guide, which guide must be presented to the manager/coordinator prior to approval. Collectibles are items which are registered trademarked and unlawfully cannot be duplicated.
5. Entertainment: Entertainers wishing to perform at the market must contact the manager/ coordinator.
6. Rides - Primarily for little children. Educational games, trains, ponies, bounce houses, etc. Must be professional amusement company with liability and business insurance bonding and copy of safety check record on file with manager/ coordinator. No wandering

circus rides.

7. Health related food products & Skin care products that are sold by independent distributors only. Food related products sold by independent distributors. (This makes these items hard to find.)

**All items may or may not be allowable and is decided by the management at their discretion for any reason.**

### **C. Food Service Vendors (TFF's)**

1. Food service vendors, including restaurants located within the perimeter of the event, may set up additional outside seating to expand their services area as long as the expanded seating area does not affect neighboring vendors or merchants and a five foot clear walkway is maintained for the public safety.
2. Participating restaurants will be subject to the same application and review process as all other food service vendors.
3. All food service vendors must have adequate trash containers for refuse as indicated by the market manager/coordinator.
4. Hand-washing facilities approved by the San Bernardino County Health Department must be provided within 100 yards of the temporary food facilities.
5. Food service equipment shall be equipped with tight-fitting closures to prevent the entrance of insects.
6. All condiments are to be individually wrapped or dispensed from sanitary pour, pump, or squeeze type devices.
7. All food service vendors must comply with requirements imposed by the San Bernardino County Health Department.
8. Barbecues: Within the perimeter of the event each with reserved space assigned.
9. In order to retain the reserved space, all barbecues must adhere to the following rules
  - a. The grill surface area may not exceed forty square feet.
  - b. Food must be kept at least two feet off the ground.
  - c. Barbecue operation must be kept within the space assigned.
  - d. Barbecues are not to be lighted on the street in the market area earlier than 1 hour before commencement of the event.
  - e. At all times, the barbecue is to be surrounded by barriers set five feet away to protect pedestrians from flames, The barriers must be easy to move to provide emergency vehicle access. (This may require temporary placement of barriers on sidewalk areas.)
  - f. Only standard starting fluid may be used. Each barbecue must have an approved fire extinguisher on site (minimum of a 2A-IOC, currently serviced). Propane usage must be pre-approved by the Bear Valley Fire Department. No wood will be allowed to be used as fuel.
  - g. Barbecue areas must be kept neat and clean at all times. Foods that are cooked on the barbecue must be dispensed directly from the barbecue unit to the customer, using sanitary utensils.
  - h. No food preparation may take place outdoors except the cooking of foods on the barbecue and the application of condiments to the foods barbecues.

### **D. Certified Farmers Market**

The Certified Farmers' Market operates in compliance with the Direct Marketing Act.

1. Each grower is inspected by the Agricultural Commissioner's office of the county that they produce in.
2. All growers wishing to sell their crops directly to the public must contact the manager/ coordinator prior to participation for approval.
3. Vendors must clean up their assigned spaces before leaving and must provide their own refuse containers. City trash containers are not to be used for vendor debris.

4. It is the responsibility of growers to be familiar with all rules and regulations pertaining to the Direct Marketing Act and all other governing agencies pertaining to this event

**E. Political, Religious, and Nonprofit Organizations**

1. A limited number of spaces are available for political, religious, and nonprofit organizations. Applicants will be given space at the event on a first-come, first-served basis; participation will not be based on the background or qualifications of a group or individual or the content of the message involved.

2. Organizations wishing to raise funds during the event must have current nonprofit status. Verification must be provided at the time of application. Upon review and approval the space will be issued free of charge.

3. Prior to application review you must obtain approval from management and satisfy all their requirements.

4. All monies generated by sales or solicitations, excluding direct material costs, must go to the nonprofit group. The manager/coordinator may request a full accounting.

5. Giving away merchandise or food items comparable to those that have been approved for sale by another participant of the HDFM will not be allowed.

6. No loudspeaker or public address system may be used by the participants during the event. Participants may not harass, follow, or intimidate visitors. Activities that are conducted in such a manner as to interfere with the goals or purposes of the event may result in immediate revocation from the HDFM.

# High Desert Farmers Market Rules & Regulations

## I. General Rules & Information

1. The market hours are 8:00 a.m. till 12:00 p.m. every Thursday, Year Round, Rain or Shine. Setup time is 7:00 a.m. Interested parties may contact Manager/Coordinator, 18422 Bear Valley Rd., Victorville, CA 92395 or email: [contact@highdesertfarmersmarket.com](mailto:contact@highdesertfarmersmarket.com) or phone at (760)247-3769. Market location is at 18422 Bear Valley Rd., Victorville. Website: [www.highdesertfarmersmarket.com](http://www.highdesertfarmersmarket.com)
2. Participants are defined as any vendor, retailer, grower, farmer, seller, crafter, or artist and upon acceptance or approval to participate. Agrees to do so in its entirety including, but not limited to promotions, events and activities to the best of their ability with quality and integrity.
3. Vendors must participate once space is allocated. The HDFM will proceed as scheduled, rain or shine. There are no refunds given to a vendor if they decide not to participate on any day, for whatever reason.
4. It is the vendors' responsibility to notify the manager/coordinator 24 hours in advance if they cannot participate for a legitimate reason.
5. Sales privileges and spaces may not be sold, sublet, transferred or shared in any manner.
6. Participants in the event, their employees, children and family members must be appropriately dressed neatly and clean. Anyone found to be disruptive, discourteous, showing prejudice, yelling, fighting, making derogatory remarks, inebriated or exhibiting any other acts of violent, or illegal behavior will be immediately dismissed.

**Animosity and other negative behavior will not be tolerated.** Issues that need attention need brought to management in a professional manner and with respect. Questions and concerns need to be addressed outside market hours by contacting management either by phone or email.

7. The management reserves the right to dismiss, accept or decline vendors (are as described above) and/or commodities, for any reason, into the marketplace. Spaces and type of commodity mayor may not be limited. Only quality products may be displayed and sold. The management reserves the right to remove unacceptable items for display. REPEATED problems regarding this matter and any other market rule violations, will only result in revocation from participating in the market. (Poor quality hurts everyone). Participants must first obtain permission from management BEFORE introducing any new product or commodity to the market.
8. Vendors must maintain the space provided in a clean and sanitary condition, including upon vacating the premises. Any spaces left in an unsatisfactory condition will be charged a \$25.00 cleaning fee, due and payable before returning to the market. Vendors are to carry their trash out with them. **All vendors are to provide a trash container at every booth for customers too.**
9. No person shall deface or otherwise abuse the Victor Valley College buildings, plants, or landscape. The coordinator is in no obligation to provide water or any equipment to participants. The event is only obligated to provide a space. Power cords must be completely taped down to limit the liability for the vendor and conform to city safety requirements.
10. No person or business participating in the HDFM shall state, imply, or otherwise suggest that the Victor Valley Community College, City of Victorville, Hillside Flower Growers and its members endorses, sponsor, or supports the views of their organization, candidate, product, or service.
11. Participants are allocated space numbers by purchasing them the week prior to setting up. This is the only way to guarantee same location. All vendors are to be in their assigned spaces no later than 7:00. Prepayment of space fee is for the week ahead only.
12. Management has the authority to assign and reassign spaces when the situation calls for it.
13. Dimensions of the space are 10' X 10'. Vendors shall not move spaces without prior approval from management.
14. Participants must stay within their assigned spaces and out of fire lanes at all times.
15. All tables used must be covered and draped over and should be no more than three inches from the ground. Displays must be inviting and attractive. Be certain that all fixtures are securely fastened as too not cause injury to anyone.
16. Copies of all necessary documents pertaining to individual status to participate in the HDFM must be kept current and on file with the management. Such documents may include, but not limited to:

Certified Producer's Certificate Health Permit  
Nursery stock License Employment  
Agreements Seller's Permits Lease  
Agreements

**An original copy of necessary documents must be conspicuously posted during business hours.**

17. No live animals, bird, or fowl shall be kept or allowed within 20 feet of any area where food is stored or held for sale. This subdivision does not apply to guide dogs, signal dogs, or service dogs when used in the manner specified in Section 54.1 of the Civil Code, CA Health & Safety 27831. However, customers love to bring their pets with them, as long as they are 20 feet away from food there is not a problem.

18. Vendors must remove all boxes and containers used in the transportation of their merchandise BEFORE the fair begins for the evening. Empty boxes may be stored under tables as long as they are not visible.

19. Parking lot closures: No one is to move signs, barricades etc. at any time after market is open for business

20. All Parking Rules shall be followed regardless what other violators are doing. Vendors are to park in the designated areas expressed by management, or a citation will be given.

21. All Vendors are to have enough knowledge of the English language to be able to communicate effectively with management and its customers. It may be necessary for the vendor to have a helper available to communicate and conduct business. If the participant is unable to effectively communicate, and they have not made an attempt to learn the language, they will not be able to continue to participate.

## **II. Retailers Rules & Information**

1. All retail vendors' products shall be allowable by previous authorization from management. All items considered must be in compliance with the HDFM Standards and requirements information.

2. All retail vendors, as required by the State of California, are to obtain and to keep in their presence, a resale number obtained from the Board of Equalization. They may be reached at (951) 680-6400 or on line at [www.boe.ca.gov](http://www.boe.ca.gov) to receive application and information.

3. Fees for space rental and other charges shall be set and maybe amended from time to time. The management reserves the right to adjust the fees at any time, with such adjustment to be immediately effective. *See Vendor Requirements for updated information. They are available at the market information booth, on-line or attached to this packet*

4. Management is not responsible for sales or lack thereof.

5. Canopies are to be securely weighted with min. of 40 lb. sandbags on each corner, NO Hanging weights, including coffee cans or containers filled with concrete (except those pre approved by management)

## **III. Certified Farmers Market Rules & Information**

1. Certified producers must conform to California Code of Regulations Title 3. Food and Agriculture Division 3, Economics Chapter 1. Fruit and Vegetable Standardization Subchapter 4. Fresh Fruits, Nuts, and Vegetables Article 6.5 Direct Marketing codes **AND** All agricultural products, when sold or offered for sale at a certified farmers' market shall comply with all applicable requirements of articles 1 (beginning with section 27500), 2, 3, 4, 5, 6, 7, 11, 13, and 15 of chapter 4 (California Uniform Retail Food Facilities Law), division 22, of the California Health and Safety Code, and chapters 1 (beginning with section 26000), 2, 4, 5, and 8 (California Sherman Food, Drug, and Cosmetic Law), division 21, of the California Health and Safety Code.

2. Certified producers may sample products only if they are in compliance with the San Bernardino county Environmental Health Dept.

3. Certified producers may sell for two other certified producers in a 12 month period. It is their responsibility to follow all laws pertaining to this requirement. CP must have 50% of their own production available at point of sale. Must be separated on table and posted.

4. Prices are to be clearly marked. Tables are to be covered. Produce cannot be placed on bare wood tables and must look attractive at all times. Canopies and fixtures are to be securely fastened at all times as to not cause harm to consumers or other vendors.

5. All closed or sealed container, bags, jars, etc. must be labeled with a name, address, and phone number with minimum weight clearly visible. Processed foods must also include ingredients on the label. Person's selling processed foods, such as baked goods must also obtain a health permit for the HDFM location.

6. Scales must be in compliance with the Department of Weights and Measure. Scales are sealed, calibrated, and tagged annually. Only a certified scale may be used, and must be in plain sight to the consumer.

7. Growers are to pay designated percentage of each week's gross totals (this means before gas, employee pay, bags, food etc.) as space fee. This is to be collected at the end of the day. With complete sales and given to the management with the load slip completely and accurately filled out. Refusal to fill load slip out will result in a violation and fine due and payable by the producer, and shall be marked fused to fill out correctly.

8. Any grower suspected of buying wholesale and reselling will be reported to the Agricultural Commissioner office and The Integrity Task Force in Sacramento.

9. Growers with multiple locations may be asked to show proof of ownership or lease of land with producer's

name listed as tenant or insured. Growers employees are to provide employee records.

10. **Certified Producer's Certificate is to clearly be posted at every market.**

11. High Desert Farmers Market and its governing body and its designated agents shall implement and enforce all rules and regulations pertaining to the operation of a certified farmers' market in a fair and equitable manner.

***The High Desert Farmers' Market is sponsored by Hillside Flower Growers. The HDFM is not owned by Victor Valley Community College. Therefore, the college is not directly involved with any decisions the HDFM management makes on the operations of the market***

## **Discipline Procedure of Certified Producers**

High Desert Farmers Market DOES NOT practice a warning program for removal from participating in the market. If a Market Manager finds a certified producer in violation of HDFM Rules & Regulations, Standards, federal, state, and local government regulations, then the certified producer will have their selling privileges suspended, revoked, modified or may be permanently removed from the market.

If found to be in violation, and depending upon the severity of the situation, the manager reserves the right to immediately dismiss, remove, with force if necessary, the certified producer in question. The issue will then be followed up in writing and sent, emailed or delivered to producers address listed on certificate.

The certified producer then has ten (10) calendar days to appeal the action of management and request a hearing to be heard by the executive director. The certified producer may write the director at:

[contact@highdesertfarmersmarket.com](mailto:contact@highdesertfarmersmarket.com)

**OR** High Desert Farmers Market  
18422 Bear Valley Rd. Victorville, CA 92395

The written appeal request must be postmarked and/or dated no later than ten calendar days of the given notice. Once the director receives the response a meeting/conference call will be scheduled and producer can present his/her case at that time to the executive director.

Everyone's explanation will be taken under consideration to the final decision of said action. A written response by the executive director will be sent to the certified producer.

If the producer does not request a hearing within the (10) calendar day time period with the executive director, no further action will take place and the producer will not be permitted to any of our High Desert Farmers Market managed CFM's permanently.

# High Desert Farmers Market

## Retail Vendor Requirements

INITIALS ARE REQUIRED NEXT TO EACH NUMBERED LINE TO ACKNOWLEDGE EACH RULE IN AGREEMENT

1. Interested parties must obtain PRIOR Approval from management: begin by emailing pictures of products, booth set (include canopy weights) to [contact@highdesertfarmersmarket.com](mailto:contact@highdesertfarmersmarket.com) then access website at [www.highdesertfarmersmarket.com](http://www.highdesertfarmersmarket.com) select 'Menu'; click 'For Vendors' tab; download the several documents pertaining to the market(s) of interest. READ and SIGN the pertinent documents in agreement of RULES, REGULATIONS and REQUIREMENTS, Parking flyer; To request a call back 760-247-3769 (leave message LAND - line only)
2. All retail sales (non-food) are required, by state law, to operate with a resale number for reporting sales taxes. To obtain one, contact the Board of Equalization at (951)680-6400 or e-mail: [www.boe.ca.gov](http://www.boe.ca.gov) to apply. Already have a number, add the business location of the High Desert Farmers' Market, 18422 Bear Valley Rd Victorville CA 92395. Call them for questions and assistance if needed.
3. All items are allowed or disallowed at management's discretion. ALL NEW ITEMS ARE TO BE PREVIOUSLY APPROVED BY MANAGEMENT BEFORE INTRODUCING IT TO THE MARKET. (Applicable to new and current vendors)

### Allowable items may include:

- Hand-made, homespun, unique gifts, creative ideas, crafty, hard to find...
- Collectibles: items that are numbered, registered, trade-marked, true collectibles (items of real value)
- Specialty items: cannot be copied or handmade, not found in stores, invented by participant
- Eco-friendly: products that support the 'green movement' – products that support a clean planet
- Health Products: companies that are Independent Distributors – these are limited to the number allowed
- Imported goods: marketplace goodies
- Antiques & Retro: these must be true antique - Those items that are found from a certain era.
- Aromatics: Incense, soaps, lotions, perfumes and oils mixed or made by the seller.

### Not Allowable items may include:

NO JUNK! No yard sale, garage sale, car stuff, tools – no swap meet or dollar store items. No damaged goods  
Items that have not been previously approved by management  
No knock offs or any other illegal items or substances

4. **Market's hours** are every Thursday, 8:00 AM till Noon, Year-round. Vendors are to be set up and vehicles out of the way by 7:00 am. (Unless prior arrangements have been approved (by management)); After locating space, unload all contents from vehicle – GO PARK in VENDOR PARKING! THEN come back to set up your booth. **See Loading and Unloading DOC.**
5. **Space sizes and Fees:** SEE: **Space Fee Amendment April 2019** Two space max. is allowed. **Space sharing is prohibited.** Space assignment is given by email or phone. **Arrive with your Cash** only payment to be collected that morning.
6. **Space Reservation (see Document);** To reserve space(s), you will need to email or call every week for available space assignment, or monthly prepayment reserves your space for the month. **Fees are non-refundable for any reason**
7. **Canopies and weights:** entire set-ups are to be securely weighted and tied down **with 40lb canvas style, sand bags, at each leg, of structure, is MANDATORY AT ALL TIMES!!!!** No other type weights are permitted!
8. **Trash container need also be available for customer use. Trash disposal at the end of day is to be taken to the DUMPSTERS, not the cans in market.**
9. **HDFM and management are not responsible for damaged caused by participants' negligence.** Our market insurance does not cover participants' mishaps. You must seek your own insurance.
10. **PARKING:** Vendors are to park by the soccer fields. This means if you are on the property selling, visiting or helping at the market, park in the designated vendor parking area during those hours to free up parking for students, faculty & customers! Farmers market customer parking is in LOT Q only. Handicap vendors (with Placard) may park in the very back of lot Q.
11. **Displays** are to be attractive and eye catching. No merchandise is to be on the ground, unless items are too large to be secure on tables. Your space to be kept clean and orderly at all times. Appearance affects the entire market look and its success. Think in terms of 'boutique', classy marketplace. **A trash container is to be present in every booth for customers.**
12. **Marketing:** Management promotes and markets the entire marketplace. Marketing is up to participant and does not stop when market is over. It is up to each individual to network their business. However, we do have ideas and suggestions to help you succeed. Your success is OUR success. So please feel free to contact us and other vendors for ideas. Always have flyers and business cards available. Plug in to all the social media. Knowledge of English language and its use is necessary and required to conduct business. **SEE Vendor Recipe for Success document**

**By being present you agree to all rules, laws, regulations and agreements set forth by the Big Bear Farmers' Market in its entirety. It is the vendor's responsibility to know what those rules and regulations are.**

## General Release

Participant is not an employee, subcontractor, or otherwise agent of the High Desert Farmers Market or Hillside Flower Growers or the Victor Valley Community College. Participant status is as an occupant of ground space and is, therefore, not a tenant, licensee, or other form of permissive user. Neither HDFM their employees or management, Victor Valley Community College their agents, employees, elected officials and volunteers, is responsible for theft, injury or damage to property belonging to persons participating in the HDFM. It is agreed to defend, indemnify and hold harmless the HDFM, as well as all agents, management, employees and Victor Valley Community College and its agents, etc. assigns from and against all injuries, whether personal or real, claims, damages, losses, judgments, liabilities, expenses and other costs including litigation and attorney's fees arising out of, resulting from or in connection with my participation in the High Desert Farmers Market.

**I hereby state that I have read, understand, and agree to follow all Rules, regulation, standards and procedures outlined in the High Desert Farmers Market documents. I also understand that failure to conform to said rules may result in the PRIVILEGE of my participation in the fair being revoked. I have read and agree to the terms of the General Release.**

### Refusal to sign this agreement means exclusion from The HD Farmers Market

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

Name Printed \_\_\_\_\_

Business Name \_\_\_\_\_

Mailing Address \_\_\_\_\_

Email Address \_\_\_\_\_ Phone # \_\_\_\_\_

Drivers' License # \_\_\_\_\_

License Plate, Make, Model & Color \_\_\_\_\_

Certified Producer Number \_\_\_\_\_

Additional Certificate Producer Number & County \_\_\_\_\_

### Required Document Needed

Certified Producer's Certificate

Health Permit (attach copy)

Nursery Stock Number

Employment Agreement

A.  Family member

B.  Employee

Lease Agreement

Seller's Permit Seller Permit Number \_\_\_\_\_

HDFM Manager \_\_\_\_\_ Approval Date \_\_\_\_\_

**If this is not signed by HDFM management, you are not approved to participate in the market.**



**Please contact management for further information.**