



CALIFORNIA DEPARTMENT OF
FOOD & AGRICULTURE

Karen Ross, Secretary

CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE CERTIFIED FARMERS' MARKET ADVISORY COMMITTEE

MEETING NOTICE

The meeting will be conducted via Zoom only

Zoom Meeting ID: 935 6031 7488

Passcode: 200050

Dial-in Number: 877-853-5257

Meeting Link:

<https://zoom.us/j/93560317488?pwd=WkU1UUJQL3gwR1NQWG5hYU9wdCtadz09>

Please keep your phone/computer on mute during the meeting and wait to be called on by the Chair before speaking. Once called on, please then identify yourself before speaking.

Committee Members

Ann Filmer

Ben Palazzolo, Vice Chair

Carla Rosin, Alternate

Cynthia Ojeda, Alternate

David Runsten

Ed Williams, Alternate

Portia Bramble, Alternate

James Murez

Joyce Chan

Karen Wetzel Schott, Chair

Kurt Floren

Lulu Meyer, Alternate

Oscar De Leon

Susan Hutchinson, Alternate

Paul Stonebarger

Phillip Rhodes

Suzi Grady

Tyler Thayer



Public Participation

Members of the public are encouraged to provide comment to the Certified Farmers' Market Advisory Committee and may suggest items to be placed on the agenda for discussion at the next Certified Farmers' Market Advisory Committee meeting. While the Certified Farmers' Market Advisory Committee values the participation of the public, the Committee Chairman reserves the right to limit the time for public comment to a maximum of three (3) minutes per speaker in order to proceed with the agenda.

Americans with Disabilities Act

All Advisory Board or Committee meetings must be accessible to the physically disabled. Any person needing a disability-related accommodation or modification in order to attend or participate in any Advisory Board or Committee meeting may request assistance by contacting Mitchell King at (916) 900-5210 or mitchell.king@cdfa.ca.gov or by mail at 2800 Gateway Oaks Drive, Sacramento, California 95833

Meeting Notices and Agendas may be found at:
<http://cdfa.ca.gov/is/uploader/postings/hearings/>

CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE

CERTIFIED FARMERS' MARKET ADVISORY COMMITTEE

MEETING AGENDA

Monday, October 5, 2020

10:00 am – 1:00 pm

Zoom Meeting ID: 935 6031 7488

Passcode: 200050

Dial-in Number: 877-853-5257

Meeting Link:

<https://zoom.us/j/93560317488?pwd=WkU1UUJQL3gwR1NQWG5hYU9wdCtadz09>

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Items

- (1) CALL TO ORDER
- (2) ROLL CALL/INTRODUCTIONS – Establish Quorum
- (3) ELECTION OF OFFICERS
- (4) VACANCIES & TERMS REPORT
- (5) PUBLIC COMMENTS – Limited to items not on the agenda
- (6) FEBRUARY 26, 2020 MEETING MINUTES
- (7) FUND CONDITION
- (8) MARKET TRENDS/HEALTH OF INDUSTRY
- (9) ENFORCEMENT UPDATES/PESTICIDE PILOT PROJECT
- (10) PROPOSED REGULATIONS/DATABASE UPDATES
- (11) DIRECT MARKETING DURING THE PANDEMIC
- (12) FUTURE AGENDA ITEMS
- (13) NEXT MEETING

(14) ADJOURNMENT

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Department Contact: Mitchell King, Branch Analyst
2800 Gateway Oaks Drive, Suite 100
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mitchell.king@cdfa.ca.gov
(916) 900-5210



**CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE (CDFA)
CERTIFIED FARMERS' MARKET ADVISORY COMMITTEE (CFMAC)**

**February 26, 2020
Meeting Minutes
Cuesta College, CA-1
Building 5400, Room 5401
San Luis Obispo, CA 93405**

MEMBERS PRESENT

Ben Palazzolo
Carla Rosin
David Runsten
Ed Williams
James Murez
Joyce Chan
Karen Wetzel Schott – Chair
Kurt Floren
Oscar De Leon
Paul Stonebarger
Phillip Rhodes
Portia Bramble
Suzi Grady
Tyler Thayer

MEMBERS ABSENT

Ann Filmer
Cynthia Ojeda
Lulu Meyer
Susan Hutchinson

CDFA

Dominic Hickman
Jennifer Chan
Jennifer Leidolf
Joshua Bingham
Marcee Yount
Maria Tenorio Alfred
Mitchell King
Rene Mendoza
Steve Patton
Thomas Osborn

ITEM 1: CALL TO ORDER-INTRODUCTIONS/ROLL CALL

The meeting was called to order by Karen Wetzel Schott, Chairperson at 1:05 PM, and introductions were made. Roll was called by Mitchell King and a quorum was established. Suzi Grady arrived at 1:21 PM, during the Information Technology Updates.

ITEM 2: PUBLIC COMMENTS

There were no public comments.

ITEM 3: INFORMATION TECHNOLOGY UPDATES

Jennifer Chan, CDFA's Chief Information Officer, presented an overview of the Department's Office of Information Technology Services (OITS) processes to the CFMAC, including the budget process and the database approval process.

Chan informed the CFMAC that the Certified Farmers' Market (CFM) Conversion database project is currently being reviewed by the California Department of Technology (CDT). CDT will decide if the project will be delegated back to CDFA or if it

will remain with CDT for their oversight; the decision will be based on staff competency and capacity, and the complexity of the project.

Chan described the OITS review process for proposed IT projects as the State Project Approval Lifecycle Process from proposal to implementation and maintenance. Chan provided a handout to the CFMAC with this detailed information.

Ed Williams asked Chan if it is possible for CDFA to identify and purchase commercially available software products, and if using this software would be faster than building a database. Chan explained that purchasing a product off-the-shelf would not be faster, as every project must still go through the formal approval process.

Discussion ensued regarding the potential timeline for the database to be built and the budget availability for the CFM Conversion project.

Chairperson Schott asked if there would be a need for the CFMAC Database Subcommittee to meet and discuss the project with OITS. Steve Patton stated that this is not currently necessary as the project is awaiting further approval to proceed.

Chan informed the CFMAC that as additional information becomes available, it will be shared with the Program.

ITEM 4: HEMP REGULATIONS

Maria Tenorio Alfred gave an update on Hemp Regulations, bringing the CFMAC's attention to a Frequently Asked Questions (FAQ) document that was published by CDFA's Hemp Program. Tenorio Alfred informed the CFMAC that the Direct Marketing Program and the Hemp Program met to review what hemp products could be sold in the certified section of CFMs. It was determined that hemp could potentially be sold as nursery stock at CFMs, if CDFA's Nursery Stock Program requirements and all local and county ordinances were met. Tenorio Alfred further stated that hemp by-products such as sunscreen, shoes, balms, clothes, soaps, etc. are not agricultural products for the purposes of direct marketing and cannot be sold in the agricultural section of the market.

Williams stated that he expects most of the hemp sold at CFMs to be either cut flowers or oils and similar products. Williams further stated that hemp should be treated as an herb. Patton stated that hemp can only be sold as cut flowers if there is a certifiable hemp product on the producer's certificate. Patton provided the example of zucchini and zucchini flowers, stating that zucchini is the certifiable product, but the zucchini flowers can be sold as a non-certifiable agricultural product, since the zucchini would be listed as a certifiable product on the producer's certificate. Patton also stated that for hemp oil to be sold in the certified section of the market, the hemp would have to be listed as a certified agricultural product (nursery stock or an herb) on the producer's certificate, since hemp oil is a processed product.

Williams stated he expects hemp to be fully integrated with federal regulations. Williams does not see nursery stock as being a viable option for hemp sales in CFMs due to the regulations restricting the transfer of hemp nursery stock.

Kurt Floren asked if there would be any sampling or testing done at CFMs to verify that what is being sold is industrial hemp and not cannabis. Patton informed Floren that this would be under the purview of the California Department of Health (CDPH) and would not be the responsibility of CFM operators or county staff. Floren expressed concern regarding the potential liability for CFM operators.

James Murez asked if it was anticipated that hemp would be listed on certified producer's certificates. Floren responded stating that it could be listed, given the current interpretation and the requirements. Williams stated that Ventura County and some Bay Area counties are currently placing hemp products on certified producer's certificates.

Portia Bramble noted that Humboldt County has received notice in the past from CDPH that CFMs are not allowed to sell cannabidiol (CBD) consumables. Bramble stated that it is difficult for CFMs to know how to proceed when a producer who is certified to sell hemp products wants to sell them as consumables. Bramble asked for clarification on this. Patton stated that this would be a question for CDPH. Discussion ensued regarding the marketing of CBD and hemp products at CFMs.

Discussion ensued regarding how cannabis is regulated in California. Patton informed the CFMAC that cannabis falls under the purview of three departments: CDFA, CDPH, and Consumer Affairs.

ITEM 5: PESTICIDE TESTING PILOT PROJECT

Tenorio Alfred presented information on the Pesticide Testing Pilot Project that the County Agricultural Commissioners and Sealers Association (CACASA) recommended the Direct Marketing Program explore as an added tool for enforcement of producers selling product not of their own production at CFMs. Tenorio Alfred stated that CDFA's Center for Analytical Chemistry can accommodate 50 samples per year at a cost of \$650 per sample, totaling \$32,500, which is listed as a line item in the proposed Fiscal Year (FY) 2020/21 budget.

Williams provided background information on prior efforts at the county level that have found residue violations on conventional crops. Williams stated that these samples revealed residues on products that were not reported by the grower on their pesticide use reports. These previous efforts provided the impetus to carry out a broader Pesticide Testing Pilot Project to help identify violations of producer's selling conventional products not of their own production.

Chairperson Schott asked Tenorio Alfred how the 50 samples in the proposed Pesticide Testing Pilot Project would be divided. Williams stated that the original intent was that as suspicion of violations of product not of own production were identified at CFMs, samples could be devoted to that investigation as needed. Patton stated that CDFA

would further evaluate the specifics of the Pilot Project, and how the samples would be divided up throughout the State.

Ben Palazzolo asked if this Project was a proof of concept for a larger scale and a more permanent effort. Williams informed Palazzolo that the expectation is that the information gathered during the Pilot Project would be used to consider a future expansion.

Marcee Yount explained to the Committee that sampling methods in organic products can determine whether residue detection is from drift, cross contamination, or deliberate intent of application. Yount further stated that pilot projects conducted with organic products have been focused on high risk commodities to help keep testing costs down. Yount recommended placing a moratorium on certain counties to keep costs down during the Pilot Project and restated the importance of identifying high risk commodities and avoid arbitrary testing and having a strict scope of work to prevent irregular data.

Floren and Williams reiterated that this is a Pilot Project meant to determine whether a future expansion of testing is warranted. Palazzolo asked how the Pilot Project would be implemented more broadly if the decision was made to do so in the future. Williams clarified that such a decision would be determined after the results of the Pilot Project were analyzed.

Phillip Rhodes raised concern about the selection of inspectors that would be conducting the sampling. Chairperson Schott asked Patton if there is a need to form a subcommittee. Patton replied that this would not be necessary. Patton also explained to Rhodes that a cross section of inspectors would be selected to conduct the testing.

Discussion ensued regarding the potential use of organic data to augment the Pilot Project. Murez asked if it would be possible to combine the data. Patton and Williams both clarified that organic testing is broader in scope and looks at different detection levels.

ITEM 6: REVIEW AND APPROVAL OF SEPTEMBER 30, 2019 MEETING MINUTES

Chairperson Schott requested a motion to approve the September 30, 2019 Meeting Minutes.

MOTION: James Murez moved to approve the September 30, 2019 Meeting Minutes as presented. Dave Runsten seconded the motion. The motion passed unanimously with no abstentions.

ITEM 7: FY 2020/21 PROPOSED BUDGET

Tenorio Alfred presented the FY 2020/21 Proposed Budget. Proposed expenditures included \$798,403 for personnel, \$1,016,500 for operating expenses and equipment, and departmental costs of \$398,796, for a total proposed budget of \$2,213,699. A credit of \$51,228 from the gas tax lowers the overall proposed budget to \$2,162,471. The

proposed budget includes \$32,500 for the Pesticide Pilot Project. If approved, the Pilot Project will be submitted to the Secretary for approval.

Chairperson Schott asked Tenorio Alfred to elaborate on areas where expenditures were rising. Tenorio Alfred noted that there have been increases in personnel services, attorney general expenses, and pro rata. Tenorio Alfred also noted that the numbers presented from FY 2018/19 were not finalized due to the implementation of the new Financial Information System for California (Fi\$Cal) database.

Runsten asked why counties do not expend what they are allotted in their cooperative agreements with CDFA. Tenorio Alfred and Yount both explained that county expenses vary based on the complaints received and investigations and inspections conducted each year. Patton also stated that funds provided to counties are available to allow them to conduct investigations as the need arises and is not intended to be fully expended.

Murez noted that it appears that more is being spent than is budgeted. Patton explained that it may appear that way, but traditionally there is less money spent than is budgeted. Floren asked if it was possible to use gas tax funds to offset pro rata costs. Patton explained that the gas tax offsets the total budget, not one specific line item.

Discussion ensued regarding counties conducting inspections when they receive complaints. Palazzolo asked if counties would conduct more inspections if they received more credible complaints. Both Floren and Williams answered stating that they would like to hear more from the public regarding issues at CFMs. Palazzolo described having heard CFM operators claiming they are not seeing enough inspections to validate increased fees. Palazzolo noted that it is difficult to expect to see more enforcement activities if CDFA and county staff are not being made aware of complaints and local concerns via the formal complaint process.

Chairperson Schott asked for a motion to approve the FY 2020/21 Proposed Budget as presented, including the \$32,500 for approval of the Pesticide Pilot Project.

MOTION: James Murez moved to approve the FY 2020/21 Proposed Budget as presented. Ben Palazzolo seconded the motion. The motion passed with Suzi Grady abstaining.

ITEM 8: PROPOSED REGULATIONS

Tenorio Alfred informed the Committee that the Proposed Regulations were out for a 45-day public comment period, from December 6, 2019 to January 21, 2020. All comments received will be responded to in the Final Statement of Reasons document, after it is reviewed and approved by the Office of Administrative Law (OAL). Tenorio Alfred stated that the regulations will go into effect the quarter after OAL files them with the Secretary of State.

ITEM 9: FUTURE AGENDA ITEMS

Chairperson Schott asked if there were any requests or recommendations for future agenda items.

Chairperson Schott suggested a database subcommittee meeting. Tenorio Alfred stated that the Committee should wait until hearing further information from OITS regarding the CFM Conversion database project.

Murez asked if the Committee would be interested in seeing an existing database like the current CFM Conversion database project with OITS. Palazzolo suggested waiting to hear further information on from OITS prior to going further into technical features.

Bramble requested discussion to update the Certified Farmers' Market manual that was provided to market managers in the past.

Runsten asked that there be an update on the Pesticide Testing Pilot Project.

Palazzolo requested information showing market trends in California, specifically the number of producers and markets over the past few years.

Several members of the Committee asked that CDFA provide information to the industry regarding the use of the \$2 fee that is paid by market operators for each vendor whose products were presented for sale on each market day. The Committee agreed that providing this information to industry would show the work that the Direct Marketing Program is doing with the increased fees.

ITEM 10: NEXT MEETING

The next CFMAC meeting will be on October 5, 2020, in Sacramento, California.

ITEM 11: ADJOURNMENT

The meeting was adjourned at 4:00 PM by Chairperson Schott.

Respectfully submitted by:

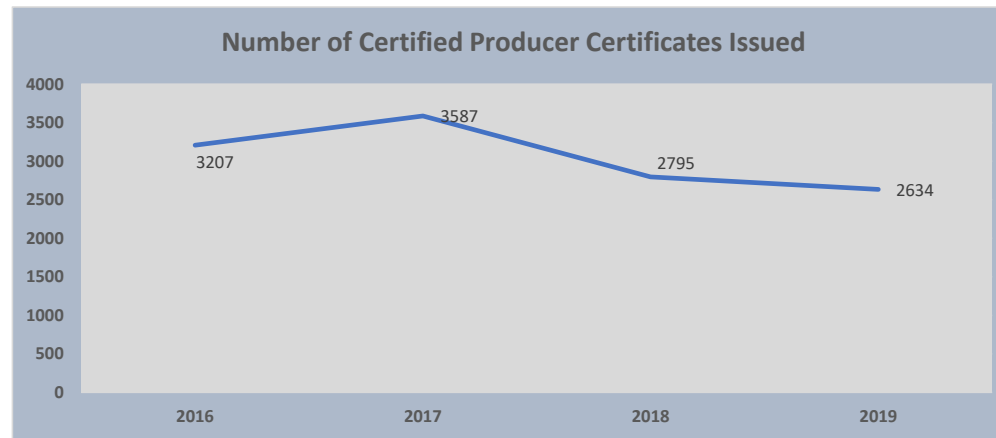
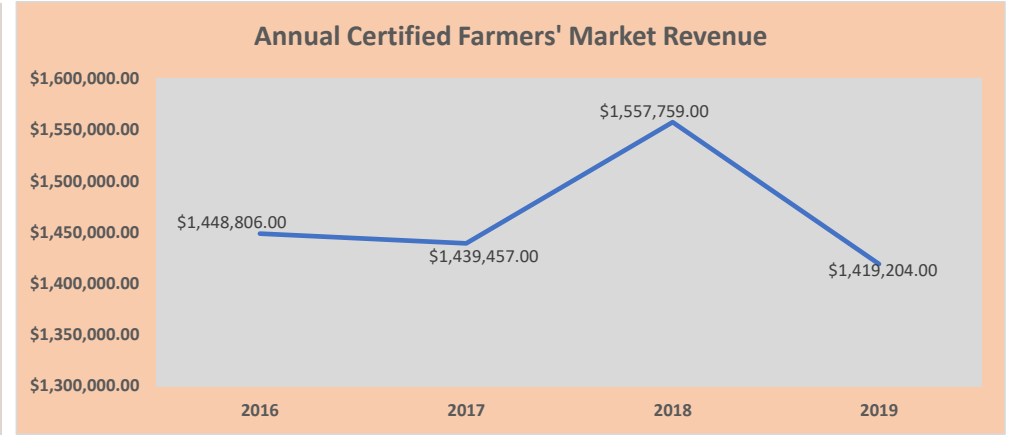
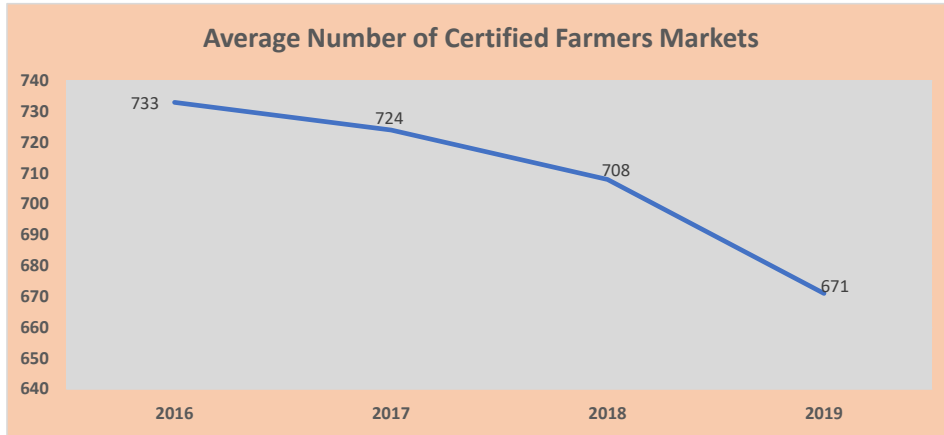
Maria Tenorio Alfred, Program Supervisor
Direct Marketing Program
Inspection and Compliance Branch
Inspection Services

Direct Marketing Program 2019-20 Fund Condition as of June 30, 2020			
	2017-2018	2018-2019	2019-2020
Ag Fund Beginning Balance	1,778,918	1,955,529	1,826,265
BEGINNING FUND BALANCE	1,778,918	1,955,529	1,826,265
REVENUE			
Market Fees	1,520,513	1,410,784	1,374,980
Delinquent Fees	28,607	28,847	21,980
Penalties	17,010	300	5,302
Community Supported Ag.	5,275	5,550	5,175
Interest & Other Income	22,192	50,006	29,834
TOTAL REVENUE	1,593,597	1,495,487	1,437,271
AVAILABLE CASH	3,372,515	3,451,016	3,263,536
EXPENDITURES			
PPY Expenditures	(33)	(31)	(32,334)
PY Expenditures	131,600	173,065	88,606
CY Expenditures	1,236,290	1,326,087	1,401,915
Database		76,580	79,189
TOTAL EXPENDITURES	1,367,857	1,575,700	1,537,376
Cash Adjustments	49,129	49,051	86,174
ENDING BALANCE	1,955,529	1,826,265	1,639,986

Market Trends

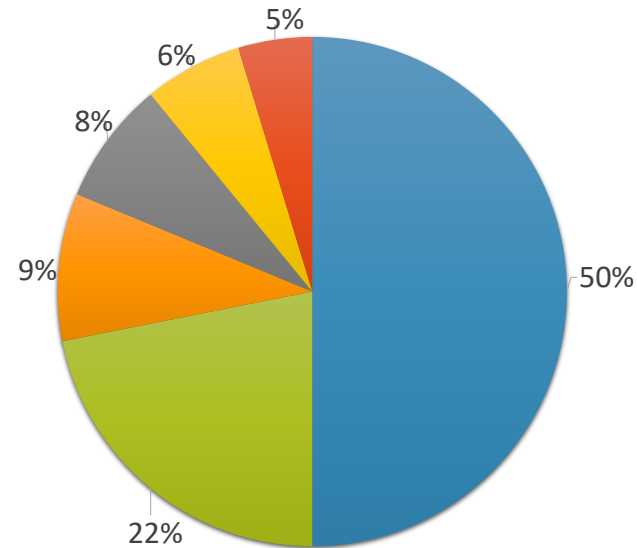
Agenda Item 8

	2016	2017	2018	2019
Average Number of CFM's	733	724	708	671
Number of CPC's Issued	3207	3587	2795	2634
Annual CFM Revenue	\$1,448,806.00	\$1,439,457.00	\$1,557,759.00	\$1,419,204.00



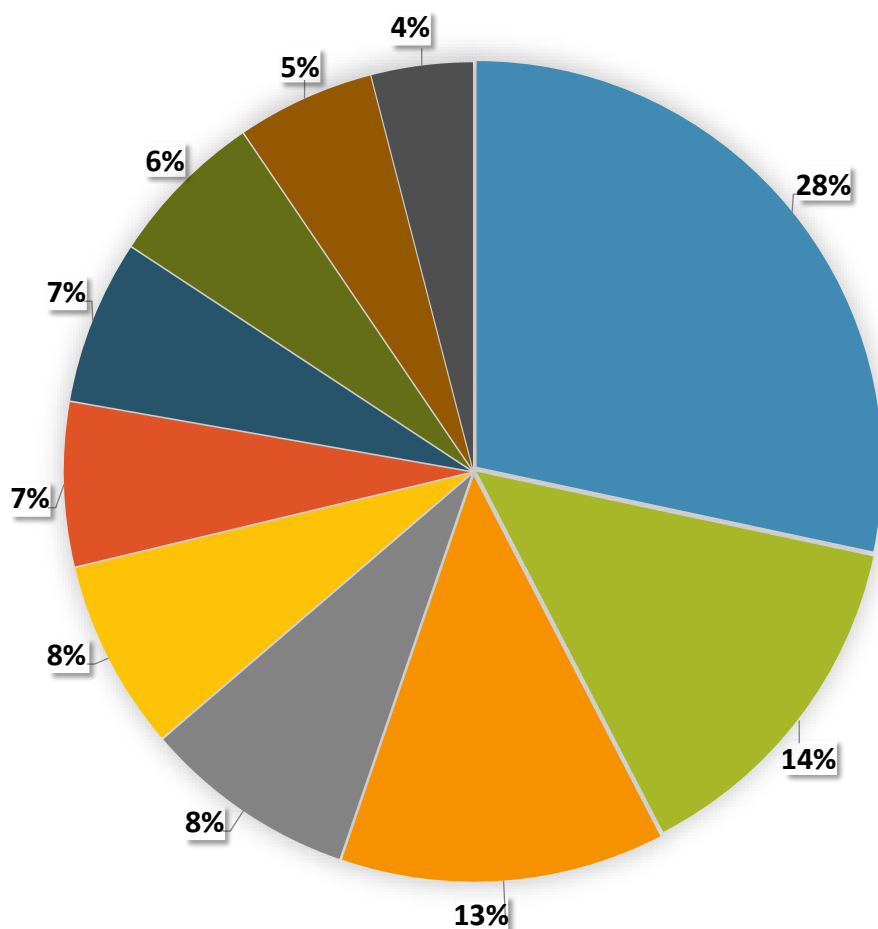
FY 19/20 Notices of Proposed Action

TOTAL NOPA'S 64
 Certified Producer (CP) NOPA's - 56
 Market Operator (MO) NOPA's - 8



- CCR 1392.4(a) Selling products not of own production (32)
- CCR 1392.4(e) Unsealed scale (14)
- Misc. Falsifying documents, selling non-ag. products in ag. section, remittance issues, CPC not embossed (6) CCR 1392.9(c)
- Operating a CFM without a valid Certificate (5)
- CCR 1392.4(a) Selling products not listed on CPC (4)
- CCR 1392.4(h) Organic registration (3)

**FY 19/20 Notices of Noncompliance
(NNC)**



TOTAL NNC'S 759

Certified Producer (CP) NNC's -

413 Market Operator (MO)

NNC's - 346

- CCR 1392.8.1. Failure to submit remittance with required information (218)
- Misc.
- CCR 1392.4(a) Selling products not listed on CPC (99)
- CCR 1392.4(d) Certified producer's embossed certificate not in possession and/or not conspicuously posted (65)
- CCR 1392.4(h) Organic registration (58)
- CCR 1392.9(a)(3) Failure to ensure the certified producer has in their possession a CPC (50)
- CCR 1392.9(a)(4) Failure to ensure all products for sale by producer are listed on their certificate (50)
- CCR 1392.4(d) Producer not having a valid CPC (48)
- CCR 1392.4(e) Unsealed scale (42)
- CCR 1392.4(a) Selling products not of own production (31)

**DEPARTMENT OF FOOD AND AGRICULTURE
DIRECT MARKETING PROGRAM**

**REGULATION CHANGE SYNOPSIS
EFFECTIVE 01/01/2021**

This document provides a synopsis of changes made to the direct marketing regulations that become effective October 1, 2020. For a full version of the regulations, please visit: [https://govt.westlaw.com/calregs/Browse/Home/California/CaliforniaCodeofRegulations?guid=I6BF78E10D45811DEB97CF67CD0B99467&originationContext=documenttoc&transitionType=Default&contextData=\(sc.Default\)](https://govt.westlaw.com/calregs/Browse/Home/California/CaliforniaCodeofRegulations?guid=I6BF78E10D45811DEB97CF67CD0B99467&originationContext=documenttoc&transitionType=Default&contextData=(sc.Default)). These changes do not supersede any other laws, rules, or regulations.

Market Operator Overview

What does my Certified Farmers' Market (CFM) Certificate authorize?

A CFM Certificate authorizes a market operator to hire a market manager, to designate an authorized representative to conduct business on the operator's behalf, and allows the market to operate only at the location listed during the specified months of operation, day(s) of the week, and hours of operation.

What are my responsibilities as a CFM Operator?

The market operator is the financially responsible party and shall ensure the market's compliance with all applicable statutes and regulations. Applicable enforcement actions will be taken against the market operator.

If the market operator is more than one certified producer, a nonprofit organization, or a local government agency, the market operator must designate an authorized representative and an agent for service of process, which shall be listed on the certified farmers' market certificate.

What is an Agent for Service of Process?

An Agent for Service of Process is the person designated to accept service of process on behalf of the certificate holder. This person would receive legal documents on behalf of the certificate holder.

What is the role of an Authorized Representative of the Market Operator?

An authorized representative of a market operator is a person who is designated to conduct business on the operator's behalf. This representative can be the Agent for Service of Process, a person on the board of director's, the market manager, etc.

What is the role of a Market Manager?

A market manager is empowered by the market operator to implement the rules, regulations, policies, and directives of the governing body of a CFM. This is often the person who oversees the daily activities at the CFM.

Do Certified Producer Certificates (CPC) have to be embossed?

CPCs either must be embossed or have the county seal affixed to it. The CPC must accompany the certified agricultural products during transportation.

As a market operator, do I have to notify the county agricultural commissioner if my mailing address changes?

Yes; a market operator or their authorized representative must notify the county agricultural commissioner within 30 days of any change of mailing address to update their CFM certificate.

As a market operator, do I have to implement market rules?

Market rules are no longer required. However, if a CFM does have rules, they must comply with the requirements detailed in Section 1392.6(f).

As a market operator, do I have to submit certified producer's product list (load list) to an enforcing officer?

Upon the request of an enforcing officer, the market operator must submit the itemized product list for inspection within 72 hours.

Certified Producer Overview**Who can sell and conduct business on my behalf at a CFM?**

A certified producer can have an "authorized representative" sell and/or conduct business on their behalf at a CFM but must provide the county agricultural commissioner with a list of those authorized representatives. The certified producer is responsible for the actions of their authorized representative, including any violations and associated penalties and/or suspensions. Furthermore, an authorized representative can only sell on behalf of one certified producer per CFM, per market day, unless selling on behalf of a cross-referenced certified producer, as discussed in Section 1392.4(e).

What are my responsibilities when selling on behalf of another certified producer?

If a certified producer is cross-referenced, and authorized to sell on another certified producer's behalf, and the market allows this practice, the certified producer must:

- Conspicuously post each valid CPC and the respective sign or banner
- Not sell the same commodity, variety, or product on the same day, at the same CFM
- Separate each certified producer's agricultural products
- Have a documented, signed agreement in place before sales commence
- Provide a product list (load list) to the market manager within 48 hours of the conclusion of the market day

Where can a certified producer sell their agricultural products?

A certified producer can sell their agricultural products at an approved outlet or location or a CFM. When selling at an outlet or location, you cannot have an authorized representative sell on your behalf. Furthermore, when a certified producer sells their

agricultural products at a CFM, they must provide a product list (load list) to the market manager within 48 hours of the conclusion of the market day.

If I am not a certified producer, where can I sell my agricultural products?

If you are not a certified producer, you can sell your agricultural products at a field retail stand or farm stand at or near the point of production. However, the agricultural products cannot be sold past the first paved county road and you cannot have an authorized representative sell on your behalf.

What is an “outlet or location”?

An “outlet or location” means an approved location that is regulated pursuant to the Direct Marketing chapter, that is operated by a certified producer, in which only the certified producer may directly market their agricultural products to the public.

Which agricultural products are certifiable?

Certifiable agricultural products include whole fresh fruits, nuts, vegetables, herbs, cultivated mushrooms, shell eggs, honey, cut flowers, unprocessed grains, and nursery stock.

Which agricultural products are NOT certifiable?

Noncertifiable agricultural products include dairy, pollen, unprocessed beeswax, propolis, royal jelly, raw sheared wool, livestock meats, poultry meats, rabbit meats, and fish, including shellfish that is produced under controlled conditions in waters located in California. Additionally, all certified agricultural products that have been processed are noncertifiable agricultural products for purposes of direct marketing.

What does “Practicing the Agricultural Arts” mean?

Practicing the agricultural arts means being predominantly responsible for the decisions and actions of producing an agricultural product.

For fruit, floral, nut, vegetable, and other plant products, it includes directive or actual responsibility for all the actions of planting, growing, fertilizing, irrigating, cultivating, pest control, and harvesting. For nursery stock, it includes planting or transplanting one of the following into containers in a planting medium: seed, bulbs or corms; plant cuttings, or rooted seedlings which are in containers or plugs less than 2” in diameter.

If I am selling agricultural products that I produced in the agricultural section of a CFM, can I also sell nonagricultural products at my vendor stand?

No; the sale of nonagricultural products is not be permitted in the ag. section of a CFM.

As a certified producer, do I have to notify the county agricultural commissioner if my business address changes?

Yes; a certified producer must notify the county agricultural commissioner within 30 days of any change of business address to update their certified producer’s certificate.

Civil Penalty Overview

Any penalties that were previously in the “2nd NC in 12 months” class are now in the minor class.

Market Operator Penalty Changes

- Allowing the sale of fresh whole fruits, nuts, vegetables, cultivated mushrooms, herbs, or flowers in the ancillary section – serious class
- Failure to report change in mailing address to county agricultural commissioner within 30 days – moderate class
- Remittance issues – serious class
- Allowing the sale of nonagricultural products in the ag. section – moderate class
- Failure to submit product list to enforcing officer within 72 hours of the request – minor class

Certified Producer Penalty Changes

- Selling agricultural products combined with a nonagricultural product in the ag. section of a CFM – minor class
- Selling noncertifiable agricultural products in the ag. section that producer did not produce – serious class
- Selling nonagricultural products in the ag. section – moderate class
- Authorized representative selling on behalf of more than one certified producer at the same CFM, on the same market day – moderate class
- Selling on behalf of more than two other certified producers during the 12-month certificate period – moderate class
- Selling the same commodity as second certificate producer at same CFM, on same market day – minor class
- Selling at a CFM without proper signage – minor class
- Failure to report change in business address to county agricultural commissioner within 30 days – moderate class
- Failure to immediately report change in partnership agreement to county agricultural commissioner and surrender CPCs – moderate class