



County of Fresno

DEPARTMENT OF AGRICULTURE

MELISSA CREGAN

AGRICULTURAL COMMISSIONER/
SEALER OF WEIGHTS & MEASURES

Certified Farmers Market (CFM) Quick Check Synopsis* for Certified Producers

*This synopsis is provided as a resource to aid Certified Producers in following California laws and regulations when selling at CFMs. This is only a guide and may not contain the most up to date information. Each Certified Producer is responsible for educating themselves and following all current California laws and regulations as well as any additional market rules at each market you sell at. Links to the full text of current California laws and regulations are provided at the end of this document.

1. Certified Producer Certificate (CPC) (3 CCR 1392.4(a) & (d)): CPC must be current, embossed, and posted so customers may easily view it. ALL Certifiable Agricultural Products must be listed on your CPC.
2. What can be sold at a CFM (3 CCR 1392.4(c)): Only Agricultural Products may be sold in the “Certified Marketing Area” section of a CFM. The sale of Nonagricultural Products is not permitted in the “Certified Marketing Area” of a CFM. Agricultural Products include all certifiable and noncertifiable agricultural products:
 - a. Agricultural Products (FAC 47000.05(a)(1)): Includes fresh or processed product produced in California, including fruits, nuts, vegetables, herbs, mushrooms, dairy, shell eggs, honey, pollen, unprocessed beeswax, propolis, royal jelly, flowers, grains, nursery stock, raw sheared wool, livestock meats, poultry meats, rabbit meats, and fish, including shellfish, produced under controlled conditions in waters located in California.
 - b. Certified Agricultural Products (3 CCR 1392.2(l)): Agricultural Products which are certified under the jurisdiction of the County Agricultural Commissioner (CAC). These products include **fresh fruits, nuts vegetables, eggs, honey, flowers, and nursery stock**.
 - c. Non-Certifiable Agricultural Products (3 CCR 1932.2(m)): Includes Certified Agricultural Products that have been processed, dairy, pollen, unprocessed beeswax, propolis, royal jelly, livestock meats, poultry meats, rabbit meats, and fish, including shellfish, that have been produced under controlled conditions in waters located in California (e.g. farmed not wild-caught).

- d. Non-Agricultural Products (FAC 47000.5(a)(2)): Includes services, arts, crafts, bakery, candies, soaps, balms, perfumes, cosmetics, pottery, clothing, fabrics, pastas, compost, fertilizers, candles, ceramics, foraged foods, and types of wares.
3. Who may sell for a Certified Producer (3 CCR 1392.2(i) & (j)):
 - a. Immediate Family: Parents, children, grandparents, or grandchildren of the Certified Producer or a family member regularly residing in the Certified Producer's household.
 - b. Employee: Any person employed by a Certified Producer at a regular salary or wage, on either a full or part time basis. The term “employee” does not include any person who is reselling agricultural products purchased from another producer or whose compensation is primarily based on a commission of sales. An employee of an agricultural cooperative organized under the laws of California may sell the agricultural products of one of its members.
4. Sign Requirement (FAC 47004(c)(1)): Certified Producers are required to post a sign or banner that contains the farm or ranch name, the county of production, and a statement of “We Grew What We Are Selling” or “We Raised What We Are Selling” or “We Grow What We Sell” or similar phrases that clearly represent that the farm or ranch is only selling agricultural products that they themselves have grown or raised on California land that they possess or control.
5. Selling Processed Agricultural Products (Value Added) (3 CCR 1392.2(u)): Processed Agricultural Products are agricultural products that have been altered or prepared by (but not limited to) slicing, juicing, drying, shelling, smoking, freezing or cooking, provided that the seller has produced all of the ingredients contained in the final product. The only exceptions to this production requirement are the inclusion of food coloring, pectin, rennin/rennet or ingredients used as preservatives, seasonings, and flavorings.
6. Health Department Certificate (3 CCR 1392.4(m)): If you sell Processed Agricultural Products, you must have in your possession at the point of sale a Health Department Certificate for the processing facility or other written agreement from a certified kitchen or certified person that processed the product.
7. Selling Cottage Foods ([CA Approved Cottage Foods List](#)) (3 CCR 1392.4(m)): If you are selling processed products classified as Cottage Foods directly to consumers, you must be registered as Class A Cottage Food Operation (CFO) with the [CA Department of Public Health](#).
8. Label Requirements for Processed Agricultural Products (FAC 47004(c)(2)): Every processed agricultural product must have on the package label, container label, or on bulk sales signage the registration number or other identifying reference to the facility where the food was processed, another required labeling statement or information, in accordance with Sections 110460, 114365, and 114365.2 of the [CA Health and Safety Code](#).

9. Consumer Containers (FAC 47002(c)): Products sold in closed consumer containers or closed/sealed, pre-packed bags must be labeled with an IRQ statement:
- I = Identity; Name of the product (peach, carrot, etc.)
 - R = Responsibility; Name, address, and zip code of the producer
 - Q = Quantity; Net weight in standard units (kg, lb, oz, etc)
10. Organic Registration Posting (3 CCR 1392.4(h)): If you are selling organic products, your Organic Registration must be posted at the point of sale. If you are also Certified Organic, you must post your Organic Certification at the point of sale as well.
11. Selling for another Certified Producer (3 CCR 1392.4(f)): A Primary Certified Producer may sell Agricultural Products on behalf of a Secondary Certified Producer if the market rules allow it providing:
- a. Secondary Producer Limit (3 CCR 1392(f)(1)): A Primary Certified Producer may only sell on behalf of **two** Secondary Certified Producers in any 12-month period.
 - b. Segregated Agricultural Products (3 CCR 1392.4(f)(2)): If you are selling on behalf of a Secondary Certified Producer, you must segregate identify your products vs theirs and post the Secondary Certified Producer's CPC at the point of sale.
 - c. Primary and Secondary Certified Producer Cross-referenced on CPCs (3 CCR 1392.4(f)(3) & (4)): The Primary and Secondary Producers CPC information must be listed on both CPCs.
 - d. Volume of Secondary Certified Producer's Product Sold (3 CCR 1392.4(f)(5)): The Primary Certified Producer cannot sell a greater volume of the Secondary Certified Producer's Agricultural Products than their own.
 - e. Recordkeeping Requirement (3 CCR 1392.4(f)(9)): For each Secondary Certified Producer you sell on behalf of you must keep records including the name(s) of the Certified Producers involved, the date of transfer and accurate quantity of each product listed individually, and the date of sale and accurate quantity of each product sold listed individually.
 - f. Sale of Organic Products on Behalf of a Secondary Certified Producer (3 CCR 1392.4(i)): You must post at the point of sale a current copy of the Secondary Certified Producer's current State of California organic registration and, if applicable, documentation of the represented certified producers' organic certification.
12. Receipt Requirement (3 CCR 1392.4(k) & (l)): A receipt shall be provided to the consumer when the consumer intends to sell or provide the product to an end user (e.g. restaurants) or 25lb or more of one product is sold. The receipt must include the identity and address of the producer and the identity and quantity of the product sold.

13. Certified Scale Requirement (3 CCR 1392.4(e)): When products are sold by weight, your scale must be type approved and annually sealed by a CAC.

CA Laws and Regulations:

[California Food and Agriculture Code](#)

Division 17. Fruit, Nut, and Vegetable Standards

Chapter 10.5 Direct Marketing

[Title 3 California Code of Regulations](#)

Division 3. Economics

Chapter 1. Fruit and Vegetable Standardization

Subchapter 4. Fresh Fruits, Nuts and Vegetables

Article 6.5. Direct Marketing