Authorization for Direct Marketing Sales by Certified Producers

I, _____, a certified producer who holds a certified producer's

certificate _____, issued in _____, authorize _____
Certificate number County Name of certified producer

to sell on my behalf in accordance with the California Code of Regulation, Title 3, Article 6.5, Section 1392.4(g).

_____ _____
Signature Date

Section 1392.4 Conditions of Direct Marketing

(g) A certified farmers' 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 producer. If such practice is allowed, the following provisions shall be met by the certified producer and shall be specified in the certified farmers' 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 person selling his/her products.

(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 he/she is selling.

(5) The certified producer selling for another certified producer shall be selling or offering for sale certified agricultural products which he/she has produced and which are greater than the amount by 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) A certified farmers' market may prohibit or otherwise make sales permitted under this subsection 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 and amount of products transferred by variety.

(II.) Date and amount of products sold by variety.

(III.) Names of both certified producers involved.

(10) A certified producer subject to this subdivision shall supply records required by this section upon demand of a representative of the department or agricultural commissioner.