

SHASTA COUNTY

DEPARTMENT OF AGRICULTURE / WEIGHTS & MEASURES

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LAWS PERTAINING TO MOBILE PRODUCE SALES

There are a considerable number of laws in the California Food and Agricultural Code that govern sales of produce within the state. Selling produce on the roadside, at flea markets, or through direct sales does not exempt a vendor from compliance with these laws. Some of the laws that pertain to produce sales are summarized here. This is not a complete list of all applicable laws.

1. FOR ALL PRODUCE DEALERS

Produce may only be sold by weight or count. Random sized containers of unknown count or weight (such as \$2.00 a bag) are not permitted. Consumers have a right to know how much they are buying. If produce is weighed in front of the customer, the customer must be able to read the scale and the scale must be registered and sealed by the county Department of Weights and Measures. If the commodity is pre-weighed and sold in closed containers such as a bag or box, the packages are required to have a label stating what the commodity is, a complete address of the person responsible for the product, and an accurate statement of the quantity in the package. All produce sold in California must meet strict standards for quality and maturity. No one can legally sell produce that is overripe, underripe, infested with insect pests, or damaged. It is the responsibility of the seller to sort through and discard substandard produce.

2. RESALE OF PRODUCE PURCHASED AT WHOLESALE

Anyone who purchases produce for resale must be licensed as a Produce Dealer by the California Department of Food and Agriculture, Market Enforcement Branch (MEB). License applications may be obtained by contacting the MEB at 916-341-6276. Applications can also be downloaded on the Internet at www.cdfa.ca.gov/mkt/meb/index.html. Vendors who resell produce are required to use standard containers and comply with all laws pertaining to grading, sizing, and maturity of commodities.

3. HOME GROWN PRODUCE SALES

The grower may sell produce directly to the consumer from the property on which it is grown. Generally, the nearest intersection to the point of production is considered acceptable proximity. Growers may also sell directly to consumers at a Certified Farmers Market (CFM). Sellers at CFMs may only sell produce they have grown themselves. A list of Shasta County CFMs may be obtained from our office or a list of CFMs statewide may be obtained online at <https://www.cdfa.ca.gov/is/docs/CurrentMrktsCounty.pdf>

For more information about selling produce, contact the Shasta County Department of Agriculture at (530)224-4949.