



CALIFORNIA DEPARTMENT OF
FOOD & AGRICULTURE

Karen Ross, Secretary

October 9, 2024

DMS NOTICE
QC – 24 – 01
DISCARD: RETAIN

TO: WEIGHTS AND MEASURES OFFICIALS

SUBJECT: Application of Uniform Packaging and Labeling Regulations at Certified Farmer's Markets

California Business and Professions Code (BPC) Section 12602 requires commodities that are offered for sale to be properly labeled. Further, BPC Section 12603 provides that commodities be labeled with a statement of identity, responsibility, and quantity. BPC Section 12609 adopts by reference the current edition of the National Institute of Standards and Technology Handbook 130, Uniform Packaging and Labeling Regulations, except insofar as those requirements are specifically modified, amended, or rejected by regulation by the secretary. Certified Farmer's Markets are not exempt from these rules.

Uniform Packaging and Labeling Regulation, Section 2.5. Label. defines what a label is and states that they may be "affixed to, applied to, attached to, blown into, formed, molded into, embossed on, or appearing upon or adjacent to a consumer commodity." Fruits and Vegetables sold at a Certified Farmer's Market may be in clear open consumer bags and are not required to be marked with identity, responsibility, or quantity, provided that the identity and responsibility statements are posted adjacent to the retail display of the bags and the commodities are weighed prior to or at the time of sale.

Weights and measures officials who observe a violation of BPC sections 12602/03 for these items during inspection should issue a Notice of Violation and follow-up as required to assure compliance.

If you have any questions, please contact the Division of Measurement Standards at DMS@cdfa.ca.gov or contact the Division Office at (916) 229-3000.

Sincerely,

Kevin Schnepf
Director

cc: Hyrum Eastman, County/State Liaison, CDFA

