



**AB 2324 – Farmer Markets**

**SUMMARY**

---

AB 2324 would create provisions that provide sales and processing accounting requirements for farmer vendors selling within certified farmers’ markets, and provide a procedure for enforcement officials to inspect those records to satisfy the demand for due process.

**BACKGROUND**

---

AB 1871, Chapter 579, Statutes of 2014, was a sweeping change in the laws relative to direct marketing of agricultural products in California. Although it created certain record keeping and reporting requirements for certified farmers’ market operators, it inadvertently did not address or provide for any method or mandatory product sales or processing record keeping requirements of the farmer vendors.

Nor, did it provide for any due process procedure for enforcement officials to inspect any existing accounting records of the farmer vendors in connection with an investigation of consumer misrepresentation or unfair competition violation. Because there are individual concerns and constitutional right ramifications attached to such requirements and inspections, a legislative remedy is being sought to complete the work that AB 1871 intended to accomplish.

**THIS BILL**

---

In the ordinary course of business a farmer vendor will generally create sales accounting records for income, expense, production, and sales analysis for tax accounting purposes.

Organic farmers generally must create and keep sales records subject to the requirement of their certification agency. The Food Safety Modernization Act will require certain records to facilitate any traceability needs. AB 2324 does not intend to add an additional process of record keeping, instead it wishes to incorporate specific product sales and processing entries into accounting recording that most likely already exists for other required purposes.

Mindful of this intention, under AB 2324 all vendors of agricultural products would have to keep specific product sales and processing records for at least 6 months and would require a vendor upon proper written notice to make those records available for inspection by any state or country within 3 business days of the request.

Additionally, it would require, upon the request of an enforcement agency and in connection with a violation investigation of fraud or misrepresentation law, that a certified farmers’ market operator record the identity of certain fresh products offered for sale by a particular farmer vendor on specified dates. It also emphasizes that regulation provisions pertaining to certified farmers’ markets should endeavor to keep costs incurred by farmers and certified farmers’ makers should endeavor to keep costs incurred by farmers and certified farmers’ market operators at a minimum.

To ensure transparency and give market operators and enforcement officer’s mobile verification ability, AB 2324 will require the county agricultural commissioner to forward to California Department of Food and Agriculture (CDFA), a digital copy of each certified producer’s certificate issued and for the CDFA to maintain an online, accessible database listing all of the current certified producer certificates.

**SUPPORT**

---

Certified Farmers’ Markets of Sacramento  
Agricultural Council of California  
Pacific Coast Farmers’ Market Association  
Community Alliance with Family Farmers

**FOR MORE INFORMATION**

---

Office of Assemblymember Eggman  
Erin Rodriguez  
Email: [erin.rodriquez@asm.ca.gov](mailto:erin.rodriquez@asm.ca.gov)  
Phone Number: 916-319-2013