

# LOCAL FOOD POLICIES

## FREQUENTLY ASKED QUESTIONS

October, 2011 Version



A Tradition of Stewardship  
& Commitment to Service

Prepared for the Local Food Council by the Ad Hoc Local Food Policy Subcommittee in collaboration with staff of the Napa County Planning Department, Agricultural Commissioner's Office, Department of Environmental Management, City of American Canyon, City of Napa, Town of Yountville, City of St. Helena, and the City of Calistoga.

## Introduction

This document is a project of Napa County's Local Food Advisory Council, and is intended to evolve over time. The first full version -- dated October 2011 -- was assembled by an ad hoc subcommittee of the Council, with assistance from a dedicated group of volunteers. Its preparation involved consultation with Napa County staff and other local agency representatives.

The objectives of this document are two-fold. First and most obviously, this document was intended as a resource to members of the community who might benefit from a compendium of local policies about growing/raising and using/selling local food products. The Council recognizes that even in a small agricultural community such as Napa County, there are multiple local agencies whose policies and regulations touch the food system. This can create confusion, and myths evolve about what can and can't be done. The Local Food Advisory Council hopes that by providing residents and businesses with the kind of information included here, myths can be dispelled and members of the community can be empowered to go local.

The second objective of this document was to foster understanding and change. By gathering and assembling the questions and answers contained in the document, its authors were hoping to identify areas where local policies and regulations were in conflict, confusing, overly restrictive, or lacking. For example, the October 2011 version of this document deals extensively with the question of what is an "approved source." Only food from an "approved source" can be sold in stores and restaurants and school cafeterias, and the County agencies charged with implementing this State law are still grappling with ways it can be implemented to promote food safety *and* minimize unnecessary paperwork and confusion.

The Local Food Advisory Council is charged with advising Napa County's Agricultural Commissioner about desired changes to local and State policies. It is our hope that readers will participate in this endeavor by suggesting changes and corrections to the information contained in this document. Please visit us on facebook at Napa Local Food Forum for upcoming information. Please visit our website at [www.napalocalfood.org](http://www.napalocalfood.org) for more information, how to get involved, and email suggestions or comments. Also, stay tuned for changes to the information presented in this document. Newer, updated versions will be posted on the Agricultural Commissioner's website at [www.countyofnapa.org](http://www.countyofnapa.org) as they become available.

The Local Food Advisory Council welcomes your participation and encourages your involvement in other activities of the Council aimed at improving local food access, increasing agricultural diversity, and more.

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## **SECTION ONE: GROWING & RAISING LOCAL FOOD**







### **1. *Can I have a personal garden?***

Please do! Any property in Napa County can have a non-commercial garden regardless of which local jurisdiction you're located in. Refer to Questions number 3 for larger scale and commercial operations.

### **2. *If I own a restaurant, can I have a garden and use the produce?***

Yes, but because State law requires restaurants to purchase from an "approved source,"<sup>1</sup> the County's Department of Environmental Health must certify your "culinary garden"<sup>2</sup>. There is an initial certification fee of approximately \$200, and the Department has prepared a factsheet and agreement (see appendices).

### **3. *Can I have a farm, plant an orchard, or plant a vineyard?***

-  **Napa County:** Agriculture is a permitted use in all but a few residential areas of the County; however you will need to apply for an Erosion Control Plan if you are planting areas on greater than 5% slope. (See Napa County Code Section 18.108.)
-  **City of Napa:** Properties with greater than one-half acre of land for viticulture, horticulture, or similar intensive farming require approval of an Administrative Permit for Agricultural Cultivation and Animal Keeping.
-  **City of American Canyon:** Crop production includes the raising and harvesting of tree crops, row crops, vine crops, or field crops on an agricultural or commercial basis, including packing, processing and storage, but excluding canneries, and can be allowed in certain zoning districts. (See American Canyon Municipal Code Section 19.05.090 for more information.)
-  **City of Calistoga:** Light agriculture is allowed in the Rural Residential zoning district. (See City of Calistoga Code Section 17.14.)
-  **City of St. Helena:** There are no regulations stating what you can grow, however gardening on a large scale for profit is generally reserved for the A:20 Agriculture district (and sales/fruit stands are addressed in that zoning district, (City of St. Helena Code Section 17.20.050C), and the LR1A: 1 Acre Minimum Low Density Residential zone (City of St. Helena Code Section 17.36.030 E).
-  **Town of Yountville:** Refer to Question 1 for personal uses. Agricultural uses are permitted in the Town's Agricultural (A) zoning district.

### **4. *What if I want to be a certified Organic Grower?***

The County Agricultural Commissioner registers growers who intend to represent their crop as organic (See CA Food & Ag. Code Section 46013.1.). Prior to registration, you must first submit an application to the California Department of Food and Agriculture. Contact the Ag

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<sup>1</sup> *Approved Source* is a food that is acceptable for use in a restaurant based on a determination of conformity with applicable laws, or in the absence of applicable laws, with current public health principles and practices, and generally recognized industry standards that protect public health (California (CA) Health & Safety Code, Section 113735).

<sup>2</sup> *Culinary Garden* is an informal name for an onsite garden used by a permitted restaurant or school facility.

Commissioner's Office for more information about the process and to learn about organic certification with a third party certifier.

**5. *What if I want to use pesticides?***

If you are a commercial grower or intend to sell your produce, the County Agricultural Commissioner will issue to you an operator identification number to buy, possess, and use pesticides for the commercial production of agricultural commodities. (See Title 3 CA Code of Regulations (3 CCR) Section 6622(b).) The Ag Commissioner's Office issues this number free of charge; call to set up an appointment.

**6. *Can I raise chickens on my property?***

- 🍁 Napa County: Yes, on agriculturally zoned property you can have unlimited number of chickens, however more than 100 roosters requires an administrative permit. On residentially zoned property, you may have a small number of hens as an "accessory use." See Appendix C.
- 🍁 City of Napa: The Zoning Ordinance allows for the raising of chickens. Section 17.06.030 of the City of Napa Municipal Code allows up to six small domestic animals over the age of four months of the type generally accepted as pets, including dogs, cats, rabbits, pigeons, hens, and the like; but not including roosters, quacking ducks, geese, pea fowl, goats, sheep, hogs, apiaries, venomous reptiles, kennels, or the presence of animals for commercial purposes.  
The raising of chickens for commercial purposes requires approval of an Administrative Permit for Agricultural Cultivation and Animal Keeping. (See City of Napa Municipal Code Section 17.52.050.)
- 🍁 City of American Canyon: Yes. American Canyon Municipal Code 19.31.020(B) (1) defines permitted animals as follows: "Domestic creatures commonly sold in pet stores and kept as household pets may be kept upon any lot in any zone where the principal use upon such lot is residential, so long as animals do not constitute a nuisance and are adequately provided with food, care and sanitary facilities."
- 🍁 City of Calistoga: Yes, if your property is located within the Rural Residential Hillside zoning district (Calistoga Municipal Code Section 17.15); only with a Use Permit in the Rural Residential zoning district (Calistoga Municipal Code Section 17.14).
- 🍁 City of St. Helena: Yes. Chickens are permitted in residential districts as follows:
  - A-20: Agricultural - non-commercial chickens are a permitted use (St. Helena Code Section (CS): 17.20.020 C). Commercial chicken farming is a conditionally permitted use and requires a Use Permit. (CS 17.030.E.)
  - LR: Low Density Residential (CS 17.32.050 E); MR: Medium Density Residential (CS 17.40.050 E); & HR: High Density Residential (CS 17.40.050 E) all permit chickens as follows: no more than twelve domestic animals total (add up all dogs, cats, bunnies, hens, etc. for a total of 12). Chickens are permitted. No roosters. No pea fowl, geese, or ducks.
- 🍁 Town of Yountville: Hens, but not roosters, are permitted in the Town's residential zoning districts. Any chicken coop is required to comply with the Town's zoning standards for size, height, and setbacks, and may require a building permit.

**7. *Can I raise bees on my property?***

- 🍂 Napa County: Yes, bees are permitted as long as they are more than 300 feet from a County road and 600 feet from residences, churches, schools, public buildings, and corrals. (They are permitted within 600 feet if the affected property owner gives consent.) See Napa County Code Section 6.12.020.
- 🍂 City of Napa: Approval of an Administrative Permit for Agricultural Cultivation and Animal Keeping is required to maintain an apiary. Apiaries may be subject to standards established in subsection 17.52.050.C of the City of Napa Municipal Code. Bees may not be kept as household pets pursuant to Section 17.06.030 of the Municipal Code.
- 🍂 City of American Canyon: Apiaries are allowed only as provided in Napa County Section 6.12.020 (see above).
- 🍂 City of Calistoga: Apiaries are only allowed in one specific “PD” Planned Development Zoning District (Calistoga Municipal Code Section 17.24.130(A)(2)).
- 🍂 City of St. Helena: Yes, apiaries are permitted, however they must be registered with the City and compliant with Section 17.090 of the St. Helena Municipal Code, which provides for beekeeping.
- 🍂 Town of Yountville: No, bees are not permitted on residential parcels.

#### **8. Can I raise farm animals (sheep, goats, cows)?**

- 🍂 Napa County: On agriculturally zoned property, you can raise farm animals. On residentially zoned property, you may have a small number of animals as an “accessory use.” See Appendix C.
- 🍂 City of Napa: Approval of an Administrative Permit for Agricultural Cultivation and Animal Keeping is required to raise farm animals. Performance standards for the keeping of animals have been established in subsection 17.52.050.C of the City of Napa Municipal Code.
- 🍂 City of American Canyon: *Livestock Keeping* is defined as an Accessory Use in Section 19.05.100 of the City’s Municipal Code. A minimum lot area of twenty thousand square feet is required for livestock keeping in a Residential zone, at least seventy-five percent of which must be accessible to and usable by the large animal(s).
- 🍂 City of Calistoga: You may have one horse per half acre without a Use Permit in the Rural Residential (RR) zoning district Calistoga Municipal Code Section 17.14. Light Agriculture is allowed by right in the Rural Residential Hillside (RRH) zoning district as defined in CMC Section 17.14.(B)4: one large domestic animal per half-acre however prohibits commercial sale of them unless for a student project (such as 4-H). In all other districts, farm animals are not allowed.
- 🍂 City of St. Helena: Yes, in the A-20: Agricultural District, which provides for large livestock. There is a limit of one large livestock animal (e.g., horse, cow, mule, etc.) per ½ acre of land (City of St. Helena Code Section 17.20.020). Commercial farming (CS 17.20.030 E) is conditionally permitted and requires a Use Permit.
- 🍂 Town of Yountville: No, farm animals are not permitted on residential parcels within the Town limits.
- 🍂 All Jurisdictions: The Department of Environmental Management requires that food facilities that custom process animals for personal use have a special permit for doing so (such as a market that butchers an animal brought to it by a customer). Individuals can butcher their own animals for their own use, but it is not recommended.

## SECTION TWO: SELLING & DONATING LOCAL FOOD

### **9. Can I sell produce grown on my property?**

- 🍁 **Napa County:** It depends if you plan to sell onsite or offsite. Napa County Code defines “Agriculture” so that it includes “sale of agricultural products grown, raised, or produced on the premises” (Napa County Code Section 18.08.040). This means that a property owner or manager may sell produce on the same parcel upon which it was grown. Agricultural production (i.e., making of wine and other value-added products) generally requires a use permit from the County Planning Commission (see Section Four); however, such products may also be sold on the same parcel upon which they were made.

The Planning Department does not regulate the off-site sale (or donation) of agricultural products to restaurants, stores, or other wholesale or retail outlets. Please consult the County’s Environmental Management Department for possible restrictions (refer to Section Three).

- 🍁 **City of Napa:** Home based businesses, including the sale of produce are subject to Section 17.54.240 of the City of Napa Municipal Code. Generally, home occupations may not generate customer traffic to the home, the business may not have employees other than family, the business cannot occupy more than 200 square feet of the residence, and the business may not list the residential address in any advertisement or printed material. One commercial vehicle may be kept on the premise and must be parked in the garage. Home occupations also require the filing of a Business License Tax Application through the City of Napa’s Finance Department.

- 🍁 **City of American Canyon:** *Crop Production* is defined as an Agricultural Use in Section 19.05.090 of the City’s Municipal Code and is permitted only in the RE zoning district (minimum lot size equals one acre). Also see Chapter 19.35 of the City’s Municipal Code regarding *Outdoor Sales of Seasonal Outdoor Products*.

A home-based business (“home occupation”) is an accessory use of a dwelling for employment and/or business purposes that is incidental to and subordinate to the use of the dwelling unit as a residence, and that is so located and conducted that the average neighbor, under normal circumstances, would not be aware of its existence (American Canyon Municipal Code Section 19.29.020). Home occupations are subject to the regulations found in Chapter 19.29 of the City’s Municipal Code.

- 🍁 **City of Calistoga:** In most zoning districts you are not permitted to sell items onsite, however in the Rural Residential district (Calistoga Municipal Code Section 17.14) it may be possible to obtain a use permit for on-site sales through a formal zoning interpretation made by the City’s Planning.

- 🍁 **City of St. Helena:** You are permitted to garden in residential districts provided that you do not hold sales of your produce on-site. You may apply to have a Home Occupation (including a Business License) that permits sales of items grown in a garden, however sales are limited to off-site sales and office use with limited customer visits on-site. You may have up to one employee on-site; you may apply for permission to have more employees.

- 🍁 **Town of Yountville:** In the A zoning district, a Use Permit is required for “commercial facilities for the processing or retail sales of agriculture products that are grown on the



premises.” In the residential zoning districts, gardens may be kept for personal use, but gardens may not be kept for commercial purposes and the sale of products grown on the premises is not permitted.

- 🍅 **All Jurisdictions:** Environmental Management does not have to inspect produce stands, but the Agricultural Commissioner will issue operator identification numbers/permits for growers who want to buy, possess, and use pesticides for commercial crop production. (See CA CCR Section 6622(b).)

**10. Do I need a business license?**

Within incorporated jurisdictions, you will need a business license. No business license is required in unincorporated Napa County.

**11. Do I need a sellers permit or tax permit from the California State Board of Equalization?**

The answer is generally yes if you intend to sell or lease tangible personal property that would ordinarily be subject to sales tax if sold at retail (this includes wholesalers, manufacturers and retailers) or if you will make sales for a temporary period, normally lasting no longer than 90 days at one or more locations (for example, fireworks booth, Christmas tree lots, garage sale). You are also required to get a tax account if you receive at least \$100,000 in gross receipts from business operations per calendar year or are not required to hold a seller's permit or certificate of registration for use tax (under section 6226 of the Revenue and Taxation Code). Contact the State Toll-free: 800-400-7115 if you have any questions.

**12. Can I sell eggs from my chickens?**

Subject to the limitations included in questions 9-11 above, you may sell whole shell eggs on your property and no permit is required. If you wish to sell to a local store or restaurant, the County Agricultural Commissioner will perform an inspection to determine grade (see 3 CCR Section 1352(a)) and provide information regarding labeling (see 3 CCR Section 1354(a-e)).

**13. Can I donate food to the food bank, homeless shelter, or similar charity?**

Yes, and without permit because there's an exemption in State code for "donations" from retail food facilities (CA Health & Safety Code Section 114432). The Good Samaritan Act (Public Law 104-210 Statute 3183 codified at 42 U.S.C. 12671-12673, 1990) exempts individual persons and gleaners from liability for such donations. If you have questions, please contact the Department of Environmental Management.

**14. Can I sell produce grown on my property to a local restaurant or store?**

Yes, but because State law requires restaurants to purchase from an "approved source," the Agricultural Commissioner must provide some form of certificate (refer to Section Three). At present, the Agricultural Commissioner is using the same process used for permits to apply pesticides. (See 3 CCR Section 6622(b).) If your garden is located on the same site as the restaurant or school to which it is providing produce, it is considered a "culinary garden" (please refer to question 2).

**15. Can I sell produce grown on my property to a local school district?**

The 2008 Farm Bill allows school districts to give your unprocessed or minimally processed products preference over other farms' products based on geographic proximity. However, you will probably have to participate in a bidding process. If the expected sale is "small" (under

\$100,000), a good strategy would be to ask the food service director to contact you with a "solicitation to identify the number, quality, and type of goods or services needed." If the expected sale is large, you will need to respond, with a bid proposal, to the school district's public solicitation of procurement specifications. More specific information can be found on the USDA's farm to school website, [http://www.fns.usda.gov/cnd/F2S/faqs\\_procurement.htm](http://www.fns.usda.gov/cnd/F2S/faqs_procurement.htm) also refer to Section Five and Appendix B for contact information.

**16. *Can I sell produce grown on my property at a local farmers' market?***

Yes, but first the Agricultural Commissioner's Office will need to inspect your garden and issue you a Certified Producer's Certificate (CPC). (See 3 CCR Section 1392.4(a).) Your CPC must be posted in a conspicuous location at the farmers' market (3 CCR Section 1392.4(d). A \$60 per hour fee is associated with inspection and certification services. If you are selling food by weight, you will also need to use a "legal for trade" scale that has been certified by the Department of Weights and Measure (contact Weights and Measures for more information). The County's Department of Environmental Management inspects operational practices at certified farmers' markets to ensure cleanliness and safe food handling practices are maintained.

**17. *Can I sell directly to local schools?***

Napa Valley has three main school districts and the requirements vary from district to district. Please refer to Appendix B for more information.

**18. *Can I start a Community Supported Agriculture (CSA) or other form of cooperative to sell produce?***

If you want to grow and sell produce via a cooperative and have no permanent facilities for storing or handling produce, there is no permit or inspection needed from the Department of Environmental Management. The County Agricultural Commissioner can advise you regarding minimum standards for certain commodities ( 3 CCR Sections 1400-1474) and the use of standardized containers. (See 3 CCR Section 1380.19.)

**19. *Can I sell honey from my bees?***

Yes. The Agricultural Commissioner can provide information regarding honey standards (see USDA Standards for Grades of Extracted Honey, Title 7, Code of Federal Regulations Sections 52.1391-1405) and honey labeling requirements. (See 3 CCR Section 1495.) The Department of Weights and Measures can provide information on selling packaged goods by weight.

**20. *Can I sell meat or milk from my animals?***

Conceptually, yes, but there are significant regulations regarding handling and processing that must be met and which are beyond the scope of these FAQs. Please consult the County Department of Environmental Health.

### **SECTION THREE: PROCEDURES TO BECOMING AN ‘APPROVED SOURCE’**

#### **21. Why do I have to be an approved source?**

State law only allows retail food facilities to utilize food from an “approved sources”. The concept is simple: food that will be used to serve the public must be protected from contamination at all stages of the process, and the approval process allows officials to “trace back” a food product to its source if a health related problem occurs.

#### **22. How do I become an approved source?**

Depending on the type of product, there are many methods for becoming an approved source. In the context of locally grown produce, since no program previously existed for many sources of produce, the Department of Environmental Management (DEM) and the Agriculture Commissioner have developed processes for becoming approved sources. Gardens associated with existing permitted retail food facilities are certified by DEM and inspected during routine health inspections (see question 2). Growers with produce not associated with an existing permitted retail food facility can be approved under various programs operated by the Ag Commissioner (see question 14). Neither of these processes is particularly difficult, time consuming, or expensive, but they ensure that produce can be traced back to the original grower should a problem occur somewhere down the line.

*Contact the Ag Commissioner’s Office to discuss your business intentions and they will issue you the appropriate document. For instance:*

- If you intend to sell your produce at a certified farmers’ market, the Ag Commissioner will issue you a Certified Producer’s Certificate (see Section One).
- If you wish to become a certified organic grower, the Ag Commissioner will provide you with information about the certification process (a third-party certifier is required), and then register you once the certification process is complete (see Section One).
- If you intend to use pesticides, the Ag Commissioner will issue you an operator identification number to buy, possess, and use pesticides for the commercial production of agricultural commodities (see Section One).

It is important to note, these documents will not specifically state that you are now an “approved source,” and the Agricultural Commissioner and Department of Environmental Management are currently working to develop a certificate or other documentation.

#### **23. Is the application available online?**

An “approved source” application does not exist yet. Please contact the Ag Commissioner’s Office or the Department of Environmental Management to discuss your business needs and determine what license or document you need.

#### **24. How much does it cost?**

Ag Commissioner fees vary. For instance, there is no fee to obtain an operator identification number, however there is a \$60/hour fee for the inspection and issuance of Certified Producer’s Certificates. Contact the Ag Commissioner’s Office for details. The Department of Environmental Management charges a one -time certification fee for restaurant gardens and ongoing inspections are included in the cost of the annual health permit.

**25. *How much time does it take?***

Each appointment time will vary. When obtaining an operator Identification number, the Ag Commissioner allows as much time as necessary to review all applicable laws and regulations surrounding pesticide use. Generally, these appointments take less than an hour. When a site inspection is required, as is the case for organic registration and CPCs, significantly more time may be required.

**26. *How do I inform my buyers that I am an approved source?***

You can show potential buyers copies of the documentation you receive from the Department of Environmental Management or the Ag Commissioner's Office.

## **SECTION FOUR: VALUE ADDED**

### **27. Can I make jams and jellies and sell them?**

No food sold to the public may be processed in a residence. You must use a permitted food facility and jams/jellies processed in a commercial setting that are to be sold at room temperature must apply to the State for a food processing license and may need to have their product tested (call 916-650-6500 for more information). The Department of Weights and Measures can provide information regarding labeling requirements.

### **28. Can I have an agricultural processing facility on my property (e.g., a facility for olive oil pressing and bottling, a winery, or a permitted food facility for jams/jellies)?**

- 🍷 **Napa County:** Agriculture is a principally permitted use (i.e., it's allowed!) in most areas of the County, however agricultural processing requires a use permit from the Planning Commission. Please contact the Planning Department for assistance.
- 🍷 **City of Napa:** Agricultural uses are generally not permitted in most areas of the City. Certain agricultural and processing uses are conditionally permitted within the Parks and Open Space (POS) and Agricultural Resources (AR) zoning districts and require a Use Permit from the Planning Commission. Food manufacturing and processing uses are conditionally permitted uses within the Light Industrial (IL) zoning district and as a permitted use within the Industrial Park – Area C (IP-C) zoning districts.
- 🍷 **City of American Canyon:** *Crop Production* and *Wineries* are defined as Agricultural Uses in Section 19.05.090 of the City's Municipal Code and are permitted only in the RE zoning district (minimum lot size equals one acre). A winery may be conditionally permitted in the Community Commercial (CC) and Light Industrial (LI) zones. Wineries are permitted in the General Industrial zone. For more information, please contact the Community Development Department.
- 🍷 **City of Calistoga:** A winery may be conditionally permitted in the Rural residential (RR), Community Commercial (CC), and Light Industrial (LI) zoning districts. Wineries are also allowed as a conditionally permitted use in a Planned Development (PD) zoning district. Processing of agricultural products not associated with the production of wine is not identified as a permitted use in any of these districts. However, it may be possible to obtain a use permit for agricultural processing of products other than wine through a formal zoning interpretation made by the City's Planning Commission.
- 🍷 **City of St. Helena:** Yes, in the A: 20: Agricultural; I: Industrial; & SC: Service Commercial Districts, subject to a use permit. Use permit requirements depend upon location, level of manufacturing proposed (light, medium, heavy), and other factors as defined for each zoning district.
- 🍷 **Town of Yountville:** Farms are allowed uses in the A zone, however an agricultural processing facility requires a use permit. Personal farms are allowed as accessory uses on residential parcels. A processing facility may be allowed as a home occupation with a use permit where the intensity of the use is compatible with the residential zoning district. Large-scale manufacturing or outdoor processing of agricultural products is not permitted in any residential zoning district.

## **SECTION FIVE: BUYING OR ACCEPTING DONATED LOCAL FOOD**

**29. *If I own a restaurant, can I buy produce from a local gardener?***

Yes, but because State law requires restaurants to purchase from an “approved source,” the Agricultural Commissioner must provide some form of certificate to the grower. A grower selling at a farmers’ market should have a certificate establishing “certified producer” status. If a grower doesn’t sell at a farmers’ market, the grower should request recognition as an “approved source” from the Agricultural Commissioner. At present, the Agricultural Commissioner is using the same process used for permits to apply pesticides. (See 3 CCR Section 6622(b).)

**30. *If I am a food bank, can I accept donations?***

The Good Samaritan Act (Public Law 104-210 Statute 3183 codified at 42 U.S.C. 12671-12673, 1990) exempts liability for accepting such donations. If you have questions, please contact the Department of Environmental Management.

**31. *If I am a school, can I purchase food locally?***

The USDA allows schools to express geographic preferences in purchases of unprocessed or minimally processed agricultural products. The purchasing process must allow for a ‘minimum level of competition’. If a purchase is \$100,000 or less, school food services must contact at least three potential suppliers with a "solicitation to identify the number, quality, and type of goods or services needed." In this "small" purchasing category, a school food service may choose the location of the suppliers to be contacted. For "large" purchases of more than \$100,000, school food services must publicly give notice of procurement specifications, inviting either bids or negotiation. Geographic preference points may be part of the criteria for evaluating bids. More specific information can be found on the USDA's farm to school website, [http://www.fns.usda.gov/cnd/F2S/faqs\\_procurement.htm](http://www.fns.usda.gov/cnd/F2S/faqs_procurement.htm)

## **SECTION SIX: OTHER POLICIES & QUESTIONS**

### **32. How do I find out what my zoning is?**

Napa County: <http://services.countyofnapa.org/MyProperty/>

City of Napa: [http://www.napa-ca.gov/etrakit/LandTrak\\_Search.asp](http://www.napa-ca.gov/etrakit/LandTrak_Search.asp)

City of American Canyon: <http://qcode.us/codes/americancanyon/> (See American Canyon Municipal Code Section 19.10.020)

City of Calistoga: <http://www.ci.calistoga.ca.us/Index.aspx?page=631>

City of St. Helena:

*Zoning map:*

[http://city.ci.st-helena.ca.us/images/city/11x17\\_GP\\_land\\_use\\_map%20CLEAR.pdf](http://city.ci.st-helena.ca.us/images/city/11x17_GP_land_use_map%20CLEAR.pdf)

*Zoning descriptions:* <http://www.codepublishing.com/CA/sthelen/>

**Town of Yountville:** Contact the Planning Department at (707) 944-8851 or at Town Hall located at 6550 Yount Street, Yountville

### **33. Do I need a permit for a greenhouse? For a Chicken coop?**

🍂 **Napa County:** The Building Code exempts accessory storage structures under 120 sq. ft. in size. Structures that are not used for the storage of tools and equipment or that exceed 120 sq. ft. require a building permit. Whether or not a permit is required, structures must comply with required setbacks established for the zoning district. (See Napa County Code Section 18.104.010 (Zoning District Regulations).)

🍂 **City of Napa:** Generally, the Building Division does not regulate accessory structures such as greenhouses and chicken coops that are less than 120 sq. ft. in size. Please contact the Building Division to ensure that the proposed project does not require any other permit from it.

Whether or not a permit is required from the Building Division, all structures must comply with Section 17.52.020 of the City of Napa Municipal Code, which regulates accessory structures.

🍂 **City of American Canyon:** Generally, the Building Division does not regulate accessory structures such as greenhouses and chicken coops that are less than 120 sq. ft. in size. Please contact the Building Division to ensure that the proposed project does not require any other permit from it.

Whether or not a permit is required from the Building Division, all structures must comply with Sections 19.10.050 and 19.10.060 of the City of American Canyon Municipal Code, which regulates setbacks and accessory structures.

🍂 **City of Calistoga:** Regardless of size, any new structure requires a Zoning Clearance, and if the structure is proposed to be larger than 120 sq. ft., then a building permit is also required.

🍂 **City of St. Helena:** Greenhouses and chicken coops are considered accessory buildings; neither a building permit nor design review is needed to erect an accessory building that is 120 sq. ft. or less in size. . Each district has its own standards, but generally no greenhouse or coop should be higher at the roof than 15 feet (see various code sections for the residential zones). No plumbing is permitted without a proper permit. For setback and placement requirements, please refer to the individual zoning district regulations.

🍂 **Town of Yountville:** Greenhouses and chicken coops are accessory structures that must comply with the zoning district requirements for size, height, and setbacks. Accessory

structures may not be constructed within the front yard. Accessory structures of 120 sq. ft. or less are exempt from building code permit requirements.

**34. Are there any exceptions to zoning restrictions?**

- 🍁 Napa County: There are a limited number of properties with legally operating facilities that date from before current restrictions were put in place. To the extent their activities have been recognized as legal by the County, they may continue those specified activities without need for a use permit. These are called legal nonconforming uses. If you believe you have a legal nonconforming use or if you are curious about activities on another property, please contact the Planning Department.
- 🍁 City of Napa: There may be nonconforming agricultural cultivation and animal keeping uses within the City of Napa. A nonconforming use is a legally established use of land that is not permitted in the zoning district in which it is located, or a use that is allowed by a use permit but for which no use permit has been obtained, because the use was established prior to the application of the existing district due to annexation, or changes to zoning regulations. Such uses are regulated by section 17.52.320 of the City of Napa Municipal Code.
- 🍁 City of American Canyon: A nonconforming use is a legally established use of land that is not currently permitted in the zoning district in which it is located, or a use that is allowed by a use permit but for which no use permit has been obtained, because the use was established prior to the application of the existing district due to annexation, or changes to zoning regulations. More information regarding non-conforming uses, structures, and lots may be found in Chapter 19.49 of the City's Municipal Code.
- 🍁 City of Calistoga: Some properties have existing use permits or legal non-conforming uses for farming that would not be permitted under today's code; these properties can continue the use as long as there is not intensification or expansion of the use.
- 🍁 City of St. Helena: There are some properties located where current zoning would generally not permit the use, however the use has been on-site prior to the creation of the codes, and has been "grandparented" (for that use only). All newly-applied-for conditional uses must meet current code requirements and be granted a use permit by the Planning Commission.
- 🍁 Town of Yountville: No.



## **SECTION SEVEN: WHOM SHOULD I CONTACT IF I HAVE QUESTIONS?**

Napa County: [www.countyofnapa.org](http://www.countyofnapa.org)

Planning/Building: (707) 253-4417

Environmental Management: (707) 253-4471

Public Works: (707) 253-4351

Napa County Agricultural Commissioner: (707) 253-4357

Sealer of Weights and Measures: (707) 253-4357

City of Napa: <http://www.cityofnapa.org>

Community Development Department-

Planning Division: (707) 257-9530

Building Division: (707) 257-9540

Public Works Department: (707) 257-9520

City of American Canyon: [www.cityofamericancanyon.org](http://www.cityofamericancanyon.org)

Community Development Department-

Planning Division: (707) 647-4336

Building Division: (707) 647-4581

City of Calistoga: [www.ci.calistoga.ca.us](http://www.ci.calistoga.ca.us)

Planning and Building Department: (707) 942-2827

City of St. Helena: <http://www.ci.st-helena.ca.us/section.cfm?id=28>

Planning Department: (707) 968-2659

Local Farmer's Market: (707) 486-2662

Town of Yountville: [www.townofyountville.com](http://www.townofyountville.com)

(707) 944-8851

## **SECTION EIGHT: OTHER COMMONLY ASKED QUESTIONS**

Do you have questions about your garden? Do you want to know what to do if one of your chickens turns out to be a rooster? Do you need to get rid of a swarm of bees? Do you have other questions that relate to local food that aren't addressed in this policy FAQ? There are other resources available locally and on line. As a start, the Agricultural Commissioner's office can put you in touch with master gardeners, the UC Cooperative Extension, local beekeepers and others. Please call the Agricultural Commissioner at (707) 253-4357 or email [agcommissioner@countyofnapa.org](mailto:agcommissioner@countyofnapa.org).

## **SECTION NINE: APPENDIX**

### ***APPENDIX A: FARMERS MARKET TIMES AND CONTACTS (SEE ATTACHED FOR MORE INFORMATION)***

#### Downtown Napa Farmer's Market:

Tues. & Sat., 7:30 – noon

500 First St.

Isla Ruffo, [Isla.nfm@aol.com](mailto:Isla.nfm@aol.com)

#### Chefs Market:

Thur., 5 – 9 pm

First St. btw Main St and Coombs St

Julie Morales, [Julie@napadowntown.com](mailto:Julie@napadowntown.com), 707.257.0322

#### St. Helena Farmer's Market:

Fri., 7:30 – noon

Crane Park

Ed Smith, [SHfarmersmarket@aol.com](mailto:SHfarmersmarket@aol.com), 707.486.2662

#### St Helena Hospital Farmer's Market:

Tues., 4 – 7:30 pm

St Helena Hospital

Corrie Beezley, [BeezleCL@ah.org](mailto:BeezleCL@ah.org), 707.963.6432

#### Calistoga Farmer's Market:

Sat., 8:30 – noon

Parking lots of Calistoga Police Dept & Sharpsteen Museum

Karen Verzosa, [Calistogafarmersmarket@sbcglobal.net](mailto:Calistogafarmersmarket@sbcglobal.net), 707.942.8892

## Appendix A: Napa County Farmer's Market Information

	Napa County		
	City of Napa May 31/Oct 25 Tuesday morning 7:30-12 noon Coburn	St Helena May 31/Oct 26 Friday morning 7:30-12 noon Crane Park	Calistoga May 17/Oct 25 Sunday morning 8:30-12 noon Sharpshoot Plaza
<b>At the Farmer's Market:</b>			
Opening Date/Close Date	May 31/Oct 25	May 31/Oct 26	May 17/Oct 25
Date	May 31/Oct 25	May 31/Oct 26	May 17/Oct 25
Time	7:30-12 noon	7:30-12 noon	8:30-12 noon
Location	Coburn	Crane Park	Sharpshoot Plaza
Exhibit Opportunities/Year	52	26	26
Market Manager	Wes Ruffo	Ed Smith	Karen Verzone
Contact Number	(707) 252-7142	(707) 485-2562	(707) 942-8892
Email	<a href="mailto:Wes.Ruffo@napacountyfarmersmarket.com">Wes.Ruffo@napacountyfarmersmarket.com</a>	<a href="mailto:Ed.Smith@sthenapafarmersmarket.com">Ed.Smith@sthenapafarmersmarket.com</a>	<a href="mailto:Karen.Verzone@calistogafarmersmarket.com">Karen.Verzone@calistogafarmersmarket.com</a>
Application Period	rolling	rolling	rolling
Farmer's Market Application Fee	none	none	none
Annual Membership Fee	\$62	\$50	\$20
Farmer's Market Stall Fee (member)	\$35	\$35	N/A
grower	N/A	N/A	N/A
ready-to-eat prepared foods	N/A	N/A	N/A
packaged foods	N/A	N/A	N/A
craft	N/A	N/A	N/A
Farmer's Market Stall Fee (non-member)	\$40	\$45	\$20
grower	N/A	N/A	N/A
ready-to-eat prepared foods	N/A	N/A	N/A
packaged foods	N/A	N/A	N/A
craft	N/A	N/A	N/A
<b>County-wide Required Permit Fees:</b>			
Growers (selling permit from farmer's market organizer)		\$40	
Department of Health Services or County Health			
<b>Temporary Food Facilities:</b>			
Certified Farmers Market Booth		\$46	
Commercially Pre-packaged (Annual)		-	
Less Than 3 Days-Low Risk		-	
Single Low Risk Event (no sampling)			
(multiply x # of "events": 1 event is one day of the week annually) showing at the farmer's market in any city in Napa County		\$46	
Single High Risk Event			
(multiply x # of "events": 1 event is one day of the week annually) showing at the farmer's market in any city in Napa County		\$88	
Annual Low Risk			
(can sample but must be unopened, prepackaged and require no refrigeration)		\$264	
Annual Medium Risk		-	
Annual High Risk		\$264	
<b>Mobile Food Facilities:</b>			
Mobile Food Limited Prep		\$93	
Mobile Food Prep Unit		\$530	
Prepackaged Food/Produce Vehicle		-	

[illegible]

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## **APPENDIX B: LOCAL SCHOOLS CONTACT INFORMATION**

### **Napa Valley Unified School District**

Robert Ruiz, Director [r Ruiz@nvusd.k12.ca.us](mailto:r Ruiz@nvusd.k12.ca.us)

Requirements: Vendor must carry \$5 million liability insurance. Prices must match current market prices.

Approximate Volume: 4,000 breakfast and 7,000 lunches served per day.

### **St. Helena Unified School District**

Kirby Tubb, Director of Food Service, [ktubb@sthelena.k12.ca.us](mailto:ktubb@sthelena.k12.ca.us)

Requirements: Vendor must have a business license, if Organic must provide documentation; meat products must satisfy all requirements for retail sales. Prices must match current market prices,

🍅 Member of Farm to School

### **Calistoga Unified School District**

Holly Triglia, Director of Food Service, [htriglia@calistoga.k12.ca.us](mailto:htriglia@calistoga.k12.ca.us) (707) 942-4428

Requirements: Licensed, commercial distributors of retail foods; no food from private sources, prices must match current market prices and be board approved.

Approximate Volume: 320 breakfast and 600 lunches served per day.

## APPENDIX C: CHICKENS AS ACCESSORY USE



A Tradition of Stewardship  
A Commitment to Service

Conservation Development and Planning  
1195 Third Street, Suite 210  
Napa, CA 94559  
www.co.napa.ca.us

Main: (707) 253-4417  
Fax: (707) 253-4336

Hillary Gitelman  
Director

To: CDPD Staff	From: Hillary Gitelman
Date: March 21, 2011	Re: Chickens as an Accessory Use

Section 18.08.040 of the zoning ordinance defines “agriculture” as including “the breeding and raising of cattle, sheep, horses, goats, pigs, rabbits and poultry and egg production” and has been interpreted in the past to prohibit all farm animals, including chickens, in zoning districts like the Residential Single (RS) district where “agriculture” is not a permitted use.

In practice, this interpretation has meant that code enforcement staff has had to intervene in neighbor disputes and allocate time to what I consider low-priority code enforcement efforts. In addition, this interpretation is at odds with the County’s growing efforts to support local food production, and creates confusion for County residents familiar with the City of Napa’s municipal code which allows a limited number of hens and other animals in residential areas by classifying them as “pets.”

To address these issues, I would like to alter our interpretation of the zoning ordinance and apply Section 18.104.040, which states that uses allowed with or without the granting of a use permit shall include *any accessory use*. Section 18.08.020, Accessory Uses, states that “where the zoning regulations applicable to a zoning district specifically identify the accessory uses which are permitted in conjunction with a primary use in that zoning district, no other accessory uses in conjunction with the primary use will be permitted in that zoning district.” The RS zoning district text does not specify any accessory uses, therefore a limited number of animals may be considered accessory to a main dwelling unit *as long as the animals are not being raised as part of a commercial enterprise, and as long as they do not create a public nuisance*. In small lot situations (i.e. <0.25 acre), I suggest we use the City of Napa’s ordinance as a guide and permit up to six (6) small domestic animals of the type generally accepted as household pets; including dogs, cats, chickens (hens), rabbits, pigeons and the like, but not including noise producing animals such as roosters, ducks, geese, pea fowl, guinea hens or other such animals. Larger lot situations may permit more flexibility about the number and size/type of animals if neighbors will not be impacted -- please consult with CDPD.

And as always, please let me know if you have questions.

## APPENDIX D: CULINARY GARDENS

### Napa County Fact Sheet for Culinary Gardens Operated in Conjunction with Permitted Food Facilities



#### INTRODUCTION

Fresh fruits and vegetables are important for health and well being, and the American consumer enjoys one of the safest supplies of fresh produce in the world. However, over the last several years, the detection of outbreaks of foodborne illness associated with both domestic and imported fresh fruits and vegetables has increased.

The California Retail Food Code (CalCode) requires all foods used in a food facility to be from an approved source, which means foods are produced in accordance with the applicable health and safety regulations. Culinary gardens, which grow on the same site as a permitted food facility and provide produce only to that facility, are often too small to be regulated by the California Department of Food and Agriculture and often do not fall under the regulatory authority of the local Department of Agriculture, which means there isn't a mechanism to approve the grown-on-site produce for use in the food facility. Recognizing the relatively low risk of these gardens and the importance of locally grown produce, the Department of Environmental Management has created a registration program for gardens to ensure the produce from these gardens is as safe as possible for use in the food facility.

This guidance document provides best management practices (BMPs) that should be included in the operation of culinary gardens. This document focuses on issues concerning small culinary gardens but may not address all health and safety considerations of a specific operation. Additional resources are included at the end of this document that may assist the operator in addressing microbial food safety hazards not discussed here.

How can foods become contaminated?

Typical Sources of Contamination:		
Soil	Irrigation Water	Animal manure
Inadequately composted manure	Wild and domestic animals	Inadequate field worker hygiene
Harvesting equipment	Transport containers	Wash and rinse water
Unsanitary handling	Equipment used	Cross contamination
Ice	Improper storage conditions	Run-off from adjacent areas

#### BEFORE YOU GROW

- Select a location that is not on or adjacent to a septic disposal field, animal housing, pastures or barnyards and where contaminated water from these sites cannot enter the field via runoff due to rainfall or drainage pathways.
- The location should be under control of the owner/operator at all times.

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## DURING PRODUCTION

- **Water used in culinary gardens must be potable, meaning the water is from a permitted water system, such as the City of Napa, or from wells that have been tested and have been shown to be free of pathogens.**
  - Wells and pump areas should be protected from uncontrolled livestock and wildlife.
  - Maintain wells in good working condition.
  - If irrigation water is not from a permitted water system, the well should be tested by a local lab to ensure it is free from coliform. Coliform are organisms whose presence may indicate that sewage or other contamination is reaching the water and could contaminate the produce.
- **Use and handle manure and fertilizers to minimize contamination.**
  - Never use biosolids or incompletely composted manure on a culinary garden.
  - Maximize the time between application of manure and harvest of crop and minimize manure-to-produce contact.
  - Follow manufacturer recommendations when using any commercial fertilizer.
- **Register any pesticide use with the Napa County Agricultural Commissioner and identify any other uses of pesticides in the vicinity applied by other parties, such as pest control operators or gardeners.**
- **Minimize contamination from animals.**
  - Exclude domestic and other small animals from garden by fencing garden beds.
  - To the extent possible and as allowed by law, establish good agricultural practices to deter or redirect wildlife to other areas.
  - Minimize vegetation at the edges of small fruit and vegetable patches and remove decaying fruit and vegetables, which can provide nesting places and food for rodents and other vectors.
- **Emphasize worker hygiene and training**
  - All workers must be trained and have a good working knowledge of basic sanitation principles as they relate to the assigned tasks.
  - Workers must have access to handwashing stations equipped with a basin, warm water, liquid soap and paper towels that drain to an approved septic/public sewer system.
  - Managers must be trained to identify the symptoms of infectious diseases, such as Hepatitis A virus, Norwalk, and *Shigella*. Employees with these symptoms should not be allowed to have any contact with produce, utensils or other food contact surfaces of equipment.
  - Lesions must be effectively covered or workers with lesions should not be allowed to have any contact with produce, utensils or other food contact surfaces or equipment.
  - Provide convenient and supplied bathroom facilities.
- **Be aware of visitors so they are not exposed to fertilizers or pesticides and so the visitors do not become a source of contamination to the garden.**

*Proper hand washing means using warm water and soap and thoroughly scrubbing, rinsing and drying of the hands. Don't forget to clean under fingernails and between fingers.*

## DURING HARVEST

- **Maintain equipment in a sanitary manner.**
  - Clean and sanitize storage facilities and produce contact surfaces prior to harvest.
  - Clean harvesting equipment each day.
- **Emphasize worker hygiene and training.**
- **Keep animals out of fields and orchards.**
- **Remove as much dirt and mud from the produce as possible before it leaves the field. If produce is washed in the field, ensure that it is not contaminated in the process.**



## AFTER HARVEST

- **Again, employee hygiene and training is critical.**
- **All produce used in a food facility must be washed thoroughly in potable water to remove soil and other contaminants before being cut, combined with other ingredients, cooked, served or offered for human consumption in ready-to-eat form.**
  - Any chemicals used to wash or peel produce shall meet the requirements specified in 21 Code of Federal Regulations 173.315.
  - Vigorous washing of produce not subject to bruising or injury increases the likelihood of pathogen removal. Brush washing is more effective than washing without brushes. Brushes used in brush washing must be cleaned and sanitized frequently.
- **Consider the wash water temperature for certain produce.**
  - Removing field heat is a primary consideration in maintaining the quality of many types of produce, and for some types of produce (apples, celery, tomatoes) the temperature of wash water should be greater than that of the produce or a pressure differential results that can cause water to be pulled into the plant material, causing pathogens to move into the produce, which may not be removed by washing. Denser products (such as carrots) do not appear to be affected by water temperature differences.

## CONCLUSION

While locally grown fresh fruits and vegetables provide many benefits, good management practices must be maintained in culinary gardens to prevent illness in our food facilities. Many of the risks associated with mass production, storage and transportation are not of issue for on-site culinary gardens; however, worker hygiene and localized land practices are still sources of potential contamination that could result in foodborne illness.

This guidance document provides some basic principles for registered culinary gardens. Operators are encouraged to utilize this guide to evaluate their gardens and assess site-specific hazards so they can develop and implement reasonable and cost effective agricultural and management practices to minimize microbial food safety hazards.

Once good agricultural practices are in place, it is important that the operator ensure that the process is working correctly. Operators should follow-up with supervisors or the person in charge to be sure that regular monitoring takes place, equipment is working, and good agricultural and management practices are being followed.

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## **HELPFUL INFORMATION**

**Copies of Federal regulations in the Code of Federal Regulations (CFR) may be purchased from the U.S. Government Printing Office or by telephone purchase at (202) 512-1800.**

The CFR is also available at local branches of the U.S. Government Printing Office Bookstores. Information on location of regional branches is available on the WWW at the following address: <http://www.cfsan.fda.gov/~lrd/ob-reg.html>

Sections of the CFR that are referenced in the guide can be viewed and printed from the WWW at the following address: <http://www.access.gpo.gov/nara/cfr/index.html>

### **1. How to obtain FDA regulations**

Title 21, Code of Federal Regulations: 21 CFR 100-169 and 21 CFR 170-199

Sections of Title 21, such as 21 CFR 110.10, that are referenced in the guide can be viewed and printed from the WWW at the following address: <http://www.access.gpo.gov/nara/cfr/>

You may purchase 21 CFR 100-169 or 21 CFR 170-199 from the U.S. Government Printing Office or by telephone purchase at (202) 512-1800. FDA regulations may also be purchased at local branches of the U.S. Government Printing Office Bookstores.

### **2. How to obtain EPA regulations**

EPA regulations may be obtained by contacting the U.S. EPA/NCEPL, P.O. Box 42419, Cincinnati, OH 45242-2419. Telephone: 1-800-490-9198; FAX (513) 489-8695. You must give the EPA catalog number for the publication.

Electronic versions of additional EPA documents, such as criteria and supporting documents, are available at <http://www.epa.gov>.

### **3. How to obtain California Retail Food Code Regulations**

A copy of the CRFC can be found at <http://www.cdph.ca.gov/services/Documents/cdbRFC.pdf> or by contacting Napa County Department of Environmental Management

### **Additional Helpful Information:**

1. U.S. EPA. Ambient Water Quality Criteria for Bacteria, EPA Office of Water Regulations and Standards, EPA 832-B-92-005, January 1986.
2. USDA. List of Proprietary Substances and Nonfood Compounds Authorized for Use Under USDA Inspection and Grading Programs.
3. U.S. EPA. Domestic Septage Regulatory Guidance, A Guide to the EPA 503 Rule. EPA, Office of Water Regulations and Standards, 832-B-92-005, September 1993.
4. Reiners, S., A. Rangarajan, M. Pritts, L. Pedersen, and A. Shelton. "Prevention of Foodborne Illness Begins on the Farm." Cornell Cooperative Extension, Cornell University, Ithaca, NY.
5. USDA Agricultural Marketing Service program "Qualified Through Verification for Fresh Cut Produce" is available from: Branch Chief, Processed Products Branch, Fruit and Vegetable Programs, Agricultural Marketing Service, USDA, P.O. Box 96456, Rm. 0726, South Building, Washington, DC, 20090-6456. (202) 720-4693.
6. Cornell University Department of Food Science, Good Agricultural Practices Network: <http://www.gaps.cornell.edu/>

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A Tradition of Stewardship  
A Commitment to Service

#### Environmental Management

1195 Third Street, Suite 101  
Napa, CA 94559  
www.co.napa.ca.us

Mar: (707) 258-4471  
Fax: (707) 253-4545

Steven Lederer  
Director

## Napa County Culinary Garden Best Management Practices Agreement

Locally grown, fresh fruit and vegetables benefit the consumer, the environment and the community as a whole. Most fruits and vegetables consumed in the United States are wholesome and free of pathogens (microbes that cause foodborne illness). Many fruits and vegetables have natural barriers, such as skins and rinds that protect the internal edible parts from contamination. However, contamination of fruits and vegetables can occur any time from planting through food preparation. Most pathogens can be killed by cooking, but they can be difficult to remove by washing when foods are eaten raw. Prevention of microbial contamination is the most effective way to maximize the safety of fruits and vegetables. The best approach to maintaining the wholesome nature of your culinary garden's harvest is to be aware of potential risks and to establish and implement commonsense practices that will minimize contamination.

### Terms of Agreement:

1. Operator shall ensure that water used for irrigation is potable, meaning water must come from a permitted public water system or wells tested and shown to be free from pathogens. Gray water is not an approved water source for culinary gardens.
2. Owner shall identify all possible contamination sources and evaluate the effect of rain fall and drainage pathways, to minimize runoff that may contaminate the site.
3. Owner shall ensure that all produce is washed with a pathogen-free source before being served, as required by the California Retail Food Code (CalCode).
4. Owner shall ensure that produce and harvest equipment are stored in a sanitary location, protected from vectors, such as rodents and insects, that can spread disease.
5. Owner shall ensure septic systems are properly installed and maintained and be aware of location of septic field to ensure garden is not coming in contact with sewage. Culinary gardens shall not be located in an area where a septic system is installed, unless planted in raised boxes in between distribution lines of a standard (non-engineered) septic system. Culinary gardens cannot be installed over engineered septic systems.
6. All organic matter will be fully composted, and raw manure will not be used. Composted manure will only be used if purchased from a commercial outlet.
7. Any plants used in culinary gardens will be purchased in Napa County to ensure they are inspected by the Napa County Agricultural Commissioner and free of pests that present a hazard to agriculture in the County.
8. Owner shall keep domestic animals away from garden site to avoid contamination.
9. Owner shall minimize vegetation at the edges of small fruit and vegetable patches to help avoid nesting or hiding places for rats, mice etc.

10. Owner shall minimize the presence of vector attractants such as piles of decaying fruit and vegetables.
11. Owner shall contact and gain approval from the Napa County Agricultural Commissioner before utilizing any pesticide on the culinary garden.
12. Owner shall not use the term "organic" in reference to the produce from the culinary garden unless the products have been registered as organic by the Napa County Agricultural Commissioner.
13. Owner shall establish worker awareness of proper hand washing techniques with special attention to cleaning around the fingernails and provide sanitary handwash and toilet facilities. Workers shall be taught that gloves can contaminate from one place to another such as from the compost pile to harvested produce. Workers with symptoms of illnesses that can be spread by food will not be permitted to handle produce, equipment or food contact surfaces.

A site plan is included, identifying the location of any septic systems within 100 feet and other potential sources of contamination. The produce from the culinary garden will only be provided to food facilities located on the same property and will be maintained in compliance with CalCode. I hereby acknowledge that I have read and understand this document and agree to implement good agricultural practices in my culinary garden.

\_\_\_\_\_  
Signature of Owner or Authorized Agent

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name of Owner or Authorized Agent

*Office use only*

\_\_\_\_\_  
DEM Representative Signature

\_\_\_\_\_  
Date

Information was taken from UC Davis Division of Agriculture and Natural Resources. For more information visit their website.