

### **40-9-2-.03 Personal Conduct.**

(1) Any person found by the Commissioner to have been charged with any crime or any violation of the Georgia Marketing Act of 1981 or any rule promulgated pursuant thereto on the Farmers' Market property, will constitute proper grounds for revocation or suspension of a license and the right to conduct any type of business at the Markets and prohibited from doing any business or being employed by any business to conduct business on the Markets on any Farmers' Markets of the State in the future.

(2) No marketer, vendor or other person shall do any act or use any language intended thereby to insult another person or customer or to intimidate a shopper into purchasing his produce; nor shall they attempt to fix the prices of produce of any other farmer, vendor or merchant; but every person shall sell his or her produce, unmolested, at whatever price such person may adopt; and no person shall circulate false reports tending to upset or destroy the operation of any other person or of the market.

(3) The sale or use of alcohol, illegal drugs and drug paraphernalia is strictly prohibited.

If any licensee is found to be under the influence of alcohol or illegal drugs, this activity will constitute proper grounds for revocation or suspension of a license and the right to conduct any type of business or being employed by any business to conduct business on the Markets at any of the Farmers' Markets in the future. A conviction for use of alcohol, illegal drugs and drug paraphernalia can be used as a proper ground for revocation or suspension of a license and the right to conduct any type of business or being employed by any business to conduct business on the Markets at any of the State Farmers' Markets in the future. Notwithstanding, alcohol may be served and consumed by persons when in attendance of a party and/or fundraiser on the State Farmers' Market property which had been authorized by the Market Manager. Special events at the State Farmers' Markets for promotion and sale of Georgia products to the public, which include the sampling and sale of alcoholic products produced in Georgia by a Georgia based company, will be permitted in such areas designated by the Market Manager. Retail sales of these products are permitted for off premises consumption but there shall be no sales by the drink, only samples may be given. Requests to participate as a vendor of alcoholic products at a special event shall be submitted in writing, with a description of the product to be marketed, to the Market Manager at least thirty (30) days prior to the event and shall be subject to review by the Commissioner or his appointee. Vendors shall be responsible for obtaining any licenses or permits as may be required for such sales.

(4) The use of profane, abusive or discourteous language on any Market is prohibited and will constitute proper grounds for revocation or suspension of a license and the right to conduct any type of business or be employed by any business to conduct business on the Markets at any of the State Farmers' Markets in the future.

(5) The breaking, defacing or destruction of any part of a Market property, or interference with electric fixtures, wiring, etc., or meddling with shades, globes or other apparatus belonging to said Market property, is prohibited, and any person found to be responsible for any such act or acts, in addition to any other punishment, shall be required to have repaired any damage resulting from such action. No coolers, freezers, refrigerators, cooking equipment, sleeping facilities, or wind breaks are permitted in shed areas. Adding machines, radios, etc., are permitted using plug-in receptacles only. Light bulbs only are to be used in light sockets. No smudge pots may be used. No nails or spikes are to be used on walls. Shelves, etc., are to be constructed independently of the building— not anchored to walls, floors or ceiling.

(6) Reselling shall not be permitted on Farmers' sheds. Reselling will constitute proper grounds for revocation or suspension of a license and the right to conduct any type of business or be employed by any business to conduct business on the Markets at any of the State Farmers' Markets in the future. Holding space by use of parked vehicles, small amount of produce, etc., will not be permitted. Gate fees will be charged on all loaded vehicles. Space-rent fees will not be altered by use of gate ticket. The inscription on yellow copy of gate ticket shall not apply where space-rent is involved.

(7) Access to electrical outlets within such areas will not be permitted unless an electrical fee is paid.

(8) The following activities may subject a person's license to be suspended or revoked:

(a) Playing or allowing one's employees or customers to play music and or movies on Cassette, CD, DVD, or other technology from stereos, boom boxes, other media players, cars, trucks, or other vehicles that disturbs other licensees in other stalls on the Market or visitors to the Market is prohibited. Such activity will constitute proper grounds for revocation or suspension of a license and the right to conduct any type of business or being employed by any business to conduct business on the State Markets at any of the Farmers' Markets in the future.

(b) Use of Video and Digital recorder or any other mechanical means recording for any purpose will constitute proper grounds for revocation or suspension of a license and the right to conduct any type of business or being employed by any business to conduct business on the Markets at any of the State Farmers' Markets in the future unless the person or persons recorded have given written permission from the Market Manager for such recording.

(c) Failure to dispose of trash into proper trash containers will constitute proper grounds for revocation or suspension of a license and the right to conduct any type of business or being employed by any business to conduct business on the Markets at any of the State Farmers' Markets in the Future.

(d) Parking of any type of vehicles to prohibit the movement of fire and other emergency type vehicles will constitute proper grounds for revocation or suspension of a license and the right to conduct any type of business or being employed by any business to conduct on the Markets at any of the State Farmers' Markets in the future.

(e) Parking vehicles of any type for more than 48 hours without permission of the Market Manager will constitute proper grounds for revocation or suspension of a license and the right to conduct any type of business or being employed by any business to conduct business on the Markets at any of the State Farmers' Markets in the future.

(f) Allowing any individual who has had a license issued by the Department of Agriculture revoked within two years to serve as an employee or agent at the rented stalls will constitute proper grounds for revocation or suspension of a license and the right to conduct any type of business or being employed by any business to conduct business on the Markets at any of the State Farmers' Markets in the future.

(g) The cutting of firewood anywhere in any part of the Market is not permitted and will constitute proper grounds for revocation or suspension of a license and the right to conduct any type of business or being employed by any business to conduct business on the Markets at any of the State Farmers' Markets in the future.

Authority O.C.G.A. Secs. 2-10-50, 2-10-56 50-13-4. **History.** Original Rule entitled "Quality of Merchandise" adopted. F. and eff. June 30, 1965. **Repealed:** New Rule entitled "Personal Conduct" adopted. F. July 17, 1991; eff. Aug. 6, 1991. **Repealed:** New Rule of same title adopted. F. Aug. 24, 2004; eff. Sept. 13, 2004. **Repealed:** New Rule of same title adopted. F. Apr. 8, 2008; eff. Apr. 28, 2008.