Dogs and Service Dogs at Certified Farmers’ Markets

California Health and Safety Code Section 114371(d): “No live animals, birds, or fowl shall be kept or allowed, and no individual shall bring a live animal, bird, or fowl, within 20 feet of any area where food is stored or held for sale within a certified farmers’ market. This subdivision does not apply to guide dogs, signal dogs, or service dogs when used in accordance with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.), and as provided in Section 36.104 of Title 28 of the Code of Federal Regulations. All guide dogs, signal dogs, and service dogs shall be used and properly identified in accordance with Section 54.1 and subdivision (b) of Section 54.2 of the Civil Code, and Sections 30850, 30851, and 30852 of the Food and Agricultural Code.”

Federal Code - 28 CFR 36.104- Federal Register/ Vol. 75, No. 178: “Service animal means any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability . . . . The work or tasks performed by a service animal must be directly related to the handler's disability . . . . The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition.”

California Civil Code Section 54.2(b): “Individuals who are blind or otherwise visually impaired . . . . and individuals who are deaf or hearing impaired and persons authorized to train signal dogs for individuals who are deaf or hearing impaired, and individuals with a disability and persons who are authorized to train service dogs for the individuals with a disability may take dogs, for the purpose of training them as guide dogs, signal dogs, or service dogs in any of the places specified in Section 54.1 without being required to pay an extra charge or security deposit for the guide dog, signal dog, or service dog. However, the person shall be liable for any damage done to the premises or facilities by his or her dog. These persons shall ensure the dog is on a leash and tagged as a guide dog, signal dog, or service dog by an identification tag issued by the county clerk, animal control department, or other agency, as authorized by Chapter 3.5 (commencing with Section 30850) of Title 14 of the Food and Agricultural Code.”

California Food and Agricultural Code Section 30850: (a) . . . . “As used in this chapter, "assistance dogs" are dogs specially trained as guide dogs, signal dogs, or service dogs. All applications that have been endorsed shall be kept on file in the office of the animal control department and shall be open to public inspection. (b) Whenever a person applies for an assistance dog identification tag, the person shall sign an affidavit stating as follows:

"By affixing my signature to this affidavit, I hereby declare I fully understand that Section 365.7 of the Penal Code prohibits any person to knowingly and fraudulently represent himself or herself, through verbal or written notice, to be the owner or trainer of any canine licensed as, to be qualified as, or identified as, a guide dog, signal dog, or service dog, as defined in subdivisions (d), (e), and (f), respectively, of Section 365.5 of the Penal Code and paragraph (6) of subdivision (b) of Section 54.1 of the Civil Code, and that a violation of Section 365.7 of the Penal Code is a misdemeanor, punishable by imprisonment in a county jail not exceeding six months, by a fine not exceeding one thousand dollars ($1,000), of by both that imprisonment and fine."

(c) Upon the death or retirement of an assistance dog, the owner or person in possession of the assistance dog identification tag shall immediately return the tag to the animal control department that issued the tag.

California Food and Agricultural Code Section 30851. The owners of assistance dogs shall comply with all state and local ordinances regarding health and licensure requirements for dogs.

California Food and Agricultural Code Section 30852. (a) The tag identifying a dog as an assistance dog shall be used only by a person with a disability or a trainer of an assistance dog and shall be of such uniform statewide shape, size, and color as to be easily recognized.

https://www.cdfa.ca.gov/ahfss/animal_health/faqs.html : “Assistance dogs are specially trained as guide dogs, signal dogs, or service dogs. People may apply for assistance dog identification tags from their county clerk or animal control department. The tags are blue or gold in color, shaped like the State of California, 1” x 1.5” in size and numbered in sequence.”