

Dubious Deals at Area Flea Markets

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Shopping for Pesticides

In a nation where strict regulations and foodstuff scrutiny often characterize consumption, a black market may seem like an institution from worlds away. But in an arena where food and produce regulations are rare—and even more rarely enforced—Santa Cruz's Skyview Flea Market may be the foodstuffs black market locals thought they never had.

Produce sold in informal settings like the flea falls at the low end of system where produce and pesticide regulations are already lax. And as the evidence pours in that unapproved produce is entering the country, this selling ground referred to by many in the produce trade as "the market of last resort" may be posing a public health hazard.

On any given weekend, six or more vendors can be seen selling produce at close to half the price of the same goods at a supermarket. Boxes openly identify the goods' places of origin and, as the vendors and the boxes alike will tell, a portion of them regularly come from Mexico.

With Mexican produce already in the public eye because of dubious pesticide use, places like the flea may be in line for further scrutiny. A bill recently proposed to Congress would strengthen the FDA's inspections enforcement for produce coming over the border. Organizers for this bill point out that only a small percentage of produce is tested for pesticides illegal in the U.S.; produce shipments that turn out to be tainted are often never returned to the border.

"If we kick produce back, it goes back to the shipper who then sells it for half price or less," says Dale Brown, San Jose's Distribution Center Manager for Albertson's supermarket. "Someone will pick it up, and I'm sure it ends up on the roadside or at the flea." According to Brown, this chain management sometimes calls federal inspectors if the produce looks "tired or in some way below standard." Although pesticide testing is probably rare in these circumstances, produce that federal inspectors reject for one reason or another does make it to the streets.

Tracking fruits and vegetables sold informally at the flea would be near impossible; but county licensing and flea market rules are so lax that this sort of tracking may be in line. Flea market management allows anyone

to sell produce, licensed or not, although county officials would like to see flea market security squads enforcing county regulations.

The County Environmental Health Department requires independent produce vendors to apply for \$73 food vending permits yearly. These permits simply let the county know the vendors exist; county scrutiny only forces the vendors to keep their vehicles registered, legal and easily identifiable (with name and phone numbers posted).

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vising sanitarian at environmental health, even these regulations stand unenforced. Carey says the department goes to the flea market four or five times yearly. These periodic checks yield dozens of warnings or citations for unlicensed vending. Once a vendor has been cited, says Carey, it's "pretty easy" for them to go back and sell again.

Bootleg Tapes' Marketing Downfall

When San Jose police arrested three vendors of bootleg tapes at San Jose's Berreyesa Flea Market last weekend, they recovered what they estimate at \$45,000 in losses to the recording industry. The San Jose Police Department in conjunction with the Recording Industry Association of America has initiated a crackdown on these bogus big label cassettes, targeting what the RIAA publishes as an overall loss of \$300 million each year.

The RIAA approached the San Jose police because that flea market is the largest in the state and has long been known as a site where huge volumes of illegal and stolen goods change hands. But the RIAA also has an eye toward California's lesser flea mark-

ets, among them the Salinas flea and the Watsonville Red Barn. It may only be a matter of time before bootleg tapes at Santa Cruz's Skyview are subject to the police attention they get just over the hill.

San Jose Police Sergeant Bob Beams describes the tapes in question as your basic "flimsily wrapped library box tapes" priced between \$2 and \$3. "The printing on the labels is smudged and blurry and the tapes themselves sometimes have two stamps on them," he says. "These are ordinary [blank] cassettes you could buy in a store" and make into record shop blockbusters on your own.

An employee at Cymbaline Records identifies a \$2 Run DMC tape from the Santa Cruz flea as "a bootleg job, no doubt about it." When held up against the official tape put out by New York's Profile Records, the label looks like an easy color xerox and the packaging, a job anyone with a supermarket shrink wrapper could do on their own.

San Jose's Sergeant Beams says the tape sounds familiar, which is not surprising. Beams estimates three to five distributors—"probably in Los Angeles"—supply the whole state in this low-cost and highly illegal operation. "We can't do much to the people selling the tapes because they're only employees of big distributors," he says. "But with the help of the RIAA and the FBI," he adds, "we think we'll get them."

—Elizabeth Kadetsky