

WELCOME!!!

It is with great pleasure that we invite you to the

2023 Butte County Fair

**August 24th-27th, 2022
Thursday through Sunday**

Expo Hall Vendors Handbook

This handbook has been provided to you so that your stay at our fair will be enjoyable and free from confusion. If we all have a good understanding of the rules and regulations, things will run smooth for all of us. Please share this handbook with your employees as well.

Please feel free to contact our office at (530) 846-3626 with any questions or concerns that is not covered in this handbook.

BUTTE COUNTY FAIR ASSOCIATION

P.O. BOX 308

GRIDLEY, CA 95948

(530) 846-3626

www.buttecountyfair.org

admin@buttecountyfair.org

ADMINISTRATIVE STAFF

CHIEF EXECUTIVE OFFICER _____ Stephen Kenny
 FAIRGROUND MAINTENANCE SUPERVISOR _____ Jose Mendez
 ADMINISTRATIVE ASSISTANT _____ Vanessa Wilson
 ACCOUNTING SUPERVISOR _____ Claudia Hughes
 FAIRTIME COORDINATOR _____ Allisa Whitaker

ADMINISTRATIVE OFFICE BUSINESS HOURS
Summer Hours:

MONDAY THROUGH FRIDAY _____ 9:00 AM - 5:00 PM

Monday to Wednesday, BEFORE FAIR _____ 9:00 AM - 5:00 PM

Thursday, Friday, and Saturday _____ 9:00 AM - 5:00 PM

Sunday, CLOSING DAY _____ 9:00 AM - 5:00 PM

Monday _____ 9:00 AM - 5:00 PM

Grounds/Commercial Hours

Gates and buildings are open to the public as follows:

	<u>OPEN</u>	<u>CLOSE</u>
Thursday	4:00 PM	11:00 PM
Friday	3:00 PM	12:00 AM
Saturday	NOON	12:00 AM
Sunday	NOON	11:00 PM

NOTE: All exhibitor and concessionaire are to open their booths on time and remain open until the specified closing times.

The above official hours of the Fair represent the minimum number of hours you must operate your stand. You must close immediately if requested by security or management.

VEHICLE GATE SCHEDULE

PRE-FAIRTIME

GATE # 1 (Arena Gate – Spruce Street)	_____	8 AM – MIDNIGHT
Access to livestock exhibitors, arena participants & RVs only – special credential needed		
GATE # 4 (Service Gate next to Administration)	_____	8 AM – 11 AM
GATE # 8 (Main – East Gridley Road)	_____	CLOSED
GATE # 7 (Carnival Lot)	_____	24 Hours
GATE # 6 (Hazel Street)	_____	CLOSED

FAIRTIME

GATE # 1 (Arena/Livestock Gate)	_____	8 AM - MIDNIGHT
Access to livestock exhibitors, arena participants & RVs only – special credential needed		
GATE # 4 (Service Gate next to Administration)	_____	8 AM – 11 AM
GATE # 8 (Main – East Gridley Road)	_____	CLOSED
GATE # 7 (Carnival Lot)	_____	1 AM – 11 AM
GATE # 6 (Hazel Street)	_____	CLOSED

Gate Schedules are subject to change by fair management.

CONTRACTOR'S RESPONSIBILITY

The Management of the Butte County Fair reserves the right to amend, add to and interpret the following regulations and to settle all questions and differences with respect thereto, arising out of, connected with or incident to the Fair.

It is the Exhibitor's responsibility to be knowledgeable of the regulations that are listed herein. It is also important that any representative or employees working in your exhibit are aware of these rules and regulations.

SPACE CONTRACT

Every individual or company doing business on the Fairgrounds during the Butte County Fair must have a written and signed contract with regards to that activity. All space must be paid in full as specified on their contract.

The Fair Management reserves the right to view all items to be displayed and sold. Items to be displayed or sold are limited to items on your space contract.

Exhibitors are prohibited from assigning or sub-letting a booth or any part of that space allotted to them except upon **written permission** from the Butte County Fair Association. Nor shall they exhibit or permit to be exhibited in their space any merchandise not part of their own regular products as listed on the space contract, nor shall they exhibit any advertising material directly pertaining to such products.

The Fair Management will use every precaution to guard against extortion in any form practiced upon patrons of the Fair. A violation of this rule will cause forfeiture of the contract money paid, or expulsion from the grounds, as the management may direct.

REFUND POLICY

Refunds will be made only if the Fair is notified by the exhibitor of the need to cancel the exhibit space and only if the Fair is able to resell the exhibit space. Refund of any deposit or space fees will not be made after July 20th, 2022.

ARRIVAL / SET-UP

Before setting up, exhibitor must check in at the Fairs Administration Office. **Do not set-up your booth until you have checked in at the front office.**

Booth set-up beginning **MONDAY**

Monday, August 21 st , 2023 _____	8:00am - 6:00pm
Tuesday, August 22 nd , 2023 _____	8:00am - 6:00pm
Wednesday, August 23 rd , 2023 _____	8:00am - 3:00pm

CLOSING

The official closing of the 2023 Butte County Fair is 11:00 pm, Sunday, August 27th, 2022. To minimize confusion and problems with closing, the Fair has established the following rules which you must adhere to:

- a. **All External booths must remain open until 10:00pm, unless the Fairgrounds Supervisor closes the gates early.**
Do not close your booth early!
- b. **On closing night, vehicles will not be allowed to drive on the Fairgrounds until after 11:00 pm.**
- c. **To remove stands and equipment from the Fairgrounds, you must have paid all rent monies due to the Fair, and you must have a receipt issued by the Fair Office.**
- d. **Gates will open on Monday, August 28th at 8:00 am. All exhibits and exhibit materials must be off the Fairgrounds by 4:00 pm on Monday, August 28, 2021.**

◀◀◀◀◀◀◀◀◀ INSURANCE ▶▶▶▶▶▶▶▶▶▶

It is mandatory that all Commercial Exhibitors and Concessionaires provide and maintain, throughout their occupancy of the fair premises, a liability policy containing the following:

1. Commercial General Liability coverage, on an occurrence basis, at least as broad as the current Insurance Service Office (ISO) policy from #CG 0001. Limits shall be not less than \$5,000,000 combined single limits per occurrence for Fairtime Carnival Rides; \$3,000,000 combined single limits per occurrence for Motorized Events All Types except arena or track motorcycle racing and go-cart racing; \$3,000,000 per occurrence for Rodeo events all types with paid gate and any Rough Stock events; \$2,000,000 per occurrence for Rodeo Events All Types

without paid gate and with any Rough Stock events; \$1,000,000 per occurrence for Rodeo Events All Types without any Rough Stock Events; \$2,000,000 per occurrence for Interim Carnival Rides, Fairtime Kiddie carnival rides of up to 6 rides, Concerts over 5,000 attendees, Rave Type Events All Types, Mechanical Bulls, Extreme Attractions All Types, Orbitrons, Simulators, and Motorized Events of arena or track motorcycle racing and go-cart racing; \$1,000,000 per occurrence for all other contracts for which liability insurance (and liquor liability, if applicable) is required.

2. Coverage shall be a Comprehensive General Liability form. All who sell or distribute any product must include product liability. Liable and Slander Liability is required for broadcasting.
3. The Butte County Fair Association must be notified at least thirty (30) days in advance of any reduction in/or cancellation of the coverage. A statement from the insurance company stating that it will not cancel said policy or policies without giving 30 days prior written notice to the named insured is required.
4. Certificate of Insurance must be mailed to the Butte County Fair Association on or before the date in your contract. The insurance policy **must** have the following clause:

“THE STATE OF CALIFORNIA, THE DISTRICT AGRICULTURE ASSOCIATION, THE BUTTE COUNTY FAIR, THE COUNTY OF BUTTE, CITRUS FAIR, OR CALIFORNIA EXPOSITION AND STATE FAIR, THEIR AGENTS, DIRECTORS, OFFICERS, SERVANTS, AND EMPLOYEES ARE MADE ADDITIONAL INSURED, BUT ONLY INSOFAR AS THE OPERATIONS UNDER THIS CONTRACT ARE CONCERNED.” **RE: 2023 BUTTE COUNTY FAIR: Set-up AUG. 21st-24th, 2023, Fair AUG. 24th-27th, 2022 Tear Down MONDAY AUG. 28th,**

5. If you will be using a golf cart or any other motorized transportation vehicle on the grounds, you must also specify coverage on your insurance policy. **(Any use of such a vehicle must have prior authorization of the fair management.)**
6. The insurance certificate needs to include set-up and tear down dates. The certificate must be a signed original (the ACCORD form is acceptable), lawfully transacted. The dates of inception of the policy and expiration dates must be stated on the certificate.

FAIR INSURANCE

Butte County Fair Association has an insurance policy available for commercial exhibitors who participate in our Fair. The policy generally **costs \$110 per booth for commercial space and \$135 per booth for concessions**. If you need this insurance please send us a cashiers check or money order **payable to CFSA** and return the application enclosed.

CREDENTIALS

No credentials will be given out without the contract being paid in full and a

current Certificate of Insurance.

Commercial Exhibit passes will be distributed as follows:

12' x 12' or smaller = 2 season credentials *
10' x 20' or larger = 4 season credentials *

**** Please be aware, if you require more credentials, they can be purchased for discounted rates (Limits do apply).***

Credentials must be in your representatives' possession **BEFORE** entering the Fairgrounds starting the day fair opens. Please make certain that each of your employees understands this. Credentials lost or mishandled by the exhibitor can be replaced at discount rates. Contact the Exposition Coordinator.

PARKING CREDENTIALS

Parking credentials issued per contract:

10' x 12'/10' x 10' or larger - 1 season pass - General Parking Passes*
10' x 24'/10' x 20' or larger - 2 season passes - General Parking Passes*

****Please be aware, if you require more credentials, they can be purchased for discounted rates (Limits do apply).***

FIRE RULES

General: The following fire and life safety requirements shall be applicable to commercial exhibitors and concessionaires renting space at the Butte County Fair. Butte County Cal Fire has fire protection and compliance jurisdiction over the Butte County Fair. Their officers and staff persons will be on grounds checking compliance and safety practices.

1. Gridley fire department operated by Butte County Cal Fire may enter any exhibit space or booth on the fairgrounds for the purpose of inspecting the premises for fire and life safety.
2. No exhibit space or location shall obstruct any fire lane that may be designated by the Butte County Cal Fire.
3. No exhibit booth or display shall be built of combustible materials.
4. Any paper or fabric display material shall be fire resistant or treated with an approved fire retardant. **UNDER NO CIRCUMSTANCES CAN CREPE PAPER BE USED FOR DECORATION.**
5. Electrical extension cords shall be of the three-wire type (grounded). They shall not exceed 20 feet in length from the distinguished source.
6. The Butte County Cal Fire shall approve the use and storage of any flammable or combustible materials.
7. The use of and/or storage of LPG in any building or tent are subject to approval from the Butte County Cal Fire.
8. Special provisions apply to any vehicle that is on display in a building or tent. See Fair management for requirements and approval from the Butte County

- Cal Fire.
9. Trash containers shall be constructed from non-combustible materials.
 10. Carpeting (on floor only) must be securely taped to the floor along the edges of the carpet.
 11. Bark or like materials must be kept moist or treated with fire retardant material at all times.
 12. Exhibitors are urged to provide an approved fire extinguisher for each booth space or location.
 13. When in doubt about materials being used, check with the Butte County Cal Fire prior to installing it.
 14. **THERE IS NO SMOKING IN ANY FAIR EXHIBIT BUILDING.**

HEALTH DEPARTMENT RULES

All exhibitors are expected to cooperate fully with representatives of the Butte County Environmental Health Department. If you are preparing to do something in your booth that would fall under their jurisdiction you are responsible for getting their approval. Applications are available in the back of the handbook. **The Food Facility Form Should be mailed directly to the Butte County Environmental Health Department, Attn. Leslie Roberts, 202 Mira Loma Drive, Oroville, CA 95965 or contact her at 530/552-3872, lroberts@buttecounty.net**

BOOTH SIZE AND LAYOUT

Out of courtesy to your neighbors, indoor booth counter and displays, including signs, should not go higher than the side walls (3') for a distance of 4 feet from the aisle and not higher than the top of the back wall (8'). Booths are contracted in increments of 10' x 10', 10' frontage and 10' deep. All concessions and commercial exhibitors, employees and their representatives shall operate strictly within the limits of their contracted area and will not operate in the aisles or roadways.

Butte County Fair ADA & CA Title 24 Access Quick Reference

This ADA Access Quick Reference is made available by the Butte County Fair to assist you in providing access to disabled persons. The information is representative but not comprehensive. Not all Federal and State Rules and Regulations are addressed. Your reliance on and compliance with the standards in this Quick Reference does not relieve you of your duty to fully comply with all applicable Federal and State Disabled Access Standards.

COUNTERS: The tops of accessible food service counters and tables must be between 28 to 34 inches above the floor or ground. If the main counter is higher than 34 inches, a 36 inches long portion of the counter must be accessible. If food or drink is consumed at the counter, the accessible portion must be at least 60 inches in length. Condiments must be placed no higher than 46 inches.

Non-food related merchandise and service counters, including ticket booths and commercial exhibitor's counters, require a portion of the main counter to be a minimum

length of 36 inches and a maximum height of 36 inches.

TABLES: At least 5 percent of tables provided must be accessible.

SEATING: When chairs are provided in a demonstration or stage area, the required amount of wheelchair spaces shall be as follows:

Seating capacity	Number of Wheelchair Spaces
4-26	1
27-50	2
51-300	4
301-500	6

For each wheelchair space a companion seat must be provided.

AISLES: Passageways through tables, chairs and other obstacles must be at least 36 inches. This aisle requirement also applies to booth space for commercial vendors and exhibitors where public access is allowed into the booth.

SLOPES: At accessible counters, tables and seating areas, the ground or floor surface shall not exceed a slope of 2 percent (one inch for every 50 inches of distance).

SURFACE: Ground or floor surface must be firm, stable and slip resistant. Loose sand or wood chips are not acceptable.

HEADROOM: There must be at least 80 inches of clear headroom in areas where people walk.

PLATFORMS/STAGES: If public access is provided to a raised platform or stage, there must be access via a ramp or lift.

RAMPS: Ramps to raised platforms or attractions must not be greater than 5 percent unless handrails are provided. With handrails the maximum slope is 8.3 percent. (One inch per every 12 inches of distance). A 60 inch flat landing must be provided for every 30 inches of rise at the top and bottom of the ramp.

EDGE PROTECTION: Edge protection must be provided when the drop off on the edge of a platform or ramp exceeds 4 inches.

REASONABLE ACCOMMODATION: When it is not feasible to follow the guidelines/regulations provided above, reasonable accommodations can be made.

Permittee, by signing this Agreement, assures the Butte County Fair that it, Permittee, and each of Permittee's lessees, sublessees, sub-permittees, subcontractors, vendors, exhibitors, promoters, agents and employees, if any, comply with the Americans with Disabilities Act (ADA) of 1990, (42 U.S.C. 12101 et seq.) and California Disability Access statues including, but not limited to, the Unruh Civil Rights Act (Cal. Civ. Code 51 et. seq.), the California Disables Persons Act (Cal. Civ. Code 54 et. seg.), and all relevant provisions of the Health and Safety and Business and Professions Codes, as well as all applicable regulations and guidelines issued pursuant to the ADA, namely the Americans with Disabilities Act Accessibility Guidelines ("ADDAAAG") and all applicable regulations and guidelines issued pursuant to California law including Title 24 of California's Building Code. Failure to comply may subject Permittee to civil liability and damages. Permittee further agrees that this covenant to comply with state and federal disability access requirements continues for the duration of the Agreement.

NO SOLICITATIONS

Begging or soliciting is positively prohibited. **NO roving vendor or solicitor**, regardless of affiliation, shall be permitted on the fairgrounds. Vendors need to stay within the space rented.

DEMONSTRATIONS

Demonstrations are limited to and subject to the approval and regulation of the fair management. When performing a demonstration, it should be located so that spectators do not block the aisles.

SALES TAX NUMBER

California State Sales Tax number is required for any persons making sales. Complete this form (sent with your contracts) and return it with your signed contract. If you need an additional form or do not have a tax number, contact the State Board of Equalization, 3321 Power Inn Road Suite #210, Sacramento, CA 95826-3889, or contact them @ (916) 227-6700 or visit www.boe.ca.gov/pdf/boe410.pdf.

DELIVERIES

No truck or car deliveries after 11:00 am, except by handcart or scooter. Do not park in front of building doorways or VEHICLE TRAFFIC LANES. Unload quickly and get the vehicle off the grounds as soon as possible.

UPS and Federal Express Deliveries will be made to the Administration Building. The delivery manifest and approximate delivery time will be posted by 9 am the day of the delivery. **You must meet the truck to take a delivery and pay any C.O.D. charges. Fair staff will not accept deliveries.**

OVERNIGHT PARKING / REFRIGERATOR TRUCK / STOCK TRUCKS

A limited number of RVs / refrigerator trucks can be accommodated within the Fairgrounds. SOME UTILITIES ARE AVAILABLE for a fee of \$300 for the duration of the Fair. If you plan to arrive prior to Monday, August 21 and wish to park an RV, stock truck or any other vehicle on the grounds, you must make prior arrangements with the Fair Office and applicable fees must be paid. It also applies if you wish to stay after the night of the Sunday, August 27th.

MAKE RESERVATIONS IN ADVANCE (use the enclosed "Special Request" form). Space location and parking stickers will be provided when you arrive on the grounds. No overnight parking by Gate 7 (Carnival Gate).

Parking for non-refrigerated trucks (stock trucks requiring no electricity) is behind the Grandstand Area; this is available free of charge. **ALL** trucks parked in the stock truck parking must have credentials, so please indicate your intentions on the application provided. No overnight stay is permitted in areas other than approved camping areas. Violators will be removed from fairgrounds.

CLEANLINESS

* All booths must be kept neat and clean at all times. You are responsible for the immediate area around your stand and any additional seating areas used by your patrons.

- * Debris must be removed from inside and around your stand and placed in trash containers. The Fair will supply an adequate number of barrels for this purpose. Grease must be stored in sealed containers and placed next to debris bins. Do not throw containers of grease into trash containers or bins. Cardboard boxes should be broken down and placed next to trash containers to be placed in cardboard recycling by the fair staff.
- * Do not sweep trash from your booth into the street or aisles; pick it up and dispose of it properly.
- * All boxes, crates, and display materials must be kept from public view.
- * All booth personnel must wear clean clothing at all times. All employees must confine their smoking to the designated smoking areas that are marked outside on the grounds.
- * Fair management will check and record the appearance and operation of each booth. Reports are reviewed prior to the mailing of the contracts for next year's Fair. Poor appearance and/or operations will not be allowed to return.

ELECTRICAL

Each exhibitor must have his own electrical service. The Fair electrician will be responsible for the hook-up. The electrician reserves the right to refuse to connect electrical service equipment not considered safe. **Each exhibitor will be provided with (one) 110 volt, 15-amp outlet.** Should additional power be required, it will be necessary for the exhibitor to make arrangements at the time the contract is submitted and no later than July 20th, 2022.

WATER

Inside Farmer's Hall & Exposition Hall there is no water or drains available.

SIGNS

Exhibitors are responsible for their own booth identification signs. Signs must be professionally made and must be placed in a prominent position on the booth. Felt pen and stencil signs are not acceptable. Signs may not be fixated to the curtains in the booth in any way. (Fees will be applied to booths which damage curtains).

Where price signs are utilized, signs must be small, neat and inoffensive. Management shall have the right to require an exhibitor to remove any price sign that is considered undesirable. **Under no circumstances will any person be allowed to place any sign or advertising matter upon buildings, trees, or any place within the Fairgrounds without prior fair management approval.**

STAND REMOVAL

ALL MATERIALS AND STANDS MUST BE REMOVED FROM THE FAIRGROUNDS BY Monday, August 29th, 2022 at 4:00 pm, unless otherwise specified in a written approval from the Fair Office. Temporary storage space will be made available for portable stands for a fee.

GIVE-A-WAYS

Distribution of balloons and certain novelties is prohibited. Submit your list of give-a-ways for approval to management at least seven (7) days prior to opening day of the Fair. Bumper stickers or any other material capable of being glued or stuck to walls, automobiles, etc. are prohibited from being distributed at the Fair.

SOUND DEVICES

Radios, television sets, loud speakers, organs, etc. are subject to the approval of management, and if used, they must be controlled as to not interfere with other exhibitors. All exhibitors desiring to use P.A. Systems or other noise making devices must have approval of the management. Those exhibitors with approved noise making devices ***MAY HAVE THEIR PRIVILEGES REVOKED AT ANY TIME*** if the noise level becomes too loud. Any permanent fair staff has the right to determine undue noise levels.

CONDUCT

Exhibitors, employees and their representatives shall operate strictly within the limits of their contracted area and will not operate in the aisles or roadways. Contractor shall ensure that all employees and representatives shall be orderly and polite in their conduct and speech. The concession space must be kept clean, no accumulation of trash, paper or other combustible material. Pets and alcoholic beverages are prohibited in and around your space.

ALCOHOL MANAGEMENT PROGRAM

The following are the procedures that the Butte County Fair will follow to minimize any alcohol-related problems.

1. We will not allow alcohol to be brought onto the fairgrounds. No ice chest, six packs, bottles or cans of any kind will be allowed on the fairgrounds.
2. No drinking in the parking lots.
3. No exhibitor will be allowed to consume alcohol while on duty or in their exhibit area.

EXPENSES

The exhibitor is responsible for any and all additional expenses in connection with the decoration, equipment or occupancy of the space with the exception of power given with the booth as stated in the contract. The concessionaire is also responsible for any expenses incurred for service people they hire which pertain to their display.

LASER POINTERS

The Butte County Fair Association bans the sale or use of laser pointers on the fairgrounds. (Penal Code Section 417.25, 417.26 & 417.27)

PROHIBITED SALE ITEMS

Because the Butte County Fair wishes to make the fair an enjoyable experience for all attending, the following items are ***prohibited from sale and/or distribution***: potato gun, silly string, snap caps (other names include - Bang Caps or Party Snaps) and/or any other toy capable of projecting an object. If, in the opinion of the fair security, law enforcement or fair management, an item is deemed a nuisance or hazard, said item must be removed from sale or distribution. (Laser Pointers - see section regarding laser pointers).

GOLF CARTS

If you will be using a golf cart/carrier on the grounds you must complete an application and receive a permit. The permit must be displayed on the golf cart at all times. All persons operating a vehicle must submit a driver's license number. Golf carts/carriers may not be used during fair hours for any reason. Golf carts may not be operated on the grounds from one hour prior to fair opening to one hour past closing time of the fair for that day. Proof of insurance coverage must be sent to the Administration Office before permit can be issued (a copy of the insurance policy showing golf cart, etc. is sufficient).

SECURITY

The building will be secured at closing times and opened at 11:00 a.m. daily. For security reasons, exhibitors must leave the building within 20 minutes after the public has left at closing time each night. The grounds are patrolled from closing until 11:00 a.m. the following morning.

The Fair employs night watchmen that look after the grounds in a general way. The Fair assumes no responsibility for material left in booths. Therefore, if you have anything in your display that could be carried away, we suggest you take it with you when you leave.

Please note that CFSA liability insurance does not cover the loss of merchandise.

BANKING

Bank of The West
34 East Gridley Rd

530-846-3669

LAUNDRIES – SELF SERVE

U DO LAUNDROMAT
955 Haskell Street
Gridley, CA 95948

Hotels and Inn

Gridley Inn & RV Park 1490 Hwy 99, Gridley 530-846-4520	Pacific Motel 1308 Hwy 99, Gridley 530-797-9298
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Post Office

805 Sycamore Street
Gridley 800-275-8777

RV PARKS

GRIDLEY INN & RV PARK
1490 Hwy 99, Gridley, CA 95948
(530) 846-4520

FALLING ROCK RV PARK & MINI MART
3454 Highway 70, Oroville, CA
(530) 533-9070

ALMOND TREE RV PARK
3124 Esplanade, Chico, CA
(530) 899-1271

GOLDEN FEATHER MOBILE HOME PARK
703 Oro Dam Blvd. West, Oroville, CA
(530) 533-8679

This listing is to assist the vendor and not an endorsement or recommendation of any business contained in the handbook.

First Aid

The First-Aid Station is located in the front corner of Farmer's Hall. It is open during regular fair time hours.

Police / Security

The Police / Fair Security Office is located on the lawn west of the carnival lot.

Fire - Dial 911

Lost and Found

All lost and found items are taken to security in the security office.



Pursuant to the Americans with Disabilities Act, individuals who, because of a disability, need special assistance to attend or participate in any Butte County Fair Board, Committee or any Advisory meetings, or in connection with other Butte County Fair Activities, may request assistance at the Butte County Fair Administration Office, 199 East Hazel Street or by calling 530/846-3626, during normal business hours. Requests should be