

Farmers & Farmers' Market Handbook

Farmers' Market Nutrition Program



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Section I

Program Overview

The Farmers' Market Nutrition Program

The Farmers' Market Nutrition Program (FMNP) is a federal program, administered in Texas by the Texas Department of Agriculture (TDA) Food and Nutrition Division (F&N). The FMNP is jointly funded by the State of Texas and the United States Department of Agriculture (USDA) – Food and Nutrition Service (FNS).

The FMNP is designed to:

- Provide participants with fresh, nutritious, unprepared fruits, vegetables and herbs grown by farmers in Texas, New Mexico, Oklahoma, Arkansas or Louisiana, excluding Mexico.
- Expand the awareness, use of, and sales at farmers' markets.

FMNP vouchers can be used only at authorized farmers' markets certified by the TDA.

Voucher Eligibility

All recipients of FMNP vouchers are current participants in the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) or are on the waiting list to receive benefits from WIC. The WIC program is open to pregnant women, breastfeeding and postpartum women, and children up to the age of five, whose health is threatened by both nutritional need and low income.

The FMNP will serve as many participants each year as available funding will permit.

FMNP vouchers will be distributed to eligible WIC recipients February 1st through September 30th of each year. Each participant will receive one booklet of five (5) FMNP vouchers with a face value of \$6.00 each for a total of \$30.00 during the market season. Participants may redeem current program year vouchers during the "Dates of Use" printed on the face of the voucher at any TDA certified farmers' market in Texas authorized to accept FMNP vouchers. The number of vouchers issued each year may vary according to available funding.

The FMNP vouchers can be redeemed only for fresh, unprepared fruits, vegetables and herbs on the list of allowed foods.

The farmers' market association must submit all redeemed FMNP vouchers no later than November 30th, to the contracting entity (CE), that is, an organization that has contracted with TDA to administer the FMNP. Vouchers should be submitted to the CE monthly.

Farmers' Market Associations and Farmers Eligibility to Participate in FMNP

To participate in FMNP, a farmers' market association (association) must meet the following requirements:

1. The association must be certified by TDA.
2. The association must have at least three participating farmers.
3. Produce sold by farmers must be of merchantable quality
4. Produce sold by farmers must be grown in Texas, New Mexico, Oklahoma, Arkansas or Louisiana, excluding Mexico.
5. At least some of the eligible produce sold by the farmers must be grown by the farmers. Wholesalers may not sell produce grown only from other growers.
6. The association must have written agreements with farmers participating in the FMNP.
7. Associations are already authorized if they have been authorized by the Senior Farmers' Market Nutrition Program.

To participate in FMNP, a farmer must meet the following requirements:

1. The farmer must be a member of a TDA-approved farmers' market association.
2. The farmer must have an agreement with the farmers' market association to accept FMNP vouchers.
3. The farmer must sell produce grown in Texas, New Mexico, Oklahoma, Arkansas, or Louisiana, excluding Mexico.
4. The farmer is authorized if they already redeem SFMNP vouchers.
5. The farmer must actually grow some of the FMNP eligible foods to sell at market.

The farmers' market association must sign an agreement with the CE to participate in FMNP. The association must have signed profile agreements with the farmers. The association will assign a unique four-digit identification number to each farmer and enter the number on the profile agreement.

In the event farmers join the association after the association's agreement has been executed (i.e., signed by the association and the CE), the association will complete a farmer profile for each new member farmer and submit it to the CE. If a farmer ceases to be a member of an association, the association must notify the CE that the farmer will no longer be redeeming FMNP vouchers through that association.

TDA and/or the CE reserve the right to decline signing an agreement with an association, or to terminate such an agreement for cause. Either party may terminate the agreement after providing 30 days written notice.

Association Responsibilities

Approved associations will

1. Ensure that a reasonable quantity of eligible foods is available for sale to FMNP voucher recipients.
2. Ensure that FMNP vouchers are accepted only by farmers who have signed profile agreements to accept FMNP vouchers and who are not currently disqualified or under suspension from the FMNP.
3. Ensure that each participating farmer prominently displays the FMNP poster during all hours of operation.
4. Ensure that each participating farmer is properly trained on redemption procedures.
5. Submit redeemed FMNP vouchers to the CE monthly.
6. Refuse to accept from any farmer an FMNP voucher that is not valid. For example, there is no vendor ID number for the farmer, or the voucher was not signed by the FMNP recipient.
7. Ensure that authorized farmers abide by FMNP rules and procedures.

Neither TDA nor the CE will attempt to resolve intra-market conflicts between a farmer and the association. However, TDA and the CE may actively monitor markets and farmers for compliance with FMNP regulations and may conduct investigations or issue warnings to a market or its members when FMNP violations are observed.

The association is expected to monitor FMNP voucher activities at the market site to ensure that the program is working smoothly and in accordance with FMNP rules.

General Program Operating Rules

1. FMNP vouchers may only be redeemed for fresh, nutritious, unprepared fruits, vegetables and herbs for human consumption. Only fresh fruits, vegetables and herbs grown by a farmer in Texas, New Mexico, Oklahoma, Arkansas or Louisiana, excluding Mexico, are authorized for purchase under FMNP. Vouchers may not be accepted for other products, including aloe vera, baked goods, cactus, cheese, cider, decorative gourds, dried herbs, eggs, flowers, honey, jams, meat, nonfood items, nuts, pecans, picante sauce, preserves, processed foods, roasted peppers, seafood, seeds, sugar cane or syrup.
2. FMNP vouchers may only be accepted by authorized farmers who actually grow eligible foods to sell at farmers' markets. Non-growers or wholesalers (persons who do not produce fresh fruits or vegetables) may not accept FMNP vouchers.
3. It is up to the association to verify its members are bona fide growers. If a farmer participates in several farmers' markets, the farmer must be listed with, and assigned a separate vendor identification number for each association.
4. Authorized farmers must display the FMNP poster at all times during market operations. If the poster is lost, the farmer must obtain another one from the association.

5. FMNP posters should be prominently displayed next to FMNP eligible foods so that shoppers can easily see which foods may be purchased with FMNP vouchers. Disallowed foods and other non-food items should be physically separated from the eligible foods.
6. Farm stands or other locations not belonging to an approved farmers' market association are not eligible to participate in the FMNP.
7. Only current FMNP vouchers may be accepted from recipients. FMNP vouchers from previous years must not be accepted and will not be reimbursed.
8. FMNP vouchers must be signed by the participant or their proxy at the time of sale. The date of sale must be entered on the voucher. The individual farmer must enter his vendor ID number on the voucher at the time of redemption. FMNP vouchers without signatures, date of sale, vendor ID numbers or other required data will not be reimbursed.
9. Farmers' markets and farmers are not permitted to use the WIC acronym or the WIC logo on signs, pamphlets, posters, or brochures.
10. Vouchers may only be accepted from participants or their proxy during the dates printed on the vouchers. No FMNP vouchers may be accepted after October 31.
11. No cash may be paid to participants for sales less than the \$6.00 value of an FMNP voucher. When the amount of a sale is less than \$6.00, additional fruits, vegetables or herbs acceptable to the customer should be added to make up the difference. *FMNP vouchers may not be redeemed for cash under any circumstances.*
12. Farmers must provide fruits and vegetables to FMNP participants that are of the same quality and price charged as that sold to other customers.
13. Farmers must not discriminate against FMNP participants in price, quality or service. Farmers must offer eligible foods to FMNP participants at no more than the price charged to other customers and offer FMNP participants the same courtesies offered to other customers. Any customer presenting FMNP vouchers should be presumed to have obtained them legitimately. If there is any doubt, the farmer may ask to see the buyer's WIC identification card. The FMNP is an equal-opportunity program. Associations and their members may not discriminate against any person because of race, color, national origin, age, sex or disability.

Definitions

Authorized farmer – an individual selling his or her locally grown produce to a consumer at a participating farmers' market, who has been assigned a unique four-digit vendor ID number.

Farmers' market – an association of local farmers, approved by TDA, who assemble for the purpose of selling their locally grown produce to consumers.

Participants – WIC participants who are eligible to receive FMNP benefits.

Monitoring of Farmers and Farmers' Markets

1. Participating farmers and farmers' markets may be monitored by TDA and/or CE representatives for compliance with FMNP guidelines.
2. TDA and/or CE representatives will conduct on-site monitoring visits of authorized farmers and approved farmers' markets.
3. Monitoring will normally consist of an unannounced visit to a farmers' market, with an on-site evaluation of prices, quality and quantity of produce, and procedures for redeeming FMNP vouchers. It may include attempts by a representative to redeem vouchers.
4. Farmers and the farmers' market association may be notified at the time of the visit, or by letter in the case of a compliance buy, of the outcome of the visit. The farmers or the farmers' market associations may be sanctioned based on the nature and frequency of violations that have been substantiated by observation, compliance buys, or other means.
5. Following a suspension or disqualification period, a farmer or association will be on probation for the remainder of the FMNP season or the following season, and may be closely monitored for continued compliance by both announced visits and compliance buys during the probationary period. Any further violations could cause termination from the FMNP.

Change of Contact Information

Notify the CE in writing of any change in contact information for the association. It is important to keep the information current to avoid any delay in payments. Please send revised or updated information to your CE.

Section II

Redemption Procedures

FMNP Voucher Redemption

Each FMNP voucher has a face value of \$6.00. Vouchers are issued to women and children participating in the Special Supplemental Nutrition Program for Women, Infants and Children (WIC). The vouchers are used to pay for fresh, unprocessed, locally grown fruits, vegetables and herbs.

Each year WIC participants are given five \$6.00 vouchers to be used at farmers' markets. Participants may only purchase the allowed foods and farmers may only accept the vouchers in payment for allowed foods.

Farmers are paid for the FMNP vouchers through their farmers' market association (association). Each farmer who is authorized will have a vendor ID number assigned by the association. The ID number is used to calculate the amount of money to be paid to the farmer.

Each farmer is required to check each voucher to be sure it is valid and to complete the information required.

Only correctly completed redeemed vouchers will be reimbursed.

Correctly Completed (Valid) Vouchers

Farmers should be very careful to check each voucher before accepting it in payment to be sure it is valid. The information below must be on every voucher accepted by the farmer.

1. The participant's (or proxy's) signature – the voucher is to be signed at the time the voucher is redeemed for produce.
2. The date of redemption must be within the "dates of use" box printed on the voucher.
3. The printed voucher amount is \$6.00.
4. The date the voucher is redeemed must be entered next to the participant's (or proxy's) signature.
5. The vendor ID number of the farmer must be entered in the box at the top of the voucher.
6. The voucher tracking number is printed in the upper right corner box and the TDA seal is printed in the upper left corner box of the voucher.

Accepting FMNP Vouchers

All FMNP vouchers have a value of \$6.00. WIC participants must receive a full \$6.00 worth of allowable food; no change is allowed. For sales that are more than \$6.00, the participant may pay the amount over the voucher's face value in cash.

Examples:

1. If a participant purchases \$5.50 worth of product, the participant may not use the FMNP voucher unless she buys additional produce to total a \$6.00 sale, or she may just pay cash.
2. If a participant purchases \$6.25 worth of items, she may use one FMNP voucher and 25 cents cash.
3. If the sale is \$12.50, she may use two vouchers and pay the additional 50 cents.

Monitoring

TDA and the CEs will regularly monitor the sales and redemption of all vouchers to ensure they are valid and are used only for the purchase of fresh, unprocessed, locally grown fruits, vegetables and herbs.

Monitors may visit at any time unannounced. If the monitor identifies any activity that violates the rules of the FMNP, the farmer or the farmers' market association, or both, may be sanctioned in accordance with FMNP policies.

Farmer' Market Nutrition Program

Allowed Foods

Apples	Cabbage	Eggplants	Leaf Lettuce	Parsnips	Raspberries
Apricots	Cantaloupes	Figs	Leeks	Peaches	Spinach
Artichokes	Carrots	Garlic	Lemons	Pears	Squash
Asparagus	Cauliflower	Grapefruit	Melons	Peas (Shelled)	Strawberries
Beans	Celery	Green Onions	Mushrooms	Peppers	Sweet Potatoes
Beets	Collard Greens	Greens/tops	Mustard Greens	Persimmons	Swiss Chard
Blackberries	Corn	Head Lettuce	Nectarines	Plums	Table Grapes
Blueberries	Cucumbers	Herbs (fresh)	Okra	Potatoes	Tomatoes
Broccoli	Dates	Kale	Onions	Pumpkins	Turnips
Brussels Sprouts	Dewberries	Kohlrabi	Oranges	Radishes	Watermelons

Disallowed Foods

Dried Fruits	Eggs	Preserves
Aloe Vera	Flowers	Processed Foods
Baked Goods	Honey, raw or processed	Roasted Peppers
Cactus (any kind)	Jams	Seafood
Cheese	Meat	Seeds
Cider	Non-food items	Sun-dried Tomatoes
Decorative Gourds	Nuts of any kind	Syrup
Dried Chili Peppers	Pecans	Wild Rice
Dried/Potted Herbs	Picante Sauce	
Dried Fruits/Vegetables	Potted Fruits or vegetable plants	

Texas Farmers/Farmers' Market Sanction Policy

The CE may disqualify any farmer or farmers' market association from participation in the FMNP if the sanction score reaches 15 points or more during the year of participation. The maximum number of points may be assessed for a single serious abuse or for cumulative penalties for several less serious abuses, or they may come from several abuses occurring at different times during the program year. The disqualification periods are:

Total Number of Points	Disqualification Period	
15 Points	1 Year	May not accept vouchers for the current program year
20 Points	2 Years	May not accept vouchers for the current program year and the next program year
25 Points	3 Years	May not accept vouchers for the current program year and the next two program years

During a disqualification period, a farmer may not participate in the FMNP at another authorized farmer's market association.

Farmers and farmers' market associations have the right to appeal a decision for sanctions.

Infractions include, but are not limited to the following:

Infraction		Explanation/Example	Points
1	Redemption of invalid vouchers: <ul style="list-style-type: none"> • Missing signature • Redeemed after end date 	Must not exceed 5% of redeemed vouchers	1 Point
2	Providing unauthorized food or goods, with the exception of firearms, ammunition, or controlled substances as defined in 21 USC 802 (including alcohol and tobacco), which have a higher points penalty See #9 below.	Nuts or Clothing	5 Points
3	Charging FMNP customers more than other customers	\$6.00 worth of food for a participant is less than for a non-participant	5 Points
4	Requiring cash to be paid by FMNP participant in addition to voucher		5 Points
5	Asking FMNP participants to pay for vouchers not redeemed by TDA		5 Points
6	Falsifying information on vouchers	Date redeemed	5 Points
7	Charging for food items not received	Rain checks	5 Points
8	Providing false information on farmer/ market application		15 Points

9	Exchanging vouchers for money or non-food items	Alcohol, tobacco, firearms, ammunition or other controlled substance	25 Points
10	Refusing to provide access to records, prices or redeemed vouchers to TDA staff or contracting entities		15 Points