

MARYLAND DEPARTMENT OF AGRICULTURE



FARMERS' HANDBOOK Effective 2023

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Introduction

Dear Maryland Farmer,

There are three United States Department of Agriculture (USDA) programs available for farmers to participate in, these programs are:

1. The Farmers' Market Nutrition Program (FMNP) for WIC and Seniors (SFMNP)
2. The Special Supplemental Nutrition Program for Women, Infants and Children (WIC) Fruit & Vegetable Benefit (FVB).
3. The Supplemental Nutrition Assistance Program (SNAP).

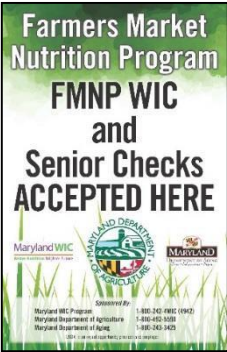
The FMNP provides checks for WIC and Senior participants to purchase fresh, unprepared, locally grown fruits and vegetables from June through November. This program also expands the awareness of the variety of local fruits and vegetables that can be found at farmers markets and has the potential to increase farmer sales. The WIC Program provides fruit and vegetable benefits (FVBs) to WIC participants to purchase fruits and vegetables at farmers' markets and grocery stores throughout the year. The SNAP Program provides a monthly dollar benefit for low-income families to purchase food at the grocery store or farmers' markets.

This Farmers' Handbook will provide you with instructions on what participants can buy under each of these programs and how to accept and process the FMNP checks WIC FVBs, and SNAP benefits.

Rules and Regulations

- Farmers are required to display the “WIC & Seniors Farmers’ Market Nutrition Program” sign and their associated farm name.
- Prices for all FMNP authorized foods must be posted.
- Farmers are required to grow 60% of the produce they sell to WIC and Senior participants redeeming FMNP/SFMNP checks. The remaining 40% may be purchased from other local farmers.
- FMNP/SFMNP checks can only be redeemed at farmers’ markets or authorized roadside stands. Authorized farmers can also accept checks at their own farm stand.
- Authorized FMNP farmers must offer the same quality of produce to FMNP customers and cannot charge FMNP customers more than they charge other customers.
- FMNP customers must be shown the same courtesies as all other customers.
- FMNP checks are valid from June 1st through November 30th. FMNP farmers will not be reimbursed for checks accepted after November 30th.
- Farmers authorized to accept eWIC must post the “eWIC Accepted Here sign”.
- Authorized FMNP farmers must notify MDA if there is a change in the markets they attend.

Program Signs



Farmers Market
Nutrition Program
**FMNP WIC
and
Senior Checks
ACCEPTED HERE**

Maryland WIC
Maryland Department of Agriculture
Maryland Department of Aging

COMMUNITY BY
Maryland WIC Program 1-800-242-4WIC (4962)
Maryland Department of Agriculture 1-800-452-5559
Maryland Department of Aging 1-800-342-3425

Logo: MARYLAND DEPARTMENT OF AGRICULTURE, MARYLAND DEPARTMENT OF AGING, MARYLAND WIC



**MARYLAND
WIC
ACCEPTED
HERE**

800-242-4WIC
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What Can Be Purchased

The Farmers' Market Nutrition Program

Farmers' Market Nutrition Program (FMNP) was established by Congress in 1992 to provide fresh, unprepared, locally grown fruits and vegetables to WIC participants and seniors. This program also expands the awareness of farmers' markets and the variety of locally grown produce.

Allowed

- All locally grown fruit, vegetables, mushrooms and herbs grown by an authorized farmer.
- Only seniors may purchase honey.

Not Allowed

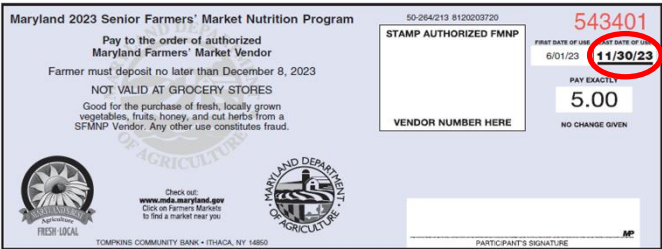
- Foods processed or prepared beyond their natural state except for usual harvesting and cleaning processes.
- Jams
- Jellies
- Breads
- Maple Syrup
- Cider
- Nuts
- Seeds
- Dried Plums (prunes)
- Dried Chilies or Tomatoes
- Eggs or cheese
- Meat or seafood

If you have questions about allowable fruits and vegetables permitted for purchase using FMNP checks, please contact the MDA.

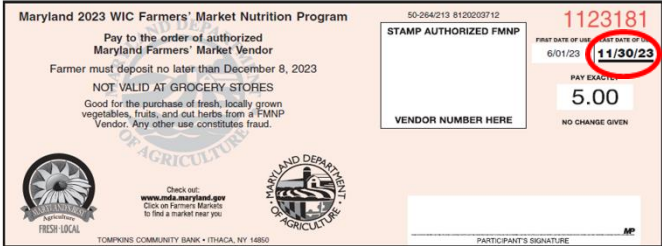
Farmers' Market Nutrition Program Checks

Farmers' Market Nutrition Program (FMNP) checks are processed by the MDA's FMNP and distributed by WIC clinics to WIC participants and by Senior Centers to the senior participants. FMNP checks are issued for a set dollar amount. Each eligible WIC participant may receive six \$5 checks to spend throughout the growing season. Each senior receives ten \$5 checks. The farmer always receives payment for the full amount of the individual check no matter what the purchase amount is. Cash change is not allowed. If the participant buys more than the amount on the individual check, they must pay the difference with cash or any other form of payment the farmer accepts.

The color of the FMNP checks changes each season to help you easily identify valid checks. Please pay attention to the color and dates of the checks each year. **You must follow the Maryland Department of Agriculture's guidelines for accepting these checks and depositing for payment.**



Last Date to Spend



Last Date to Spend

Processing WIC & Senior FMNP Checks

Follow these procedures when accepting WIC FMNP or SFMNP checks.

The customer should:

- Select the produce they wish to purchase.
- Inform the farmer they are paying with a WIC FMNP or SFMNP.
- Sign the check on the signature line, no ID is required.
- Give the farmer the WIC FMNP or SFMNP check.

The farmer should:

- Only allow the purchase of produce they have grown, not produce purchased from auction houses or wholesale distributors.
- Allow purchases to be combined with cash purchases (if the total of the items being purchased exceeds the value of the check, the customer pays the difference).
- Not provide change if the purchase amount is less than the face value (\$5) of the FMNP check.
- Allow FMNP checks to be combined (for example, two \$5 FMNP checks may be used for a \$10 total purchase).

The Maryland WIC Program's Fruit & Vegetable Benefit

In 2007, the U.S. Department of Agriculture, Food and Nutrition Service modified the WIC food package to include fruits and vegetables for women, infants, and children. Federal regulations specify the types of fruits and vegetables that can be purchased with WIC fruit and vegetable benefits (FVBs).

Allowed

- Any variety of fresh whole or cut fruit or vegetable from any source.

Not Allowed

- Vegetables or fruit with added sugars, fats, or oils
- Herbs, spices, ketchup, or other condiments
- Pickled vegetables, olives, juices, or soups
- Creamed or sauced vegetables
- Vegetable-grain (pasta or rice) mixtures
- Peanuts, fruit-nut mixtures; breaded vegetables
- Fruits and vegetables for purchase on salad bars
- Ornamental and decorative fruits and vegetables such as chili peppers on a string, gourds, painted pumpkins, fruit baskets, and party trays
- Items such as breads, blueberry muffins and other baked goods
- Fruit leathers, fruit roll-ups, and fruit pouches

Mature legumes (dry beans and peas) and juices are provided as separate WIC food categories and are not authorized to be purchased with FVBs.

If you have questions about allowable fruits and vegetables permitted for purchase by WIC participants using FVBs, contact Maryland WIC.

The Maryland WIC FVB

The WIC Program issues benefits to participants using an electronic benefits issuance system known as eWIC. To process eWIC, farmers must participate in the Merchant Link or TotilPay Go programs. There is no cost to the farmer for the Merchant Link program. WIC is a no cost add-on for farmers that use TotilPay Go for debit and credit transactions.



WIC FVBs are loaded into the family eWIC account. Children receive up to \$24 and women receive up to \$47 monthly, year-round, to purchase fruits and vegetables. WIC participants may purchase any produce with their FVBs except those items listed on page 11.

Processing eWIC

The S3 Merchant Link app was created for authorized farmers to process eWIC transactions. There is no cost to the farmer. Simply download the app from the Google Play or Apple store, register and begin processing eWIC transactions.

Farmers that use TotilPay Go for their credit and debit transactions can also process eWIC transactions through TotilPay Go.

The eWIC transaction:

- Customer selects their fruits and vegetables.
- Farmer totals the produce selected by participant.
- Farmer processes purchase through S3 Merchant Link or TotilPay Go.

For more information on either app, contact Maryland WIC.

SNAP

SNAP provides nutrition benefits to supplement the food budget of needy families so they can purchase healthy food and move towards self-sufficiency. Foods that cannot be purchased with FMNP or WIC can be purchased with SNAP.

Foods for the household, such as:

- Fruits and vegetables;
- Meat, poultry, and fish;
- Dairy products;
- Breads and cereals;
- Other foods such as snack foods and non-alcoholic beverages; and
- Seeds and plants, which produce food for the household to eat.

Households CANNOT use SNAP benefits to buy:

- Live animals (except shellfish, fish removed from water, and animals slaughtered prior to pick-up from the store).
- Foods that are hot at the point of sale.
- Any nonfood items.

Visit the USDA FNS SNAP web page for more information, program contacts, and applications.

<https://www.fns.usda.gov/snap/farmer-producer>

FVB/FMNP Comparison

The chart below illustrates how accepting and processing WIC FVBs and FMNP are different. It is important for you to know that WIC participants may use both FVBs and FMNP checks at your stands. Make sure that your staff know the difference.

Please contact the Maryland Department of Agriculture if you are experiencing rejected FMNP checks.

Comparison Between WIC Fruit and Vegetable Benefit (FVB) and Farmers' Market Nutrition Program (FMNP) Checks

	FVB Fruit and Vegetable Benefit	FMNP Farmers' Market Nutrition Program Checks
<i>When Issued?</i>	Monthly, Year-round	Once every year during the market season
<i>What are the dollar values of the FVB's and checks?</i>	up to \$47 per month per participant	\$5 (6 checks totaling \$30)
<i>Can the participant pay cash if the purchase price exceeds the value of the FVB or FMNP check?</i>	Yes	Yes
<i>Can the participant receive change if the purchase price is less than the value of the FVB or FMNP check?</i>	No	No
<i>Is the participant's name on the eWIC Card or FMNP check?</i>	No	No
<i>Customer Usage</i>	Participant must have FVB benefits in their benefit balance Farmer must have the S3 Merchant Link app or the TotiPay Go app Participant must show QR Code to farmer	Participant may use check anytime between June 1 and November 30 Price is pre-filled Participant must sign checks (folder is no longer required)
<i>Product Types</i>	Fruits and Vegetables from any source No herbs	Grown in Maryland or contiguous counties of bordering states Herbs allowed
<i>Deposit Procedure</i>	No deposits Payment is automatically deposited to bank account Payment is usually received within 2 days	Farmers must stamp all FMNP checks with their FMNP stamp Farmers can deposit checks anytime between June 1 and December 7 Farmer is responsible for returned check fees if returned by the bank
<i>Agreement with the State</i>	Each individual farmer must have a signed written agreement with the MD WIC Program & MD Dept. of Agriculture (a 3 year joint agreement) and update selling locations annually.	Each individual farmer must have a signed written agreement with the MD Dept. of Agriculture and update selling locations annually.
<i>Training</i>	Each farmer must attend training on regulations and procedures of FVBs in first year of program participation, and review and sign-off on annual updates thereafter.	Each farmer must attend training on regulations and procedures of FMNP in first year of program participation, and review and sign-off on annual updates thereafter.
<i>Questions</i>	Contact the WIC Vendor Unit at 410-767-5722	Contact the Dept of Agriculture at 410-841-5776

Training Materials

Training materials are offered to farmers at no cost. These materials are developed to help you train employees working at your stand and serve as convenient refreshers. They can also provide answers to questions and help with problems that you may encounter. To order any of these materials, please contact the MDA.

The Farmer Identification Stamp

Use the same farmer identification stamps provided by MDA to stamp the Maryland FMNP and SFMNP checks. If you lose your stamp, or if it requires replacement, you should contact MDA. One replacement stamp will be provided at no charge. Any additional stamps will also be provided at cost to the farmer.

Clean your stamp if it becomes dirty. Pay close attention to the image quality of the stamp's impression on your checks. If it is faded or illegible, re-ink the pad on the pull-out tray located on the side of the stamp or replace the stamp. For your reference, the brand of the stamps initially provided is IDEAL 50®, which is a premium quality self-inking stamp from M&R Marking Systems Inc. Illegible images may result in your FMNP checks being rejected for payment by the bank.



Sample Stamp Image

123

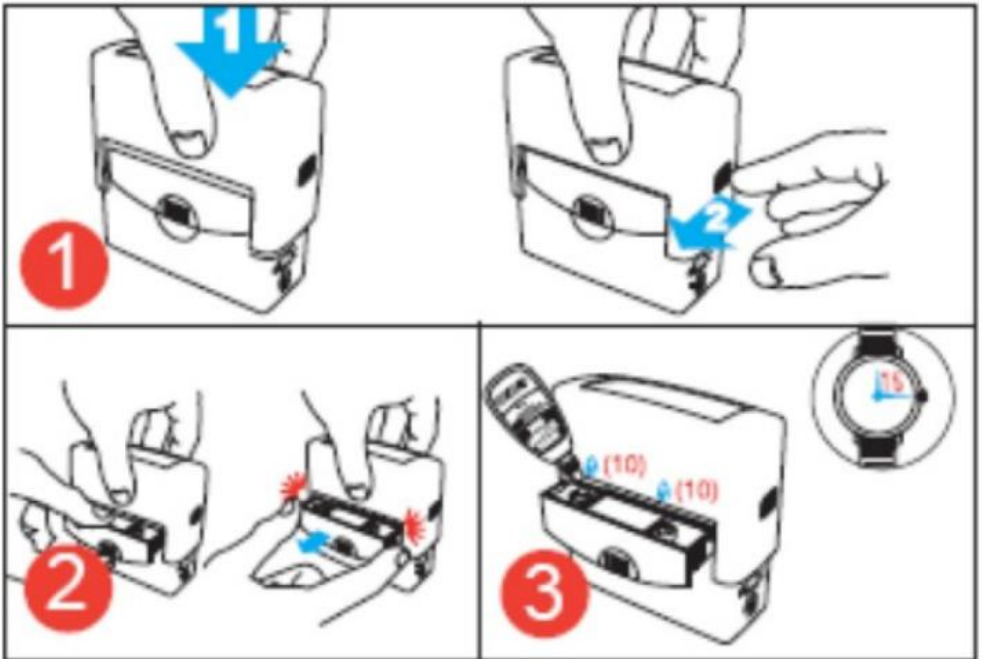


Re-inking Instructions

Re-inking



1. Push down to the lock line and slide lock into position. (Illustration 1)
2. Pull out ink pad cartridge until it clicks. (Illustration 2)
3. Fill the ink port(s) with 10 drops of ink, then close and wait 15 minutes. (Illustration 3)



Farmer Monitoring and Investigations

Monitoring Visits

The Maryland WIC Program and the Maryland Department of Agriculture regularly monitor FMNP and WIC authorized farmers to verify compliance with the requirements of the Programs. The monitor will introduce him/herself, walk around, inspect any FMNP checks the farmer has on hand, and may observe a WIC or FMNP transaction.

The monitor conducting the review will check to see that:

- The FMNP/SFMNP sign is posted.
- The eWIC Accepted Here sign is posted (eWIC farmers only).
- Farm name is displayed.
- Prices are posted.
- The correct FMNP and FVB redemption procedures are being followed.
- Items purchased for sale are properly labeled with the grower's name.

Any violation of WIC regulations is noted on a monitoring form. The person monitoring the farmer will discuss the findings with the farmer or farm representative and will be asked to sign the monitoring form. A copy of the form will be mailed to the farmer with a warning notice if violations are found. A follow-up visit will be conducted following the violation to see if corrective action has been taken.

Compliance Investigations

A farmer may also be the subject of compliance investigations. Compliance investigations are conducted by a contractor or a designated person who poses as a WIC participant. The undercover investigator will follow specific instructions provided by the Program. The purpose of compliance investigations is to verify compliance with WIC Program rules, federal regulations, and any other established procedures. **The farmer will not know he/she is under investigation, nor will he/she be notified of any violations uncovered until the investigation is finished.** The undercover investigators look for violations including but not limited to substitution of non-WIC FVB or FMNP items, overcharging, charging for food not received and trafficking FMNP or WIC FVBs. These violations may result in disqualification.

Farmer Sanctions

In accordance with CFR § 248.4 (a)(10), the Maryland Department of Agriculture (MDA) must sanction farmers and/or roadside stands for failing to follow FMNP Rules and Regulations.

Sanctions will be administered as follows:

- First-time infraction will result in a warning letter to the farmer informing them of the infraction and requesting that it be remedied within 30 days of receipt of the letter.
- The FMNP Administrator will visit the farmer to confirm whether the infraction has been remedied within the 30-day timeframe.
- A second infraction or a major violation of federal regulations that govern the program (such as selling eligible foods that have not been grown by the authorized farmer) will result in a warning letter informing the farmer of the infraction and issuing a notice that the farmer will be removed from the program if the issue is not remedied within 10 days of receipt of the letter.
- A third infraction will result in the farmer's removal from the program for one market season. If a farmer wants to participate in the program again after being removed for one season due to sanctions, then they must submit an additional letter to MDA along with their application for participation explaining what steps have been taken to address the issue that led to sanctions.
- The farmer will be visited by either the FMNP Administrator or a Compliance Representative or both in the first season that he/she is reinstated.

WIC Appeals

Farmers may request an appeal if they are disqualified from accepting WIC FVBs. A farmer will receive a letter at least 15 days before the WIC Program takes any action. The letter will include the reason(s) for the action and advise of the right to appeal the Program's decision. The appeal must be received or postmarked by the United States Postal Service within 10 days of the date the notification of proposed disqualification is received.

A farmer can request a hearing by filing a written request in person, by mail, or email with:

State WIC Director
Maryland WIC Program
201 W. Preston Street, 1st Floor
Baltimore, Maryland 21201
mdh.wicvendor@Maryland.gov

The Office of Administrative Hearings shall have jurisdiction over the hearings. If a hearing is requested, the agency shall hold the hearing pursuant to:

Health-General Article, §§18-107(a) and 18-108,
Annotated Code of Maryland;

State Government Article, Title 10, Subtitle 2,
Annotated Code of Maryland;

COMAR 10.01.03;

COMAR 28.02.01; and

COMAR 10.54.03.18.

A farmer may *not* appeal the following WIC actions:

- Disqualification from WIC resulting from a violation of COMAR 10.54.03.15B(1)(m);
- The State agency's decision as to whether a participant hardship exists (thereby warranting a civil money penalty in lieu of disqualification);
- The expiration of a farmer agreement; or
- The State agency's determination whether to notify a farmer in writing when an investigation reveals an initial violation for which a pattern of violations must be established in order to impose a sanction.

FMNP Appeals

Farmers may request an appeal if they are disqualified from accepting FMNP checks. The farmer will receive a letter at least 15 days before the Maryland Department of Agriculture takes any action. The letter will include the reason(s) for the action and advise of the right to appeal the Program's decision. The appeal must be received or postmarked by the United States Postal Service within 10 days of the date the notification of the proposed disqualification is received.

A farmer can request a hearing by filing a written request in person, by mail, or email with:

Secretary of Agriculture
Maryland Department of Agriculture
50 Harry S. Truman Parkway
Annapolis, Maryland 21401
fmnp.mda@maryland.gov

Farmer Complaints

WIC participants are not permitted to cause a disturbance, abuse farmers and their employees, or violate the procedures for redeeming FVBs or FMNP checks. If a farmer has a complaint against a WIC participant, go to the Farmer section of our website at www.mdwic.org and complete the Farmer Complaint Form. Please provide as much detail as possible about the complaint (who, what, when, where, etc.).

Please be sure to identify the farm in the area designated for the FMNP I.D. Number. The complaint will be investigated, and the appropriate action taken. For reasons of confidentiality, we may not disclose actions taken against WIC participants.

Fax Number for State WIC Office:
410-333-5683

You may also email the form to:
mdh.wicvendor@maryland.gov

Frequently Asked Questions

Can customers combine their FMNP checks to maximize their purchases?

Answer: Yes, customers may combine their FMNPs (for example, use three \$5 FMNP checks for a combined purchase of \$15).

Where can a farmer obtain replacement FMNP stamps?

Answer: Replacement stamps may be obtained from the FMNP Administrator at MDA. Please call 410-841-5776 to request a replacement stamp.

A farmer has unsigned FMNP checks. How can they get the customer to return and sign them?

Answer: MDA is unable to contact the participants. For this reason, be sure to obtain the customer's signature at the end of the purchase.

A WIC customer isn't sure how much they have to spend in fruit and vegetable benefits on their card. How can a farmer find out how much they have available to spend?

Answer: You can run a Balance Inquiry through S3 Merchant Link or TotilPay.

Can a farmer be reimbursed for rejected FMNP fees?

Answer: MDA cannot reimburse for rejected check fees.

Is a farm stand required to post the *FMNP /SFMNP Accepted Here* sign or can they develop their own?

Answer: FMNP authorized farmers must post the Program provided sign even if the farmer has developed their own sign.

Is a farm stand required to post the Maryland *WIC Accepted Here* sign or can they develop our own?

Answer: WIC authorized farmers must post the Program provided sign even if the farmer has developed their own sign. Note: use of the WIC acronym or logo is prohibited unless prior approval has been obtained from the WIC Program.

If a farm stand carries other foods such as cheese and bread, can they sell these foods to customers using FMNP and eWIC fruit and vegetable benefits?

Answer: No. Farmers may only accept FVBs and FMNP checks for eligible foods as described in this manual. If farmers sell these items and their customer wants to purchase them and pay for them on their own, they may do so; however, this would not be considered a WIC or FMNP purchase.

Why do the FMNP and WIC Programs put restrictions on foods, such as those in the DO NOT BUY list?

Answer: Both programs are USDA federally funded and regulated programs. Because the goal of these programs is to promote good health, the foods they provide must supply the highest level of nutrients.

If a farm stand carries cultural foods like Aloe Vera and Cactus, can these be considered vegetables?

***Answer:** Cultural foods used as vegetables may be purchased with FVBs. If grown by the authorized farmer, cultural foods may be purchased with FMNP checks.*

Can customers purchase pumpkins with an FMNP check or fruit and vegetable benefit?

***Answer:** A pumpkin is a fruit and can be purchased with FMNP checks or FVBs. However, customers cannot use their FMNP or FVB to pay for painted or decorated pumpkins.*

Who to Call If You Need Assistance

FMNP or SFMNP check questions:

FMNP Coordinator
Maryland Department of Agriculture
410-841-5770

Email:
fmnp.mda@maryland.gov

Website:
https://mda.maryland.gov/maryland_products/Pages/farmers_market_dir.aspx

Questions regarding WIC Fruit and Vegetable Benefits (FVBs):

Maryland WIC Farmers' Market Coordinator
Maryland WIC Program
410-746-7421

Email:
mdh.wicvendor@Maryland.gov

Website:
mdwic.org

In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity.

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (e.g., Braille, large print, audiotope, American Sign Language), should contact the responsible state or local agency that administers the program or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339.

To file a program discrimination complaint, a Complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form which can be obtained online at: <https://www.usda.gov/sites/default/files/documents/ad-3027.pdf>, from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to USDA. The letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted to USDA by:

mail:

U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410; or

fax:

(833) 256-1665 or (202) 690-7442; or

email:

Program.Intake@usda.gov

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Wes Moore, Governor
Aruna Miller, Lt. Governor

Maryland Department of Agriculture
Kevin Atticks, Secretary

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