Farm Market Fresh for Seniors

Handbook for Farmers

Virginia Senior Farmers' Market Nutrition Program (SFMNP)

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VIRGINIA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

DARS
VIRGINIA DEPARTMENT FOR AGING AND REHABILITATIVE SERVICES

Table of Contents

I. SFMNP Program Overview……1
II. Virginia Farm Market Fresh for Seniors Program……1
III. Definitions and Examples……2
A. Farmer……2
B. Eligible Foods……2
C. Ineligible Foods……2
D. Self-Grown Requirement……3
E. Exception to the Self-Grown Requirement……3
IV. Application Process……4
V. Selection Criteria……5
VI. Authorization Agreement……6
VII. Farm Market Fresh for Seniors Sign……7
VIII. Checks……8
IX. Identification Stamps……9
X. Transaction Policies and Procedures……10
XI. Locations……10
A. Farmers' Markets……10
B. Roadside or Farm Stands……11
XII. Monitoring……12
XIII. Violations and Sanctions……13
XIV. Notice of Violation and Sanction……15
XV. Appeal and Fair Hearing……15
XVI. SFMNP Questions, Concerns, and Complaints……16

Appendix

Contact Information

Farmers' Market Listing

Complaint Form

This Handbook applies to all Farmers authorized with the Department for Aging and Rehabilitative Services-Virginia Division for the Aging (DARS-VDA) to participate in the Senior Farmers' Market Nutrition Program (SFMNP) in Virginia, also called the Farm Market Fresh for Seniors Program. These procedures should be reviewed carefully before a Farmer signs an agreement to participate in the Farm Market Fresh for Seniors Program. The authorized Farmer must comply with principles and procedures outlined in this handbook to retain authorization.

I. SFMNP Program Overview

The Senior Farmers' Market Nutrition Program Final Rule (71 FR 74618), published in the Federal Register on December 12, 2006, established the SFMNP as a formula grant program and the Food, Conservation and Energy Act of 2008 (the 2008 Farm Bill) P.L. 110-246 provided for funding of the program. The purposes of the SFMNP include the provision of fresh fruit and vegetables and nutrition education to older adult participants; promotion and use of farmers' markets as a direct marketing outlet for Virginia farmers; and promotion of Virginia fresh fruit, vegetables, and cut herbs.

II. Virginia Farm Market Fresh for Seniors Program

The Farm Market Fresh for Seniors Program is a federal nutrition program administered by the Department for Aging and Rehabilitative Services-Virginia Division for the Aging (DARS-VDA) that authorizes Farmers to accept Senior Farmers Market Nutrition Program (SFMNP) benefit checks. The Virginia Department of Agriculture and Consumer Services (VDACS) is a State Agency partner. Through a letter of agreement with DARS-VDA, VDACS Regional Marketing Specialists assist with the Farmer application/authorization process and with SFMNP training and monitoring activities.

Participating in the Farm Market Fresh Program provides Farmers with additional sales opportunities and promotes the production of locally grown fresh fruit and vegetables.

Senior participants shopping with authorized Farmers have an array of locally grown fresh fruit and vegetables to choose from, which may help reduce some of the barriers to a healthy diet that many low income seniors experience.

III. Definitions and Examples

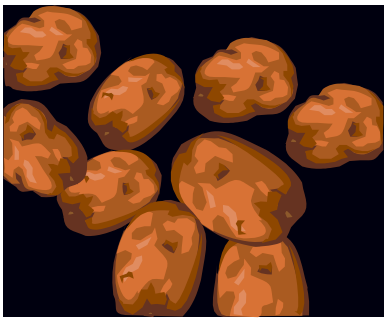
A. ***"Farmer"***

1. A person who is authorized under the rules of the SFMNP in Virginia and has a signed Farmer Agreement
2. A resident of Virginia who grows and harvests on land within the Commonwealth of Virginia, fruit, vegetables, and/or cut herbs that are "Eligible" Foods under the Farm Market Fresh program
3. Annually sells at least $1000 worth of self-grown fruit, vegetables, and/or cut herbs that are "Eligible" foods under the SFMNP
4. A bona fide producer of the fresh fruit, vegetables, and cut herbs offered for sale or exchange for SFMNP checks.

"Farmer" must meet all four (4) criteria.

B. ***"Eligible" Foods***

Eligible foods are defined as fresh fruit, vegetables, and herbs grown in Virginia under normal growing conditions by an authorized "Farmer" as defined above. Examples include the following:



1. Vegetables such as beans, broccoli, cabbage, cucumbers, eggplant, greens, lettuce, peppers, potatoes (white and sweet), edible pumpkins, root vegetables, squash, sweet corn, and tomatoes

2. Fruit such as apples, berries, melons, nectarines, peaches, and pears

3. Cut herbs such as basil, chives, dill, parsley, oregano, rosemary, sage, and thyme

These examples are not exhaustive; any fresh, unprocessed, fruit, vegetable, or cut herb grown in Virginia under normal growing conditions by an authorized SFMNP farmer shall be considered Eligible.

C. ***"Ineligible" Foods***

Ineligible foods are defined as foods that shall not be exchanged for SFMNP checks under any circumstances. Ineligible foods are not counted towards the farmer's $1000 production needed to be considered a "Farmer" under the Virginia SFMNP.

The following are examples of "Ineligible" foods:

1. Honey
2. Preserved products such as jam, jelly, apple butter, apple cider, juice, pickles, and relishes
3. Nuts such as peanuts, walnuts, pecans, and products made from nuts

4. Citrus fruits such as oranges, lemons, limes, grapefruit or tangerines
5. Tropical fruits such as bananas, pineapple, and mangoes
6. Animal products such as meats, poultry, eggs, cheeses, milk, ice cream, and dairy products
7. Baked goods such as bread, cakes, pies, and cookies
8. Plants such as flowers, bedding plants, and potted herbs
9. Produce grown in Virginia, but purchased from a wholesaler, farmers' market, produce auction, or grocery store
10. Produce growable in Virginia, but grown outside Virginia
11. These examples are not exhaustive

Questions and disputes over "Eligible" and "Ineligible" foods under SFMNP shall be resolved by the SFMNP Coordinator, whose decision will be final.

D. Self-Grown Requirement

"Farmers" shall accept SFMNP checks only for the "Eligible" foods that they grow.

A "Farmer" shall be the bona fide producer of the fresh fruit, vegetables, and cut herbs offered for sale or exchange for SFMNP checks.

"Farmers" are not permitted under any circumstances to accept SFMNP checks for any foods purchased from a wholesaler, farmers' market, produce auction, or grocery store.

E. Exception to the Self-Grown Requirement

It is expected that authorized "Farmers" are exchanging only their self-grown, eligible produce for the SFMNP checks and not accepting SFMNP checks for produce that they have purchased from others. However, when events beyond human control, such as drought, frost, storms, or flooding destroy crops and limit the availability of produce, DARS-VDA has the discretion to allow exceptions in order to ensure availability and variety of produce for SFMNP participants.

An exception may be considered by VDACS and DARS-VDA if the Farmer experiences a crop failure beyond his or her control. The Farmer shall request an exception in writing and provide written documentation of the circumstances leading to the crop failure and the type and quantity of produce that he/she lost.

If the request for an exception is approved in consultation with VDACS by DARS-VDA, a signed addendum to the Farmer Agreement will specify the produce for which the Farmer may accept SFMNP checks that is grown by another Virginia farmer in addition to his or her own produce. A "Farmer" with a signed and approved exception may only purchase and accept SFMNP checks for produce equal to the type and quantity of the crops he/she lost.

When “Farmer” has been granted a signed and approved exception in the Farmer Agreement, the following shall apply:

1. If growing circumstances had been normal, the “Farmer” would have met the $1000 self-grow and sell requirement.
2. The “Farmer” shall provide the name, address, and phone number of each Virginia farmer from whom he or she anticipates making produce purchases. Receipts signed by the Virginia farmer(s) from whom purchases are made may also be requested by the State Agency (either VDACS or DARS-VDA).
3. If “Farmer” is a vendor at a “grower-only” market, where vendors are required to sell only self-grown products, “Farmer” must abide by that market’s rules.
4. “Eligible” foods cannot be obtained from a non-farm source and then redeemed for SFMNP checks. Non-farm source means any place other than the Virginia farm where the fruit and vegetables are grown. Under no circumstances may “Farmer” purchase products from a wholesaler, farmers’ market, produce auction, or grocery store, and accept SFMNP checks for them.

IV. Application Process

The application process takes place annually. A Farmer desiring to participate in the SFMNP in Virginia must complete and submit an application through his/her regional Virginia Department of Agriculture and Consumer Services (VDACS) Marketing Specialist. Contact Information for the VDACS Marketing Specialists is found in the Appendix of this Handbook. The application will be reviewed by the VDACS Marketing Specialist and the DARS-VDA’s SFMNP Coordinator.

Please Note Application Deadlines>>>>

Each year applications are requested by a May deadline so that Farmer Agreements may be processed by the July 1 annual start of the redemption period. Applications received by the May deadline also have a greater likelihood that the contact information of the authorized Farmer will be included in handouts promoting the Farm Market Fresh Program among senior participants. Applications not received by the May deadline will be accumulated for review and processed at the beginning of the next calendar month. **Farmer applications will not be accepted after August 1 of each year.**

DARS-VDA may use its discretion to extend the application deadline if, due to weather or other special circumstances, additional Farmer applications are needed mid-season.

To be an authorized Farmer and participate in the Farm Market Fresh for Seniors Program, the applicant must meet the selection criteria, and have a fully executed Farmer authorization agreement with DARS-VDA.

VDACS and DARS-VDA establish and periodically review criteria for the selection of Farmers who will be authorized to transact and redeem SFMNP checks. VDACS and DARS-VDA must ensure that an appropriate number of Farmers will be authorized. The Farmer must comply with the Farmer selection criteria throughout the agreement period. VDACS and DARS-VDA may reassess the Farmer at any time during the agreement period using the selection criteria in effect at the time of reassessment. In consultation with VDACS, DARS-VDA will terminate the agreement if the Farmer fails to comply with the current Farmer selection criteria.

The Farmer must submit a completed application for authorization. However, submission of the application is not a guarantee that Farmer will be authorized.

V. Selection Criteria

Farmer selection will be based upon consideration of the following Selection Criteria:

A. It is a requirement that the Farmer must participate in face-to-face training with the regional VDACS Marketing Specialist before the first year of participation. The Farmer will receive written training materials for self-study in follow-up years.

B. In the selection process, Farmers who grow and sell 100% of their own produce are given preference.

C. The Farmer must him/herself grow and sell at least $1000 worth of Farm Market Fresh “Eligible” fruit and vegetables.

D. Farmers selling fruit, vegetables, and cut herbs that are 100% grown by others shall not be authorized to accept SFMNP checks.

E. Farmers are not allowed to accept and/or redeem checks for another farmer.

F. The Farmer will agree to sell only the Eligible fruit and vegetables described in the Definitions section in exchange for the SFMNP checks.

G. The Farmer will assure that no conflict of interest exists between the Farmer and DARS-VDA, VDACS, and the Local Agency that is distributing checks to senior participants.

H. The Farmer will agree to comply with civil rights and non-discrimination requirements as stated in 7 CFR 249.7 (a): title VI of the Civil Rights Act of 1964, title IX of the Education Amendments of 1972, section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, Department of Agriculture regulation on nondiscrimination (7 CFR parts 15, 15a, and 15b), and applicable FNS Instructions to ensure that no person shall, on the grounds of race, color, national origin, age, sex, or disability, be excluded from participating as a farmer or customer.

I. DARS-VDA will not authorize any Farmer applicant if during the last six (6) years the Farmer applicant has been convicted of, or had a civil judgment entered against her/him for any activity indicating a lack of business integrity. DARS-VDA and VDACS's determination of lack of business integrity includes but is not limited to: fraud, embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, receiving stolen property, making false claims, or obstruction of justice.

J. Farmers shall have and maintain a positive compliance history with any and all USDA Food and Nutrition Services (FNS) programs in which they are participating or have participated.

K. Within 30 days of receipt of the application, the Farmer will receive an Authorization Agreement or a notice of denial of application from DARS-VDA. The notice of denial will state the reason for the denial, whether the applicant may make an appeal, and outline the process for making an appeal.

VI. Authorization Agreement

A. DARS-VDA has a one (1) year (season) agreement directly with Farmers. This agreement may be terminated by either party with fifteen (15) calendar days advance written notice.

B. It is a requirement that the Farmer must participate in face-to-face training the first year and be responsible for self-study materials provided in subsequent years.

C. The Farmer shall not accept SFMNP checks until he/she receives the current season's Farmer Agreement signed by DARS-VDA.

D. The authorized Farmer will receive a Farmer ID stamp and sign from DARS-VDA. The sign must be displayed at all authorized points of sale, every time the Farmer is selling Eligible foods in exchange for SFMNP checks. The ID stamp must be imprinted on all redeemed SFMNP checks before they are submitted to the bank.

VII. Farm Market Fresh for Seniors Sign

Sample:

We proudly participate in

Farm Market Fresh for Seniors 2013

We accept Senior Farmers' Market Nutrition Program checks

This program is an equal opportunity provider and employer

A. An authorized Farmer shall post the Farm Market Fresh for Seniors sign that is provided by DARS-VDA for the current year in a visible location at all times while participating in the SFMNP. The signs are color coded each year, so previous signs are not acceptable. In order to ensure good visibility, the sign shall be posted at a height of three to five feet from ground level, facing the customer traffic.

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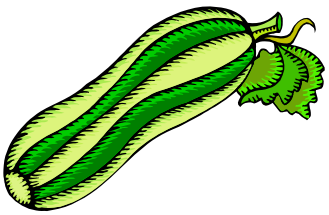
B. Farmers are required by federal regulation to display the sign which lets the seniors know without having to ask that the Farmer is authorized to accept their Farm Fresh checks.

C. If the sign is lost or severely damaged, the Farmer is responsible for notifying DARS-VDA so that a replacement sign may be issued.

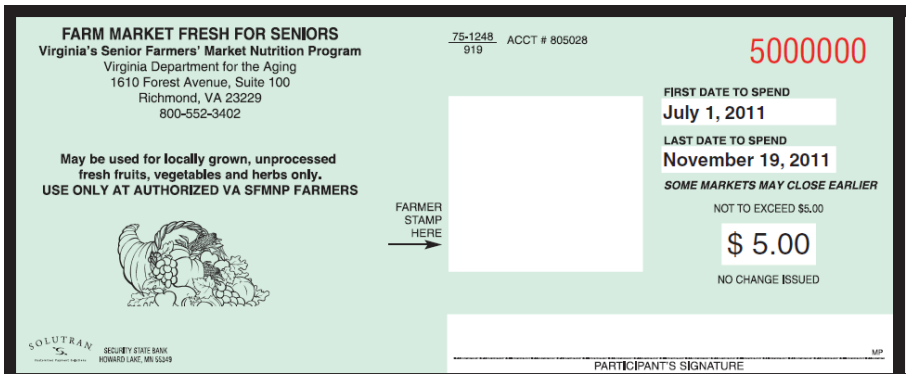
D. Farmers are in violation and subject to suspension for the remainder of the season/year if they are accepting SFMNP checks without the specific current year's Farm Market Fresh for Seniors Sign posted.



VIII. Checks

A. The Farm Market Fresh for Seniors Program issues a legally negotiable check. Each check must be **endorsed** on the back with the Farmer's signature or the Farmer's endorsement stamp (not the ID stamp which is stamped on the front and described in section IX). The Farmer then deposits the SFMNP check into his/her local retail bank. SFMNP checks are color-coded each year. Farm Market Fresh checks are negotiable instruments and shall be treated as cash and guarded from possible loss or theft prior to redemption.

Sample:


FARM MARKET FRESH FOR SENIORS
Virginia's Senior Farmers' Market Nutrition Program
Virginia Department for the Aging
1610 Forest Avenue, Suite 100
Richmond, VA 23229
800-552-3402

May be used for locally grown, unprocessed fresh fruits, vegetables and herbs only.
USE ONLY AT AUTHORIZED VA SFMNP FARMERS

75-1248 / 919 ACCT # 805028

5000000

FIRST DATE TO SPEND
July 1, 2011

LAST DATE TO SPEND
November 19, 2011

SOME MARKETS MAY CLOSE EARLIER

NOT TO EXCEED $5.00

$ 5.00

NO CHANGE ISSUED

FARMER STAMP HERE

SOLUTRAN
SECURITY STATE BANK
HOWARD LAKE, MN 55349

PARTICIPANT'S SIGNATURE

B. Participants in the Virginia SFMNP receive eight (8) - $5.00 checks totaling $40.00. When a senior participant presents checks to an authorized Farmer for the purchase of "Eligible" foods, the Farmer shall make sure that the check is signed on the front by the senior participant (customer).

C. Farmers are strongly urged to deposit checks weekly or at least monthly during the market season so that SFMNP funding can be tracked and any banking problems can be managed as they occur.

Important Check Deposit Notice>>>>

Farmers must deposit all SFMNP checks by November 30. Any checks deposited after November 30 will be returned unpaid and bank charges will apply at the expense of the Farmer.

IX. Identification (ID) Stamps for Stamping Checks

A. Each Farmer is assigned and issued a unique 3 digit identification (ID) number and self-inking ID stamp. This ID stamp number takes the place of the "pay to the order of" name. SFMNP stamps will be provided by DARS-VDA at no cost to Farmers. No Farmer should use a stamp not issued by the Farm Market Fresh for Seniors program.

B. Each SFMNP check accepted shall have the Farmer's ID number clearly stamped on the front in the indicated space before being deposited at the bank. Handwritten numbers shall not be accepted. **Without a clear imprint stamped on the checks, they will be returned and bank charges may apply at the expense of the Farmer.**

C. Ink refills are available from DARS-VDA and should be requested by the Farmer if needed to make a clear imprint. If the stamp is broken, it is the Farmer's responsibility to contact DARS-VDA for a replacement ID stamp. Please note: a new ID number is assigned when a new stamp is issued and the old number is deactivated.

Did you know>>>>

As a result of the federal law "Check 21", all SFMNP checks are processed using electronic images. This means when Farm Market Fresh checks are deposited, an electronic image of the check is sent to DARS-VDA's banking service for processing. Farmer stamps should make a solid impression of the ID number because the ID number links the Farmer to the check. Sometimes checks are rejected due to a stamped number that is not readable, but the stamp imprint seemed clear on the original check. This may be due to the fact that image quality was poor. Farmers should work with their banks to ensure that the images created are as clear as possible.

X. Transaction Policies and Procedures

A. Under no circumstances shall SFMNP checks be exchanged for cash. No change shall be given, and no credit shall be offered for future transactions.

B. If the "Amount of Sale" is less than the value of the check, Farmers shall assist the customer to select more Eligible items to fully use the value of the check.

C. If the "Amount of Sale" exceeds the maximum value of the check, Farmers shall assist the customer in selecting items to remove from the transaction. If desired, the senior participant may use cash for the "Amount of Sale" that exceeds the value of the check.

D. During the transaction, when senior participants present their items for payment, the Farmer or his/her employee shall clearly identify and group separately, Eligible foods that will be purchased with SFMNP checks from Ineligible foods that are not permitted to be paid for with SFMNP checks. Signage distinguishing Eligible from Ineligible Foods is recommended, but not required if Farmers clearly identify Eligible items.

E. The Farmer or his/her employee shall be physically present and operating their own booth/stall/stand. A Farmer may NOT accept SFMNP checks and/or operate a booth/stall/stand for a Farmer not physically present. "Honor system" or "self-serve" operations where senior participants transact their own checks are not allowed.

XI. Locations

DARS-VDA and VDACS are responsible for monitoring locations where Farm Market Fresh for Seniors checks are accepted. With limited resources, DARS-VDA and VDACS cannot oversee numerous individual locations. Therefore the locations where Farmers are or are not allowed to accept the checks will be limited as described under the following location types:

A. Farmers' Markets

1. Definition – for SFMNP, "Farmer's Market" means a **group or association** of local farmers who assemble at a defined location for the purpose of selling their produce directly to consumers.

2. It is preferred that Farmers accept the checks at Farmers' Markets since one of the aims of the program is to promote Farmers' Markets.

3. Not all Farmers' Markets participate in the SFMNP. If a Farmer is selling at a Farmers' Market that is not in the program, he/she is not allowed to post his/her sign or accept SFMNP checks at that Farmers' Market.

4. A list of participating Farmers Markets, current at the time of publication, is located in the Appendix.

B. **Roadside Stands and Farm Stands** – the terms "Roadside Stand" and "Farm Stand" are used interchangeably and mean the same thing in SFMNP.

1. Definition – for SFMNP "roadside or farm stand" means a location at which an **individual farmer** sells his/her produce directly to consumers. This is in contrast to a group or association of farmers selling their produce at a farmers' market.

2. The defining feature of a roadside or farm stand is that it is operated by an individual farmer. The definition of a roadside or farm stand does not consider the form or function of the structure of the roadside or farm stand nor does it have to be located at roadside. Some Roadside or Farm Stands are actual stores, but they may be as simple as a shed or table on the farm. Whatever the structure, the Roadside or Farm Stand should be sturdy and safe for older participants to patronize.

3. The Roadside or Farm Stand must be separate from the farmer's residence. The Farmer is not allowed to require the participant to come into his/her home to purchase produce and redeem the checks.

4. There must be someone who is trained to handle SFMNP transactions available at all times during which the Roadside or Farm Stand is open to accept the checks from senior participants. Farmers are not allowed to require senior participants to leave SFMNP checks unattended. "Honor system" or "self service" operations are not permitted.

3. During the application process, additional information on the Roadside or Farm Stand location and physical facility is requested from Farmers wishing to accept the checks at their Roadside or Farm Stand locations.

4. Roadside and Farm Stand operations are considered priority locations for monitoring.

C. Fairs, Festivals, Flea Markets
Farmers are not allowed to accept SFMNP checks during Fairs, Festivals, and Flea Markets.

D. Senior Centers, Congregate Meal Sites, Senior Residences and Housing Complexes
   1. Senior Centers, Congregate Meal Sites, Senior Housing Complexes, and other organizations that serve seniors may schedule and coordinate a “mini” or “mobile” Farmers’ Market at their location and invite Farmers to come. Farmers should not just show up, nor should they exert pressure on organizations to hold these events. It is strictly the decision of the management of that organization to extend invitations to authorized Farmers. Efforts should be made to invite several authorized Farmers. However, if only one Farmer wishes to attend, it is acceptable to hold the event with only one Farmer as long as others were given the opportunity to participate.

   2. Authorized Farmers are not allowed to deliver produce door-to-door.

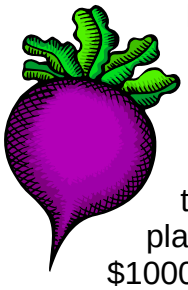
XII. Monitoring

A. Monitoring refers to the regular review of authorized Farmers to determine adherence to Farm Market Fresh policies and procedures and to identify specific areas that are deficient during the review.

B. Farmers are prioritized for monitoring. Farmers considered high priority are the following:
   1. Farmers accepting a high volume of checks
   2. New Farmers in their first or second year of the program
   3. Individual Farmer operations (regardless of form or function, these are also called Roadside Stands or Farmstands or Farm Stores)
   4. Farmers about whom there have been complaints

C. The monitor will make an onsite visit at the selling location to check as many as possible of the following:
   1. The Farm Market Fresh sign is prominently displayed
   2. The Farmer is accepting the SFMNP checks only for self-grown, Eligible fresh fruit and vegetables
   3. Ineligible foods are separated and clearly indicated when the foods are paid for
   4. Eligible foods are the same quality and cost as that sold to other customers
   5. SFMNP customers are treated with the same respect and courtesy as other customers
   6. Proper redemption procedures are being followed
   7. Sales tax is not being charged
   8. The Farmer encourages participants to come as close as possible to the maximum value of the check and does not give change or credit for future purchases
   9. The Farmer does not cash checks for seniors nor does he/she accept them for or from other farmers
   10. Non-discrimination guidelines are being followed

D. A monitor or "secret shopper" may perform a covert purchase with SFMNP checks to determine where there are potential weaknesses. Covert means the monitor or "secret shopper" may shop at the Farmer's point of sale pretending to be a senior participant and may attempt to purchase Ineligible foods with SFMNP checks.



E. Production monitoring by VDACS marketing specialists or other agency partners may also be conducted at the farm or point of production to verify that Eligible foods listed on the farmer's application are in fact being planted and harvested on the farm and that the Farmer is growing at least $1000 worth of foods that are Eligible under SFMNP.

F. Any non-compliance with SFMNP regulations will be documented on the monitoring form. Non-compliance issues and violations of SFMNP regulations and the terms and conditions of the Farmer Application and Agreement will result in sanctions.

XIII. Violations and Sanctions

A. ***A Farmer is in violation*** if he/she fails to comply with Farm Market Fresh program rules and the terms and conditions of the Farmer Application and Agreement or fails to respond to requests, implement corrective action, or comply with the terms of directives from DARS-VDA.

B. There will be three types of ***Farmer Sanctions***:

1. Non-payment – the Farmer is not paid for improperly transacted SFMNP checks
2. Suspension – the Farmer is suspended from accepting SFMNP checks for the remainder of the season/year
3. Disqualification – the Farmer is suspended from the program for the remainder of the season/year and disqualified from applying for the program in the next season/year

C. ***Violations leading to non-payment*** of improperly transacted SFMNP checks:

1. Failure to stamp checks with valid and legible Farmer identification number
2. Accepting and depositing checks before receiving the signed Farmer Agreement authorizing participation
3. Accepting and depositing checks prior to "first day to spend" or after "last day to spend" dates marked on checks
4. Depositing checks after "last day to deposit" dates marked on checks
5. Failure to get the signature of the senior participant on the check

D. ***Violations leading to Farmer Suspension*** – the Farmer is suspended from program participation for the remainder of the season/year:

First incidence of

1. Failure to post Farm Market Fresh for Seniors sign each market day
2. Acceptance of checks for anything other than self-grown, Eligible foods
3. Failure to meet eligibility requirements including not growing at least $1000 worth of Eligible fruit and vegetables
4. Charging tax
5. When purchases amount to less than the value of the check, giving change, cash, or credit for future purchases

E. ***Violations leading to Farmer Disqualification*** – the Farmer is suspended from program participation for the remainder of the season/year and disqualified from applying for the program in the next season/year:

Second incidence of

1. Failure to post Farm Market Fresh for Seniors sign each market day
2. Acceptance of checks for anything other than self-grown, Eligible foods
3. Failure to meet eligibility requirements including not growing at least $1000 worth of Eligible fruit and vegetables
4. Charging tax
5. When purchases amount to less than the value of the check, giving change, cash, or credit for future purchases

Any incidence of

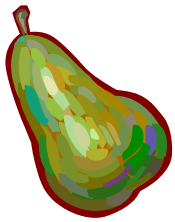
1. Redeeming checks for unauthorized Farmer or other person(s) not currently authorized as a Farmer in the Farm Market Fresh for Seniors program
2. Not giving equitable treatment to program participants such as charging higher prices, offering lesser quality produce, or not treating senior participants with the same courtesy as offered other customers
3. Seeking restitution from senior participants for checks not paid
4. Failing to respond to requests, implement corrective actions, or comply with directives from DARS-VDA or VDACS in relation to any SFMNP rules
5. Failure to cooperate with DARS-VDA or VDACs in monitoring for compliance or farm inspections to verify production
6. Exchanging checks with another farmer for cash or produce

XIV. Notice of Violation and Sanction

A. Farmers will receive notifications of non-payment of SFMNP checks through the banking system. If the Farmer believes there has been an error in non-payment, he/she should contact the SFMNP Coordinator for investigation and resolution.

B. DARS-VDA shall notify the Farmer in writing of the violation requiring the suspension and the effective date after which checks will not be accepted. The suspension shall remain in effect for the remainder of the current market season/year.

C. DARS-VDA shall notify the Farmer in writing of the violation requiring the disqualification and the effective date after which checks will not be accepted. The disqualification shall remain in effect for the remainder of the current market season and the Farmer is disqualified from applying for the following season/year.



D. When the Farmer receives a Notice of Suspension or Notice of Disqualification, he/she must immediately stop displaying the Farm Market Fresh for Seniors sign, return his/her ID stamp to DARS-VDA, and not accept SFMNP checks at any location on and after the date listed in the letter. Any checks presented to the bank after the date of suspension or disqualification will not be paid.

E. The Notice will
   1. State the violation or cause for the sanction
   2. State the effective date of the sanction
   3. State the procedure for the Farmer requesting an appeal
   4. Be sent via US mail, return receipt requested, to the Farmer's mailing address of record

F. The Farmer who commits fraud or abuse may be prosecuted under applicable federal, state, and local laws and may be subject to penalties or fines.

XV. Appeal and Fair Hearing

A. The Farmer may appeal a denial of application, Notice of Suspension, or Notice of Disqualification. The Farmer may not appeal a termination due to expiration of the agreement. A request for appeal and fair hearing must be in writing, signed by the Farmer or authorized agent, and mailed to the SFMNP Coordinator, 1610 Forest Avenue, Suite 100, Henrico, VA 23229. The request for appeal shall:

   1. State the issue
   2. Contain a summary of the Farmer's position on the issue indicating why the sanction should be reversed
   3. State the name and address of the Farmer requesting the appeal

4. State the name and address of the Farmer's representative or attorney, if any
5. The decision will be made by the VDACS and DARS-VDA program directors on the basis of the written appeal letter unless the Farmer desires a hearing (meeting). If a hearing is requested, the Farmer shall state his/her need for an interpreter or other special accommodations, if necessary

B. A request for an appeal must be received by DARS-VDA within forty-five (45) days of the date the Farmer received the Notice. The Farmer must not accept SFMNP checks while awaiting a decision on the appeal.

C. If a hearing (meeting) is requested, the SFMNP Coordinator will give the Farmer not less than fifteen (15) days notice of the scheduled time and location for the hearing. The Farmer will have the opportunity to reschedule the hearing one time upon request, confront and cross-examine adverse witness(es), be represented by a person of the Farmer's choosing and at the Farmer's expense, and review information on the action prior to the hearing.

D. The Farmer will receive a written decision on the written appeal letter or fair hearing within 60 days from the date DARS-VDA receives the appeal request. The decision will be final and may not be contested.

XVI. SFMNP Questions, Concerns, and Complaints

A. DARS-VDA provides a statewide toll free number for senior participants, farmers, local agency staff, and others to call if they have SFMNP questions or concerns. In addition, the SFMNP Coordinator's direct phone line and other contact information are provided in the Appendix of this handbook.

B. Complaints regarding any aspects of the Farm Market Fresh for Seniors Program will be accepted in writing from senior participants, farmers, local agency staff, and others on the Complaint Form found in the Appendix of this Handbook.

Appendix

Contact Information

A. Senior Farmer's Market Nutrition Program
Department for Aging and Rehabilitative Services-Virginia Division for the Aging
1610 Forest Avenue, Ste 100
Henrico, VA 23229

Elaine S. Smith, Program Coordinator
Telephone: 804-662-9319 Toll free: 1-800-552-3402
Fax: 804-662-9354
Email: elaine.smith@dars.virginia.gov

B. Virginia Department of Agriculture and Consumer Services, Division of Marketing, Domestic Sales & Market Development
102 Governor Street
Richmond, VA 23219
Telephone: 804-786-3951

1. State Office
Kent W. Lewis, Director Domestic Sales & Market Development
Telephone: 804-371-6098
Fax: 804-371-7786
Email: kent.lewis@vdacs.virginia.gov

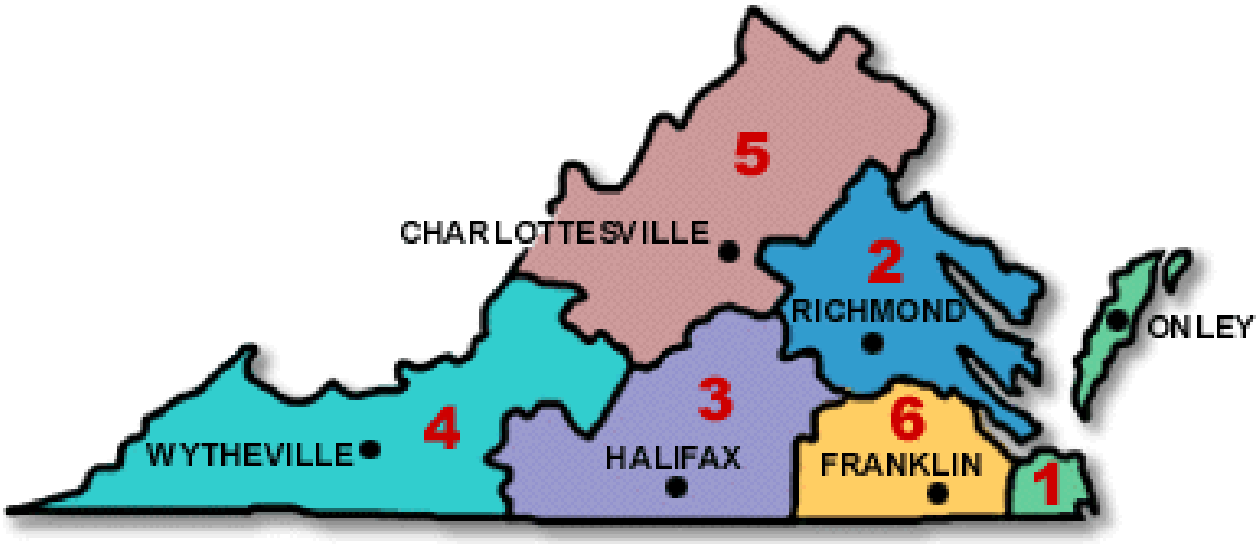
2. Eastern Region 1
Butch Nottingham, Marketing Specialist
P.O. Box 686
Melfa, VA 23410
Telephone: 757-787-5876
Cell: 757-387-7670
Fax: 757-787-0958
Email: butch.nottingham@vdacs.virginia.gov

3. Southside Region 3
William Scruggs, Marketing Specialist
Olde Dominion Agricultural Complex
19783 US Hwy 29 South, Ste A
Chatham, VA 24531
Telephone: 434-432-7213
Cell: 804-363-9279
Fax: 434-432-7213
Email: bill.scruggs@vdacs.virginia.gov

4. Southwest Region 4
Danny Neel, Marketing Specialist
250 Cassell Road
Wytheville, VA 24382
Telephone: 276-228-5501
Fax: 276-228-6579
Email: danny.neel@vdacs.virginia.gov

5. Northwest Region 5
Dave Robishaw, Marketing Specialist
900 Natural Resources Drive, Ste 300
Charlottesville, VA 22903
Telephone: 434-984-0573
Fax: 434-220-9127
Email: david.robishaw@vdacs.virginia.gov

6. Southeast Region 6
Gail Moody Milteer, Marketing Specialist
1100 Armory Drive, Ste 120
Franklin, VA 23851
Telephone: 757-569-1100
Fax: 757-562-6104
Email: gail.moodymilteer@vdacs.virginia.gov



Farmers' Markets - Associations or groups of farmers

Current at the time of publication and supplied for information purposes only.
Not responsible for updating of market listing throughout the season.

Southeast		Location	Hours
1	Suffolk	524 N Main St	Wed 3-6, Sat 9-1
2	Smithfield Olde Town Curb	319 Main St	Sat
3	Franklin	Main St	Mon-Sat
Arlington			
1	Courthouse	14th St&North Courthouse Road	Saturdays, 8 a.m.-noon
2	Clarendon	2531 Wilson Blvd/Metro Park	Wednesdays, 3-7 p.m.
3	Columbia Pike	2620 Columbia Pike	Sundays, 9 a.m.-1 p.m.
4	Westover	Washington Blvd & N Mclinley Rd	Sundays, 8 a.m.-noon
5	Ballston	901 North Taylor St	Thursday
Eastern Shore			
1	Chesapeake	Greenbrier City Park Great Bridge	Wed Sat
2	Virginia Beach	Dam Neck Rd	Daily
Southwest			
1	Bristol	State Street	Wed, Sat
2	Abingdon	Remsburg Dr	Tues, Sat
3	Wytheville	335 E Main St	Sat
4	Marion	Town Square Parking Lot	Sat
5	Southwest VA	497 Farmers Market Dr Hillsville	Daily 8-6
6	Glade Spring	Town Sq	Sat
7	Chilhowie	325 East Lee Hwy	Thursday
8	Bland	591 Main St	Sat
Southside			
1	Danville	629 Craghead St	Wed, Sat
2	Martinsville	Main and Church St	Wed, Fri, Sat
3	Rocky Mount	435 Franklin St	Mon through Sat
4	Stuart	320 Chestnutt Ave	F
5	Chatham	Old Dominion Ag Ctr US 29N	Sat
Augusta			
1	Staunton	Johnson St	W, Sat
2	Verona	Market Dock, Gov't Ctr	W

3	Waynesboro	Pavilion Constitution Park, W Main St	W, Sat
Appalachian		Location	Hours
1	Lebanon	Russell Cty Gov't Ctr, Highland Ave	W, Sat
2	Richlands	215 Allegheny St, Washington Sq	T 8-12
3	Bluefield	Walnut St	F 8-12
4	Tazewell Fourway	704 E Riverside Dr Hayes Drug Store	Sat 8-12
5	Tazewell YMCA	106 Gratton Rd	T, Sat
6	Clinch River	Market Square, St. Paul	W, Sat
Halifax			
1	South Boston	300 Broad St	M-Sat
2	Halifax	209 S Main St	Sat
Emporia			
1	City of Emporia	107 S Main St	Daily
Prince Edward			
1	Farmville	204 North St	T, W, Sat
Wise			
1	Big Stone Gap	460 Shawnee Ave	Sat
2	Norton	765 Park Ave	Tues

Virginia Senior Farmer's Market Nutrition Program
Complaint Form

To: Elaine S. Smith, Program Coordinator
Virginia Division for the Aging, 1610 Forest Avenue, Ste 100, Henrico, VA 23229
Fax: 804-662-9354 elaine.smith@dars.virginia.gov
Only forms with complete information will be addressed. Thank you.

PERSON FILING COMPLAINT:

Name

Address

City/State/ Zip

Phone Number

I am (please check box and describe if indicated)

❑ Farmer ❑ Senior participant ❑ AAA Staff at _____

❑ Market Manager at _____

❑ Other: _____

DESCRIPTION OF COMPLAINT:

Date, time, and location of Incident:

Name or description of person(s) involved:

Describe the incident in detail (use back and additional sheets if needed):

State Agency Use Only - Actions Taken: