



Farm Market Fresh

Senior & WIC Farmers' Market Nutrition Program (S/FMNP)



2024 Handbook for Farmers

Virginia Farmers Market Nutrition Program for Seniors and WIC (S/FMNP)



VIRGINIA DEPARTMENT FOR AGING
AND REHABILITATIVE SERVICES

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USDA Nondiscrimination Statement

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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::

(1) Mail:

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

(2) Fax: (833) 256-1665 or (202) 690-7442

(3) Email: program.intake@usda.gov

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2.15.2023



This handbook applies to all farmers authorized with the Virginia Department for Aging and Rehabilitative Services' (DARS) Division for Aging Services (DAS) to participate in the Farmers' Market Nutrition Program (S/FMNP) in Virginia, also called *Farm Market Fresh* for older adults and WIC Program. These procedures should be reviewed carefully before a farmer signs an agreement to participate in the *Farm Market Fresh* for older adults and WIC Program. The authorized farmer must comply with principles and procedures outlined in this handbook to retain authorization.



Virginia's *Farm Market Fresh* for Older Adults and WIC Program

The ***Farm Market Fresh*** for older adults and WIC Program is a federal nutrition program administered by DAS that authorizes farmers to accept Senior and WIC Farmers Market Nutrition Program (S/FMNP) benefit vouchers.

Through cooperative agreements, DAS' agricultural partners assist with the farmer application/authorization process and with *Farm Market Fresh* training and monitoring activities. DAS' agricultural partners include: The Virginia Department of Agriculture and Consumer Services (VDACS), Virginia State University (VSU) and Virginia Farmers' Market Association (VAFMA).

Participating in the program provides farmers with additional sales opportunities and promotes the production of locally grown fresh fruit and vegetables. Participants shopping with authorized farmers have a variety of produce to choose from, which may help reduce barriers to a healthy diet that many low-income participants experience.

Definitions and Examples



Farmer

To participate, a farmer must meet the following four criteria:

- A person who is authorized under the rules of the ***Farm Market Fresh*** in Virginia and has a signed Farmer Agreement by DAS.
- 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.
- Annually sells at least \$1,000 worth of self-grown fruit, vegetables and/or cut herbs that are "eligible" foods under the *Farm Market Fresh*.
- A bona fide producer of the fresh fruit, vegetables and cut herbs offered for sale or exchange for *Farm Market Fresh* vouchers.



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:

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

- Fruit such as apples, berries, melons, nectarines, peaches and pears
- Cut herbs such as basil, dill, parsley, oregano, rosemary, sage and thyme

These examples are not exhaustive. Any fresh or unprocessed fruit, vegetable or cut herb grown in Virginia under normal growing conditions by an authorized *Farm Market Fresh* farmer shall be considered eligible.



Ineligible Foods

Ineligible foods are defined as foods that shall not be exchanged for *Farm Market Fresh* vouchers under any circumstances. Ineligible foods are not counted towards the farmer's \$1,000 production needed to be considered a farmer under the Virginia *Farm Market Fresh* program. The following are examples of ineligible foods:

- Honey
- Preserved products such as jam, jelly, apple butter, apple cider, juice, pickles and relishes
- Nuts such as peanuts, walnuts, pecans and products made from nuts
- Citrus fruits such as oranges, lemons, limes, grapefruit or tangerines
- Tropical fruits such as bananas, pineapple and mangoes
- Animal products such as meats, poultry, eggs, cheeses, milk, ice cream and dairy products
- Baked goods such as bread, cakes, pies and cookies
- Plants such as flowers, bedding plants and potted herbs
- Produce grown in Virginia, but purchased from a wholesaler, farmers' market, produce auction or grocery store
- Dried herbs or teas
- Produce that might be grown in Virginia but was grown outside Virginia





These examples are not exhaustive.

Questions and disputes over foods deemed eligible or ineligible under *Farm Market Fresh* shall be resolved by the *Farm Market Fresh* Coordinator, whose decision is final.



Self-Grown Requirement

Farmers shall accept *Farm Market Fresh* vouchers 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 *Farm Market Fresh* vouchers.

Farmers are not permitted under any circumstances to accept *Farm Market Fresh* vouchers for any foods purchased from a wholesaler, farmers' market, produce auction or grocery store.

Exception to the Self-Grown Requirement

It is expected that authorized farmers are exchanging only their self-grown, eligible produce for the *Farm Market Fresh* vouchers and not accepting *Farm Market Fresh* vouchers 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, DAS has the discretion to allow exceptions in order to ensure availability and variety of produce for *Farm Market Fresh* participants.

An exception may be considered by DARS-DAS and its agricultural partners 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 lost to the farmer.

If the request for an exception is approved in consultation with the agricultural partners by DAS, a signed addendum to the Farmer Agreement will specify the produce for which the farmer may accept *Farm Market Fresh* vouchers that is grown by another Virginia farmer in addition to his or her own produce. Farmers with a signed and approved exception may only purchase and accept *Farm Market Fresh* vouchers for produce equal to the type and quantity of the crops they lost.

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

- If growing circumstances had been normal, the farmer would have met the \$1,000 self-grow and sell requirement.
- 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 either VDACS or DAS.
- If a farmer is a vendor at a "grower-only" market, where vendors are required to sell only self-grown products, the farmer must abide by that market's rules.
- Eligible foods cannot be obtained from a non-farm source and then redeemed for *Farm*

Market Fresh vouchers. Non-farm source means any place other than the Virginia farm where the fruit and vegetables are grown. Under no circumstances may a farmer purchase products from a wholesaler, farmers' market, produce auction or grocery store, and accept *Farm Market Fresh* vouchers for them.

Application Process

The application process takes place every **two years**. Farmers desiring to participate in Virginia's ***Farm Market Fresh*** program must complete and submit an application and agreement. Applications and agreements can be found at www.FarmMarketFresh.org and can be emailed to sfmnp@dars.virginia.gov.

Contact information for DAS' agricultural partners is found in the appendix of this handbook. The application will be reviewed by DAS' *Farm Market Fresh* Coordinator and the agricultural partners.

To be an authorized farmer and participate in the *Farm Market Fresh* program, the applicant must meet the selection criteria and have a fully executed farmer authorization agreement with DAS.

DAS and its agricultural partners establish and periodically review criteria for the selection of farmers who will be authorized to transact and redeem *Farm Market Fresh* vouchers. DAS and its agricultural partners must ensure that an appropriate number of farmers will be authorized. The farmer must comply with the farmer selection criteria throughout the agreement period. DAS and its agricultural partners 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 its agricultural partners, DAS 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 the farmer will be authorized. Farmers in their second year of the agreement must fill out a Farmer Renewal Form.

Selection Criteria

Farmer selection will be based upon consideration of the following criteria:

- The farmer must participate in face-to-face or virtual training with the DAS and its agricultural partners before the first year of participation. The farmer will receive written training materials for self-study in follow-up years.
- Farmers who grow and sell 100 percent of their own produce are given preference in the selection process.
- The farmer must grow and sell at least \$1,000 worth of *Farm Market Fresh* eligible fruit and vegetables.
- Farmers selling fruit, vegetables, and cut herbs that are 100% grown by others shall not be authorized to accept *Farm Market Fresh* vouchers.
- Farmers are not allowed to accept and/or redeem vouchers for another farmer, except individuals hired by a nonprofit organization to sell produce on behalf of farmers.
- The farmer will agree to sell only the eligible fruit and vegetables described in the Definitions section in exchange for *Farm Market Fresh* vouchers.
- The farmer will assure that no conflict of interest exists between the farmer, DAS, the

agricultural partners, and the local agency that is distributing vouchers to senior or WIC participants.

- The farmer will agree to comply with civil rights assurance 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 (including gender identity and sexual orientation) or disability, be excluded from participating as a farmer or customer.
- DAS will not authorize any farmer applicant if during the last six 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. DAS and its agricultural partners 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.
- 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.



Please Note Application Deadlines

Farmer applications are requested by an April deadline so that Farmer Agreements may be processed by the June 1 annual start of the redemption period.

Applications received by the April 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 participants. Applications not received by the April deadline will be accumulated for review and processed at the beginning of the next calendar month.

Farmer applications will not be accepted after July 15 of each year.

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

- Within 60 days of receipt of the application, the farmer will receive an Authorization Agreement or a notice of denial of application from DAS. 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.

Authorization Agreement

DAS has a two-year (season) agreement directly with farmers. This agreement may be terminated by either party with 15 calendar days advance written notice.

It is a requirement that the farmer must participate in face-to-face or virtual training each year. The farmer agrees to be accountable for actions of farmers or employees who are acting on behalf of the farmer and assure that these persons are trained regarding ***Farm Market Fresh*** rules and procedures.



Farmers shall not accept Farm Market Fresh vouchers until they receive the current season's Farmer Agreement signed by DAS.

The authorized farmer will receive a Farmer ID stamp and sign from DAS. The sign must be displayed at all authorized points of sale, every time the farmer is selling eligible foods in exchange for *Farm Market Fresh* vouchers. The ID stamp must be imprinted on all redeemed *Farm Market Fresh* vouchers before they are submitted for payment.

Farm Market Fresh for Older Adults and WIC Sign

An authorized farmer shall post the ***Farm Market Fresh*** sign provided by DAS for the current year in a visible location at all times while participating in *Farm Market Fresh*. The signs are color-coded each year, so previous signs are not acceptable. To ensure good visibility, the sign shall be posted at a height of three to five feet from ground level, facing the customer traffic.

Farmers are required by federal regulation to display the sign which lets the participants know without having to ask that the farmer is authorized to accept their *Farm Market Fresh* vouchers.

If the sign is lost or severely damaged, the farmer is responsible for notifying DAS so that a replacement sign may be issued.

Sample:



Farmers are in violation and subject to suspension for the remainder of the season/year if they accept *Farm Market Fresh* vouchers without the specific current year's *Farm Market Fresh* for older adults and WIC sign posted.

Vouchers

The **Farm Market Fresh** for older adults and WIC program issues vouchers. Each voucher must be certified by stamping the designated box on the front with the farmer's unique 4-digit stamp.

Farmers may redeem *Farm Market Fresh* vouchers through one of two ways.

1. Redeem vouchers by **scanning the QR code** in the mobile application.
2. **Mail** the stamped vouchers to the processing center.

The *Farm Market Fresh* voucher is color-coded with a QR code (new in 2024). *Farm Market Fresh* vouchers are negotiable instruments and shall be treated as cash and guarded from possible loss or theft until they are redeemed.

Senior participants receive (10) \$5.00 vouchers totaling \$50.00; WIC participants receive (6) \$5.00 vouchers totaling \$30.00. When a participant presents vouchers to an authorized farmer for the purchase of eligible produce, the farmer shall make sure the voucher has not yet been stamped.

Farmers are strongly urged to redeem vouchers as soon as possible after receiving them from participants so that any payment problems can be identified and resolved as they occur.

FARM MARKET FRESH Virginia's Farmers' Market Nutrition Program (S/FMNP) Department of Aging & Rehabilitative Services 1610 Forest Avenue, Suite 100 Henrico, VA 23229 800-552-3402 May be used for locally grown, unprocessed fresh fruits, vegetables and herbs only. <u>USE ONLY AT AUTHORIZED VA FMNP FARMERS</u> Farmers Scanning Coupons: Mark the box in ink to the right PRIOR to scanning coupons. Coupon cannot be scanned without checking the box. Farmers Mailing Coupons: See details at FarmMarketFresh.org	First Date to Spend: June 1, 2024 \$5.00 NO CHANGE ISSUED Last Date to Spend: November 18, 2024 SOME MARKETS MAY CLOSE SOONER 	165000 MARK THIS BOX TO SCAN  Farmers Submit by November 30, 2024
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Mailed vouchers must be sent to:

ATTN: FMNP Processing
PO Box 4200
Ithaca, NY 14850



Important: New QR Code Redeeming

In 2024, participating farmers have the option to redeem their *Farm Market Fresh* vouchers electronically. This is done by scanning the QR code on each voucher into a banking portal. Farmers will get instructions on how to set up their account for the portal.

Farmers can access the portal on a mobile device (like a smartphone or tablet) or on a computer's internet browser. To redeem a voucher on the portal, farmers need to open the mobile application on a device with a camera.

Once logged into the portal, the farmer will scan the QR code to redeem the voucher. Make sure to stamp or mark the voucher before scanning the QR code. Each voucher can only be scanned once and should be shredded after it's processed into the correct bank account. This process may occur at the market, at the point of purchase, or later following the acquiring of the voucher(s).

Voucher Deposit Deadline

Farmers must deposit all Farm Market Fresh vouchers by Nov. 30. Any vouchers deposited after Nov. 30 will be returned unpaid.

Identification (ID) Stamps for Stamping Vouchers

Each farmer is assigned and issued a unique 4 digit identification (ID) number and self-inking ID stamp. This ID stamp number replaces the “pay to the order of” name on standard vouchers.

Farm Market Fresh stamps will be provided by DAS at no cost to farmers. No farmer should use a stamp not issued by the *Farm Market Fresh* for older adults and WIC program.

Each *Farm Market Fresh* voucher accepted shall have the farmer’s ID number clearly stamped on the front in the indicated space before being deposited at the bank. Without a clear imprint stamped on the vouchers, they will be returned.

Ink refills are available from DAS 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 DAS 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.

Transaction Policies and Procedures



Under no circumstances shall **Farm Market Fresh** vouchers be exchanged for cash. No change shall be given and no credit shall be offered for future transactions.

If the “Amount of Sale” is less than the value of the voucher, farmers shall assist the participant to select more eligible items to fully use the value of the voucher.

If the “Amount of Sale” exceeds the maximum value of the voucher, farmers shall assist the customer in selecting items to remove from the transaction. If desired, the participant may use cash for the “Amount of Sale” that exceeds the value of the voucher.

During the transaction, when participants present their items for payment, farmers or their employees shall clearly identify and group separately, eligible foods that will be purchased with *Farm Market Fresh* vouchers from ineligible foods that are not permitted to be paid for with *Farm Market Fresh* vouchers. Authorized farmers are required to distinguish eligible foods from ineligible foods with signage, such as the decals provided that clearly identify which self-grown, eligible items are available under *Farm Market Fresh*. Decals will be included in your agreement packet.

Farmers or their employees shall be physically present and operating their own booth/stall/stand. Farmers may NOT accept *Farm Market Fresh* vouchers and/or operate a booth/stall/stand for a farmer not physically present, except individuals hired by a nonprofit organization to sell produce at farmers’ markets or roadside stands on behalf of local farmers. “Honor system” or “self-serve” operations where participants transact their own vouchers are not allowed and will result in a violation.



Eligible food decals are available for authorized farmers.



Locations

DAS and its agricultural partners are responsible for monitoring locations where *Farm Market Fresh* vouchers are accepted. With limited resources, DAS and its agricultural partners cannot oversee numerous individual locations. Therefore, the locations where farmers are, or are not, allowed to accept the vouchers will be limited as described below:



Farmers' Markets

Definition – for *Farm Market Fresh*, “farmers’ market” means an association of local farmers who assemble at a defined location for the purpose of selling their produce directly to consumers.

It is preferred that farmers accept the vouchers at farmers’ markets as one of the goals of the program is to promote farmers’ markets.

Not all farmers’ markets participate in *Farm Market Fresh*. 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 *Farm Market Fresh* vouchers at that farmers’ market.

A list of participating farmers’ markets is found at <https://vafma.org/find-market>.



Roadside Stands and Farm Stands

The terms “roadside stand” and “farm stand” are used interchangeably and mean the same thing in *Farm Market Fresh*.

Definition – for *Farm Market Fresh* “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.

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 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 participants to patronize.

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 vouchers.

There must be someone who is trained to handle *Farm Market Fresh* transactions available at all times during which the roadside or farm stand is open to accept the vouchers from participants. Farmers are not allowed to require participants to leave *Farm Market Fresh* vouchers unattended. "Honor system" or "self-service" operations are not permitted.

During the application process, additional information on the roadside or farm stand location and physical facility is required by DAS for farmers applying to accept the vouchers at their roadside or farm stand locations.

Roadside and farm stand operations are considered priority locations for monitoring.

In 2024, new Roadside and Farmer Stands will be authorized.

All new roadside and farmer stands must satisfy three requirements:

1. Must have set hours of operation (set days of the week & hours open to the public).
2. Must be staffed during all operating hours.
3. This location must function in addition to at least one farmers' market.

Senior Centers, Congregate Meal Sites, WIC Clinics, Senior Housing

Senior centers, congregate meal sites, WIC clinics, senior housing complexes and other organizations that serve older adults and WIC participants may schedule and coordinate a "pop-up" or "mobile" farmers' market at their location and invite farmers to come. Farmers should not arrive uninvited 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.

Farmers must list and describe on their application, all such senior centers, congregate meal sites, WIC clinics, senior residences and housing complex locations where they will be accepting *Farm Market Fresh* vouchers. If a location is added during the marketing season, the farmer must notify the *Farm Market Fresh* Coordinator. If the additional location is approved, an amended Farmer Agreement will be issued that includes the additional location.

Authorized farmers are not allowed to deliver produce door-to-door in exchange for *Farm Market Fresh* vouchers.



Monitoring



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.

Farmers are prioritized for monitoring. Those farmers considered high priority are:

- Farmers accepting a high volume of vouchers.
- New farmers in their first or second year of the program.
- Individual farmer operations (regardless of form or function, these are also called roadside stands or farm stands or farm stores).
- Farmers about whom there have been complaints.

The monitor will make an onsite visit at the selling location to ensure as many as possible of the following:

- The *Farm Market Fresh* sign is prominently displayed.
- The farmer accepts *Farm Market Fresh* vouchers only for self-grown, eligible fresh fruit and vegetables.
- Ineligible foods are separated and clearly indicated when items are purchased.
- Eligible foods are the same quality and cost as that sold to other customers.
- *Farm Market Fresh* customers are treated with the same respect and courtesy as other customers.
- Proper redemption procedures are followed.
- Sales tax is not charged.
- The farmer encourages participants to purchase close to the maximum value of the voucher and does not give change or credit for future purchases.
- Farmers do not cash vouchers for participants nor do they accept them for or from other farmers, with the exception of individuals employed by a farmer otherwise qualified under these regulations, or individuals hired by a nonprofit organization to sell produce at farmers' markets on behalf of local farmers.
- Non-discrimination guidelines are followed.

A monitor or "secret shopper" may perform a covert purchase with *Farm Market Fresh* vouchers to determine where there are potential weaknesses. Covert means the monitor or "secret shopper" may shop at the farmer's point of sale while pretending to be a participant and may attempt to purchase ineligible foods with *Farm Market Fresh* vouchers.

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 planted and harvested on the farm and that the farmer is growing at least \$1,000 worth of foods eligible under *Farm Market Fresh*.

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

Violations and Sanctions



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 DAS.

There will be three types of farmer sanctions:

- **Non-payment** – the farmer is not paid for improperly transacted *Farm Market Fresh* vouchers.
- **Suspension** – the farmer is suspended from accepting *Farm Market Fresh* vouchers for the remainder of the season/year.
- **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.

Violations leading to non-payment of improperly transacted *Farm Market Fresh* vouchers:

- Failure to stamp vouchers with valid and legible farmer identification number.
- Accepting and depositing vouchers before receiving the signed Farmer Agreement authorizing participation.
- Accepting and depositing vouchers prior to “first day to spend” or after “last day to spend” dates marked on vouchers.
- Depositing vouchers after “last day to deposit” dates marked on vouchers.
- Failure to get the signature of the participant on the voucher.

Violations leading to farmer suspension

The farmer is suspended from program participation for the remainder of the season/year:

First incidence of:

- Acceptance of vouchers for anything other than self-grown, eligible foods.
- Failure to meet eligibility requirements including not growing at least \$1,000 worth of eligible fruit and vegetables.
- Charging tax.
- When purchases amount to less than the value of the voucher, giving change, cash, or credit for future purchases.

Second incidence of:

- Failure to post *Farm Market Fresh* for older adults and WIC sign each market day.
- Acceptance of vouchers at unmanned roadside stands.

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:

- Acceptance of vouchers for anything other than self-grown, eligible foods.
- Failure to meet eligibility requirements including not growing at least \$1,000 worth of eligible fruit and vegetables.
- Charging tax.
- When purchases amount to less than the value of the voucher, giving change, cash or credit for future purchases.



Any incidence of:

- Redeeming vouchers for an unauthorized farmer or other person(s) not currently authorized as a farmer in the *Farm Market Fresh* program.
- Not giving equitable treatment to program participants, such as charging higher prices, offering lesser quality produce, or not treating participants with the same courtesy as offered other customers.
- Seeking restitution from participants for vouchers not paid.
- Failing to respond to requests, implement corrective actions, or comply with directives from DAS or its agricultural partners in relation to any *Farm Market Fresh* rules.
- Failure to cooperate with DAS or its agricultural partners in monitoring for compliance or farm inspections to verify production.
- Exchanging vouchers with another farmer for cash or produce.

Notice of Violation and Sanction



Farmers will receive notifications of non-payment of ***Farm Market Fresh*** vouchers through the Automated Clearing House (ACH) system. If the farmer believes there has been an error in non-payment, he/she should contact the *Farm Market Fresh* Coordinator for investigation and resolution.

DAS shall notify the farmer in writing of the violation requiring the suspension and the effective date after which vouchers will not be accepted. The suspension shall remain in effect for the remainder of the current market season/year.

DAS shall notify the farmer in writing of the violation requiring the disqualification and the effective date after which vouchers 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.

When the farmer receives a Notice of Suspension or Notice of Disqualification, he/she must immediately stop displaying the *Farm Market Fresh* for older adults and WIC sign, return his/her ID stamp to DAS, and not accept *Farm Market Fresh* vouchers at any location on and after the date listed in the letter. Any vouchers presented to the bank after the date of suspension or disqualification will not be paid.

The notice will:

- State the violation or cause for the sanction.
- State the effective date of the sanction.
- State the procedure for the farmer requesting an appeal.
- Be sent via U.S. mail, return receipt requested, to the farmer's mailing address of record.

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.



Appeal and Fair Hearing



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 **Farm Market Fresh** Coordinator, 1610 Forest Avenue, Suite 100, Henrico, VA 23229.

The request for appeal shall:

- State the issue.
- Contain a summary of the farmer's position on the issue indicating why the sanction should be reversed.
- State the name and address of the farmer requesting the appeal.
- State the name and address of the farmer's representative or attorney, if any.
- The decision will be made by the VDACS and DAS 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.

A request for an appeal must be received by DAS within 45 days of the date the farmer received the notice. The farmer must not accept *Farm Market Fresh* vouchers while awaiting a decision on the appeal.

If a hearing (meeting) is requested, the *Farm Market Fresh* Coordinator will give the farmer not less than 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.

The farmer will receive a written decision on the written appeal letter or fair hearing within 60 days from the date DAS receives the appeal request. The decision will be final and may not be contested.

Farm Market Fresh Questions, Concerns and Complaints



DAS provides a statewide toll-free number for participants, farmers, local agency staff and others to call if they have *Farm Market Fresh* questions or concerns. In addition, the *Farm Market Fresh* coordinator's direct phone line and other contact information are provided in the appendix of this handbook.

Complaints regarding any aspects of the *Farm Market Fresh* for older adults and WIC Program will be accepted in writing from participants, farmers, local agency staff and others on the Complaint Form found in the appendix of this handbook.

APPENDIX



How to Submit Farmers' Application

To apply online or for more information about *Farm Market Fresh*, visit:
www.FarmMarketFresh.org

Email completed farmer application and agreement documents to:
sfmnp@dars.virginia.gov



How to Find a Farmers' Market

To find a farmers market in Virginia, visit:
<https://vafma.org/find-market>

OR

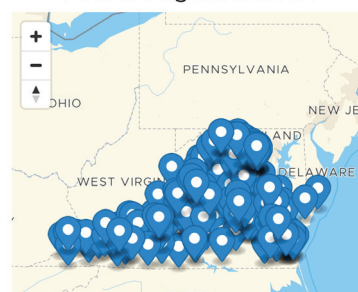
Download the Virginia Farmers Market Trail app from the iPhone App Store or Google Play Store.

OR

Scan this QR code with your phone's camera.

VIRGINIA
IS FOR
FARMERS MARKET
LOVERS

Find a Virginia market



Contact Information for Farm Market Fresh Partners

Virginia Department for Aging and Rehabilitative Services

Senior and WIC Farmers' Market Nutrition Program
Matthew Wasikiewicz, Farm Market Fresh Coordinator
(804) 774-9067
(800) 552-3402
Fax: (804) 662-9354
matthew.wasikiewicz@dars.virginia.gov



Virginia Farmers Market Association

Kim Hutchinson, PhD, MBA
kim.hutchinson@vafma.org
(804) 405-3288
www.lovevmarkets.org



Virginia Department of Agriculture and Consumer Services

Heather Wheeler
heather.wheeler@vdacs.virginia.gov
(804) 786-5842
www.vdacs.virginia.gov



Virginia Fresh Match

Lanae B. Hood, PhD
(540) 212-9482
lanae@leapforlocalfood.org
<https://vm.leapforlocalfood.org>



Virginia Department of Health

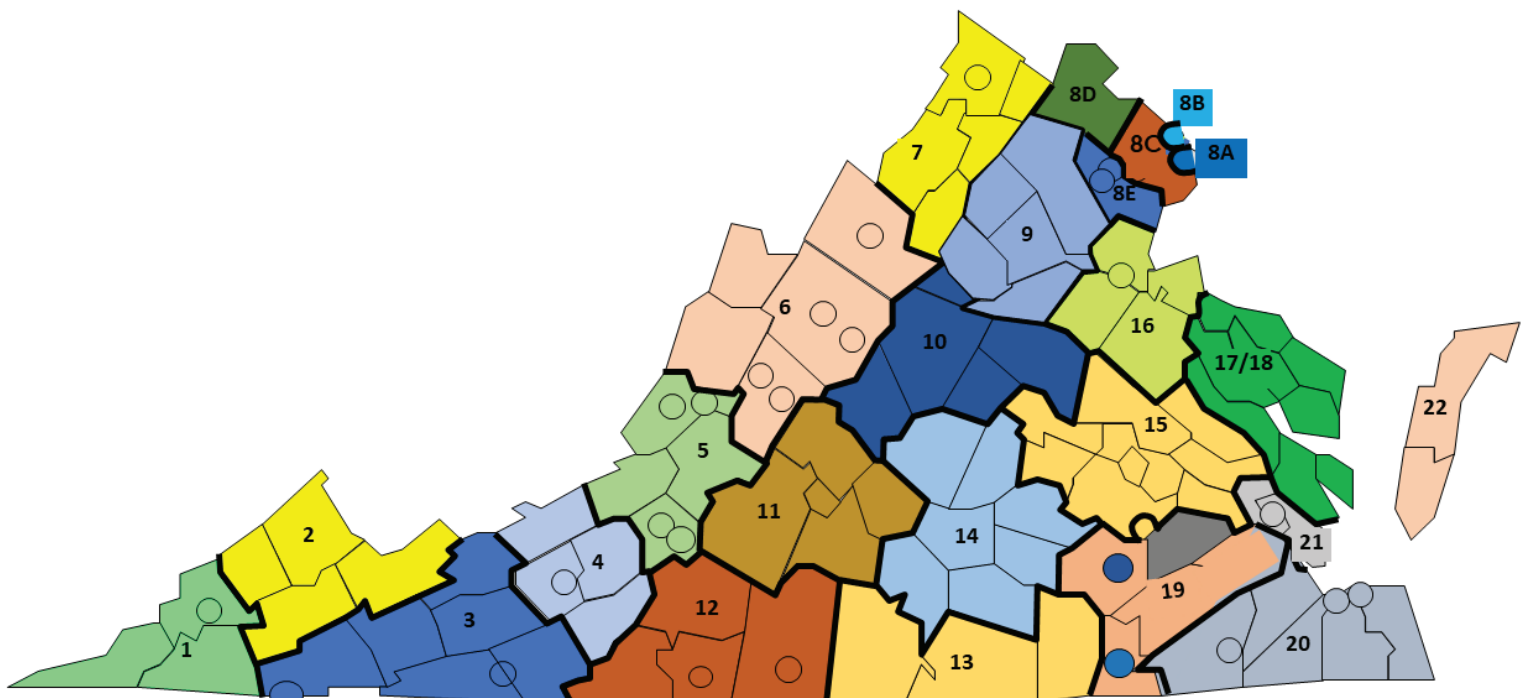
Women, Infants and Children (WIC)
Megan Nason
(804) 864-7793
megan.nason@vdh.virginia.gov
vdh.virginia.gov/WIC



Farm Market Fresh Participating Agencies

Eligible seniors apply for *Farm Market Fresh* vouchers through their local Area Agency on Aging or www.FarmMarketFresh.org. The map shows the regions that participate in *Farm Market Fresh*.

1	Mountain Empire Older Citizens	10	Jefferson Area Board of Aging
2	Appalachian Agency for Senior Citizens	(10)	Charlottesville Parks & Recreation
3	District Three Government Cooperative	11	Central Virginia Alliance for Community Living
4	New River Valley Agency on Aging	12	Southern Area Agency on Aging
5	Local Office on Aging	13	Lake Country Agency on Aging
6	Valley Program for Aging Services (VPAS)	14	Piedmont Senior Resources
7	Shenandoah Area Agency on Aging (DBA Seniors First)	15	Senior Connections
8A	Alexandria Division of Aging and Adult Services	16	Healthy Generations Area Agency on Aging
8B	Arlington Agency on Aging	17/18	Bay Aging
(8C)	FRESHFARM	(19)	Crater District
(8D)	FRESHFARM	(19)	Prince George County
8E	Prince William Area Agency on Aging	(19)	Healthy Living & Learning Center Petersburg Public Library
9	Encompass Community Supports (Rappahannock-Rapidan Community Services)	20	Senior Services of Southeastern Virginia
		21	Peninsula Area Agency on Aging
		22	Eastern Shore Area Agency/Community Action Agency



Virginia Farm Market Fresh Complaint Form

To: Program Coordinator, Division for Aging Services
Office for Aging Services, 1610 Forest Avenue, Suite 100, Henrico, VA 23229
Fax: 804-662-9354, aging@dars.virginia.gov
Only forms with complete information will be addressed.

PERSON FILING COMPLAINT:

Name: _____

Address: _____

City/State/Zip: _____

Phone Number: _____

I am (please check box and describe if indicated)

☐ Farmer ☐ Senior participant ☐ WIC participant ☐ AAA Staff at: _____

☐ Market Manager at: _____ ☐ WIC staff 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:



VIRGINIA DEPARTMENT FOR AGING
AND REHABILITATIVE SERVICES

Division for Aging Services

1610 Forest Ave., Suite 100, Henrico, VA 23229

Toll-Free Phone: (800) 552-3402, Fax: (804) 662-9354

www.vda.virginia.gov

