

**MISSISSIPPI FARMERS MARKET
NUTRITION PROGRAM**



**PROGRAM GUIDE FOR FARMERS
2016**

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I. INTRODUCTION – WIC FMNP

The Mississippi Farmers' Market Nutrition Program (MFMNP) is a partnership of the Mississippi Department of Agriculture and Commerce (MDAC) and the Mississippi State Department of Health's (MSDH) Women, Infants, and Children (WIC) Program. WIC is a supplemental food program aimed at improving nutrition for pregnant women, women who have just conceived a child, infants and children up to age five. WIC eligible participants receive a standard food package at centralized food centers in each county.

The FMNP creates access to fresh fruits and vegetables, which are not available as a part of the food package. Cooperating with the two agencies to implement and operate the program are the Cooperative Extension Services of Mississippi State University and Alcorn State University. The partnership with these agencies has been created to strengthen the program for women, infants, and children and to generate new sales for small vegetable farmers throughout the State of Mississippi.

II. OVERVIEW – WIC FMNP

The MFMNP is a unique program designed to provide nutrition benefits to WIC clients and promote the purchase of Mississippi grown fruits and vegetables from farmers at local farmers' markets throughout Mississippi.

Specially printed checks are provided on a one-time basis to participants enrolled in WIC in communities with farmers' markets. Checks issued by designated staff members at local WIC agency sites are redeemed by participants for the purchase of fresh fruits and vegetables from farmers participating in the program. WIC program recipients certified by the designated staff will receive a one-time benefit of \$20 (4 checks valued at \$5 each).

Farmers' markets are selected for the program based on specific criteria agreed upon between the MDAC and the MSDH. These criteria include proximity to WIC nutrition sites, WIC target nutrition areas, and areas of farm produce availability. As these sites are chosen, MDAC will train and certify farmers/ market managers and participating farmers.

The FMNP begins in June/July with the distribution of checks to eligible recipients. The checks will be valid for use at all authorized farmers' markets until October. The program will end in October. Since no change is given to program recipients, if a check is less than the printed denomination value, farmers are encouraged to make up the difference with additional produce items.

The program currently takes place in various counties throughout Mississippi.

III. DUTIES & RESPONSIBILITIES

A. MDAC

The Mississippi Department of Agriculture and Commerce will be responsible for compliance and communicating with USDA program regulations. MDAC will designate a staff person to serve as the manager of the program. Additional staff will be assigned to assist in carrying out the following tasks:

- Develop the annual FMNP operating plan and budget
- Authorize and approve expenditures
- Coordinate the activities of state, local, and private groups in support of the FMNP grant
- Select and authorize the markets that will offer the Farmers Market Nutrition Program
- Deliver checks to WIC agencies that are selected for FMNP participation
- Collect and review FMNP farmer and WIC client participation data
- Certify farmers' markets and coordinate the training of farmers' market managers
- Certify farmers to participate in the FMNP and coordinate the training of farmers prior to participation
- Monitor the authorized farmers' markets and participating farmers
- Analyze and collect survey data from WIC clients, participating farmers' markets and farmers
- Coordinate evaluating of FMNP results
- Prepare and submit reports as required by USDA and
- Receive and process discrimination complaints from FMNP participants.

B. *Mississippi Department Of Health / WIC Program*

The Mississippi State Department of Health (MSDH) will designate a staff member who will serve as the department's liaison with MDAC on the FMNP. It is recognized that there are certain responsibilities that may be carried out by MSDH as part of the ongoing coordination among the state agencies working jointly on programs that benefit the respective clientele of each department.

These services include:

- Consult with MDAC on the targeted counties in which FMNP could be offered
- Consult with MDAC on the preparation of the FMNP application
- Schedule joint training with MDAC for MSDH and local staff who will participate in the delivery of the Farmers' Market Nutrition Program
- Certify the eligibility of targeted WIC clients for the Farmers' Market Nutrition Program

- Provide WIC clients receiving FMNP benefits with annual surveys about their consumption of fresh fruits and vegetables
- Make FMNP-related materials available to targeted WIC clients.
- Receive and forward complaints regarding FMNP to MDAC
- At the conclusion of WIC nutrition education classes, provide instruction on the use of FMNP checks
- Record the delivery of FMNP checks to participating WIC clients, and mail these logs weekly to MDAC
- Notify MDAC of any checks reported lost, stolen, or voided, and return voided/unusable checks to MDAC

**C. *Mississippi State University Extension Service
Alcorn State University Cooperative Extension Program***

- Assist with outreach efforts to farmers
- Provide technical assistance
- Provide supplemental nutrition education materials such as preparation and storage of fruits and vegetables
- When possible, provide cooking demonstrations at farmers' market sites

IV. INTRODUCTION – SENIOR FMNP

The Mississippi Farmers' Market Nutrition Program (MFMNP) is a partnership of the Mississippi Department of Agriculture and Commerce (MDAC), the Mississippi Department of Human Services (MSDH) Aging and Adult Services Division, along with regional Area Agencies on Aging. Cooperating with these agencies to implement and operate the program are the Cooperative Extension Services of Mississippi State University and Alcorn State University.

V. OVERVIEW – SENIOR FMNP

The Senior FMNP is a unique program designed to provide more access to good nutrition for low-income senior citizens above the age of 60 in certain areas of Mississippi and to promote the purchase of Mississippi grown fruits and vegetables from farmers at local farmers' markets throughout Mississippi.

The Senior FMNP begins in June/July with the distribution of checks to eligible recipients. The checks will be valid for use at all authorized farmers' markets until October or November. The program will end in October or whenever the farmers market in certain areas closes. Since no change is given to program recipients, if a check is less than the printed denomination value, farmers are encouraged to make up the difference with additional produce items.

Vouchers or checks are issued by designated staff members at: local congregate feeding sites, through home delivered meals and Medicaid waiver recipients and are redeemed by participants for the purchase of fresh fruits and vegetables from farmers participating in the program. Eligible recipients certified by the designated staff received a one-time benefit of \$25 (5 checks valued at \$5 each).

The senior program has been made possible by a grant from the United States Department of Agriculture (USDA) and will affect over 4,000 seniors in Adams, Carroll, Desoto, Forrest, Holmes, Harrison County and other areas throughout south Mississippi, the Gulf Coast, the Golden Triangle and other counties in Mississippi.

VI. DUTIES & RESPONSIBILITIES

A. MDAC

The Mississippi Department of Agriculture and Commerce is the lead agency for the Senior FMNP and responsible for duties listed below.

- Develop the annual Senior FMNP operating plan and budget
- Authorize and approve expenditures
- Coordinate the activities of state, local, and private groups in support of the pilot project
- Select and authorize the markets that will offer the Senior Farmers Market Nutrition Program
- Deliver checks to Area agencies on Aging that are selected for participation
- Collect and review Senior FMNP farmer and recipient participation data
- Certify farmers' markets and coordinate the training of farmers' market managers
- Certify farmers to participate in the Senior FMNP and coordinate the training of farmers prior to participation
- Monitor the authorized farmers' markets and participating farmers
- Analyze and collect survey data from senior check recipients, participating farmers' markets and farmers with the necessary assistance
- Prepare and submit reports that would have been required by USDA and
- Receive and process discrimination complaints from FMNP participants.

B. AREA AGENCIES ON AGING

The Area Agencies on Aging direct the certifying and issuing activities related to the Senior FMNP.

These services included:

- Issue and distribute sets of checks to eligible seniors enrolled in home feeding delivery programs, congregate meal site participants, Medicaid waiver program participants, Commodity Supplemental Food program participants, and others eligible to receive based on availability.
- Make SFMNP-related materials available to targeted senior clients.
- Receive and forward complaints regarding the SFMNP to MDAC
- At the conclusion of nutrition education classes, interaction and provide instruction on the use of SFMNP checks
- Record the delivery of SFMNP checks to participating senior recipients, and mail these logs weekly to MDAC
- Notify MDAC of any checks reported lost, stolen, or voided, and return voided/unusable checks to MDAC
- Provide eligible elderly clients receiving SFMNP benefits with annual surveys about their consumption of fresh fruits and vegetables

**C. MISSISSIPPI STATE UNIVERSITY EXTENSION SERVICE
ALCORN STATE UNIVERSITY EXTENSION PROGRAM**

- Provide technical assistance and supplemental nutrition education materials such as preparation and storage of fruits and vegetables
- When possible, provide cooking demonstrations at farmers' market sites
- Currently assist with outreach efforts to farmers/training/market management-technical assistance for the purposes of the Sr. FMNP.

VI. MISSISSIPPI FMNP ELIGIBLE FOODS

Below is a list of fruits and vegetables deemed eligible for farmers to grow and sell for the Mississippi FMNP and for WIC/Senior FMNP Participants to buy.

ELIGIBLE FOODS	
FRUITS	VEGETABLES
Apples	Beans
Blackberries	Beets
Blueberries	Broccoli
Cantaloupes	Cabbage
Figs	Carrots
Muscadines	Cauliflower
Peaches	Corn
Pears	Cucumbers
Strawberries	Eggplants
Watermelon	Greens (Collard, Mustard, Turnip)
Satsumas	Lettuce
	Okra
	Onions
HERBS	Peas
Only edible herbs	Peppers
	Potatoes (Sweet, Red)
	Pumpkins
	Rutabagas
HONEY – Sr. Program Only	Spinach
	Squash
	Tomatoes
	Turnips

INELIGIBLE ITEMS	
Jellies, Jams, Preserves	Eggs
Juices, Cider	Cheese
Sorghum syrup	Meat
Peanuts, pecans & walnuts	Seafood
Seeds	Fish

FARMERS MUST NOT ACCEPT CHECKS FOR PROCESSED ITEMS, SUCH AS SODAS, CHIPS AND ANY OTHER PROCESSED ITEM.

VII. PROGRAM POLICIES – PARTICIPATING FARMERS

How do I become a participant in the Farmers' Market Nutrition Program?

Beginning in January of each year, MDAC, with the assistance of Mississippi State University Extension and Alcorn State University Extension Program, will conduct meetings in targeted geographic areas to share information regarding the FMNP with potential participating farmers. These meetings enable farmers to learn about the program and to apply to participate. After an application (**appendix A**) and crop plan are submitted, an MDAC committee will review the application for approval.

Prior to, or after, being approved to participate in the FMNP, the farmer's vegetable farm and/or stand at the farmers' market may be monitored and reviewed at least once a year, as required by USDA.

A. Criteria for Participation

To be eligible as a farmer participant in the Mississippi FMNP:

1. Be a bona fide farmer who grows and harvests fresh produce on property owned, rented or leased* in Mississippi by the farmer; produce grown on land leased or contracted through Extension projects (or experiments) by the farmer. If necessary to supply a market, produce grown or harvested on property in a state that borders counties with authorized market sites may be permitted. *(Proof of the above by the farmer may be requested by MDAC and may include tax receipts for the previous year and/or notarized signed leases between the farmer and owner.)*
2. Produce a variety of fruits and vegetables to be sold at the farmers' market on all market days during the program cycle.
3. Not be a wholesaler, unless proof can be shown that vendor also grows and harvests produce. In such a case, the vendor must submit a crop plan and sell only eligible products grown and harvested.
4. Prior to certification for this Mississippi FMNP, submit a crop plan outlining products he/she intends to sell at the market. (The farmer may revise his/her crop plan to reflect increased or decreased planting of different fruits and vegetables.)
5. Must be the person selling the produce or designate an authorized employee or family member to sell produce at market sites during the program period. The farmer certified as a participant in the FMNP shall be accountable for actions of employees or relatives who are either present at the market or performing transactions on behalf of the certified farmers.
6. Agree to abide by the Rules and Procedures for Farmers and complete the Mississippi FMNP Farmer's Participation Application and Agreement (**appendix A**).

B. Training

MDAC will conduct training for potential farmer participants and participating farmers every 3 years on a schedule recommended by the Cooperative Extension Services staff or local market managers beginning in January and before the market season. Although training meetings are required every 3 years, farmers will be required to complete the FMNP application and agreement each year. To participate in the FMNP, farmers must attend a training session via a Market Growers meeting, through video conferencing arranged by the market or extension, or receive one-on-one training from the FMNP coordinator, an extension agent authorized by the FMNP Coordinator or the local farmers' market manager.

Farmers that do not receive training prior to the start of the market but seeking to participate in the FMNP must first complete the FMNP Application and be certified after receiving training prior to accepting FMNP checks. **MDAC is not obligated to reimburse farmers accepting checks prior to becoming certificated.** Through the training sessions, Mississippi farmers will gain a first hand look at the FMNP program and receive information which will enable them to evaluate their eligibility and if the program is feasible for their participation.

Farmers participating in training will receive:

A. Farmer Manuals briefly outlining the:

- Purpose, description and introduction to the program
- Be given information on participation and eligibility criteria
- Criteria to participate
- Information on market procedures
- FMNP eligible foods
- FMNP ineligible foods
- FMNP procedures at the Market
- WIC and Senior Issuance Procedures and contacts
- Program start/end dates for redemption.
- Redemption of checks by participant at the market
- Secure redemption/deposit of checks by farmer

B. Explanation of monitoring procedure

- Inspections during and prior to program operation
- Violations
- Sanctions

C. Information on how to register a general or civil rights complaint

D. Contact information for other participating agencies

C. Policy & Procedures for Participating Farmers

In order to begin accepting checks at farmers' markets, participating farmers must have received, a certification card, a display poster with the Mississippi Farmers' Market Nutrition Program Participant logo (must be displayed at all times at the Market) and a certification stamp (a stamp containing the farmer's certification number to be utilized when accepting checks).

Certified participating farmers are issued a 5-character certification number upon the completion of training and certification. This 5-character number must be stamped on the check prior to deposit at a bank or financial institution. Below is an example of the 5-character certification number:

50	001
MSDH district #	Certification #

1. At the market, participating farmers may only accept checks for eligible food items as listed page 7 of this booklet and as agreed to by signing the Farmer Participation Agreement. Purchases for other items must be made with cash or the SNAP/EBT card. (*To become authorized to accept food stamps, contact the USDA Food and Nutrition Service at 1-877-823-4369 or online at www.fns.usda.gov/ebt/snap-and-farmers-markets)*
 2. Participating farmers may accept checks **ONLY** at authorized farmers' markets. Farmers **CANNOT RETURN CHANGE** for purchases made with checks.
 3. A certified farmer cannot supplement his/ her produce with that of a neighbor or another farmer unless the other person or entity registers for the program as well and authorizes their location to be inspected for verification of crop plan. Also, that farmer must authorize the certified farmer to sell their produce. (***No money may exchange between farmers for produce, or farmers may not buy from other farmers***)
- NOTE:** In the event there is a demand for an item(s) at the market by WIC participants and that item is not available, contact the FMNP Coordinator.
4. Farmers must post prices of produce items when accepting WIC/Senior FMNP checks.
 5. Farmers must not collect sales tax on FMNP check purchases.
 6. Farmers shall not seek reimbursement from FMNP recipients for checks not paid by the FMNP/SFMNP.
 7. When accepting checks from WIC or senior participants, farmers **MUST** require the participant to **sign** the check. (If FMNP recipient is unable to sign his/her name, a farmer may assist).

8. Farmers should not accept checks that have been mutilated or damaged.
9. Farmers **may not accept checks for credit** to buy fruits and vegetables at a later market day or for the next year.
10. Farmers must accept checks printed and intended for use during the **current year's** program cycle.
11. Farmers must not discriminate against WIC/Senior recipients in price, quality, or service. Farmers must offer fresh produce to WIC/Senior recipients at no more than the price charged to other customers, and offer the same courtesies extended to other customers.
12. Farmers participating at a market and selling eligible foods and non-eligible foods or outside produce allowed by the market MUST post FMNP poster prominently near FMNP authorized items so that customers can easily see which items may or may not be purchased with FMNP checks.
13. To offset some administrative costs of the program, previously authorized farmers requesting a new MFNMP stamp will pay a charge of \$10.00 for replacement a stamp. In the event a replacement stamp is needed, farmers must complete the replacement FMNP stamp form, enclose a check payable to the Mississippi Department of Agriculture and mail to the attention of the FMNP Coordinator at P.O. Box 1609, Jackson, MS 39215.
14. The last day farmers may **accept** and **deposit** checks from WIC and senior recipients will be set by the FMNP Coordinator prior to the start of the program.

*(This date is usually the last Saturday in the month of **October for WIC FMNP and November for the Senior FMNP**. The last day farmers may **deposit** checks to a **bank or financial institution** is usually up to **five business days** after the last day to accept WIC checks. Refer to the check printed for the program year.)*

VIII. PROGRAM DELIVERY – WIC FMNP

Issuance, Redemption & Reconciliation System - FMNP

DEFINITIONS:

Farmer: vendor or person authorized by certified vendor who has received training and as result has received a certification card, signed a Farmer Participation Agreement, and a farmers participation program poster to display at the stand.

Market Manager: farmers' market staff that oversees daily functions at the market and who has completed program training and signed the Market Participation Agreement.

A. WIC FMNP ISSUANCE

The MDAC will be responsible for printing all checks to be redeemed in the program.

1. MDAC distributes checks, issuance log sheets and FMNP benefit delivery certification forms to the state WIC office to be distributed to the local WIC agencies and/or WIC distribution centers.
2. When the local WIC agency receives checks and issuance delivery sheet, an authorized staff member will review the sets of checks and compare with check range numbers, and if all of the information is correct, complete the delivery certification and return to the state WIC Coordinator's office who will then forward to the MDAC.

When WIC certifies a recipient for the program, the MSDH staff member will complete the check issuance log sheet (if necessary) at the end of the season will send a copy of the issuance log sheet to the FMNP Coordinator at the MDAC. However, in most cases issuance will be completed electronically. Any checks that are damaged will be returned to FMNP Coordinator. Any checks lost or stolen will NOT be replaced. The issuance process will require the following information: check range numbers, recipient name, WIC ID number, WIC category type, recipient signature, and initials of WIC agent. NOTE: A person receiving checks can identify a proxy – spouse, relative, etc., to receive WIC FMNP checks.

B. SENIOR FMNP ISSUANCE

The MDAC will be responsible for printing all checks to be redeemed in the program.

1. MDAC distributes checks, issuance log sheets and FMNP benefit delivery certification forms to the Area Agency on Aging offices or its subcontractor to be distributed to the local feeding sites and/or AAA program areas. The issuance log sheet will require the following information: check range numbers, recipient name, senior category type, recipient signature, and initials of the issuing agent. NOTE: If the person receiving checks is a proxy for certified recipient – spouse, relative, then that person's initials the letter P on the right side of their signature.
2. When the issuing agency receives checks and check registry sheet, an authorized staff member will count check sets and compare with check range numbers, and if all of the information is correct, complete the delivery certification and return to the state Senior FMNP Coordinator's office who will then forward to the MDAC.

When the AAA certifies a recipient for the program; the staff member will complete the check issuance log sheet for the recipient and at the end of the week will send a copy of the issuance log sheet to the FMNP Coordinator at the MDAC. Any checks that are damaged will be returned to FMNP Coordinator. Any checks lost or stolen will NOT be replaced.

C. AT THE MARKET

HOW TO ACCEPT A FARMERS' MARKET NUTRITION PROGRAM CHECK

1. Recipients will redeem checks at local farmers markets in exchange for eligible fruits and vegetables. At the point of redemption the recipient or the person redeeming the check will sign the check at the place designated.

FMNP Checks

The Farmers Market Nutrition Program issues a negotiable check. Each check must be endorsed on the back with a signature or an endorsement stamp. The farmer then deposits the FMNP check into his/her local retail bank. Mississippi FMNP checks are color-coded, and are similar to the one pictured on the next page.

2011 MISSISSIPPI FARMERS MARKET NUTRITION PROGRAM	ACCOUNT NUMBER 800649 75-1248/019	200001		
Valid JUNE 1 through OCTOBER 29, 2011 Good only for the purchase of fresh fruits and vegetables at authorized Mississippi farmers markets. Cannot be redeemed for cash.				
PAY TO THE ORDER OF Mississippi FMNP Farmer Participant _____ Five Dollars and _____ no/100	AUTHORIZED PROGRAM FARMER NUMBER MFMNP 70001	<table border="1" style="margin: auto;"> <tr> <td style="padding: 5px;">\$ 5.00</td> </tr> <tr> <td style="padding: 2px;">NO CHANGE PERMITTED</td> </tr> </table>	\$ 5.00	NO CHANGE PERMITTED
\$ 5.00				
NO CHANGE PERMITTED				
SECURITY STATE BANK HOWARD LAKE, MN 55349		RECIPIENT SIGNATURE		
Farmers must deposit by November 4, 2011				
⑆091912482⑆ 800649⑆				

Farmers' Market checks are negotiable and should be treated as cash and guarded from possible loss or theft prior to redemption.

2011 MISSISSIPPI SENIOR FARMERS MARKET NUTRITION PROGRAM	ACCOUNT NUMBER 800657 75-1248/019	300001		
Valid JUNE 1 through NOVEMBER 19, 2011 Good only for the purchase of fresh fruits and vegetables at authorized Mississippi farmers markets. Cannot be redeemed for cash.				
PAY TO THE ORDER OF Mississippi FMNP Farmer Participant _____ Five Dollars and _____ no/100	AUTHORIZED PROGRAM FARMER NUMBER: MFMNP 70001	<table border="1" style="margin: auto;"> <tr> <td style="padding: 5px;">\$ 5.00</td> </tr> <tr> <td style="padding: 2px;">NO CHANGE PERMITTED</td> </tr> </table>	\$ 5.00	NO CHANGE PERMITTED
\$ 5.00				
NO CHANGE PERMITTED				
		RECIPIENT SIGNATURE		
SECURITY STATE BANK HOWARD LAKE, MN 55349		Farmers must deposit by November 30, 2011		
⑆091912482⑆ 800657⑆				

D. CHECK REDEMPTION PROCEDURES

1. Stamp Requirement

When a farmer accepts a FMNP check from a participant, he/she must stamp the MFMNP check with the assigned farmer I.D. stamp (sample above).

This stamp shows that you are authorized to accept Mississippi FMNP checks and contains your farmer number and a market number. Farmers may receive a stamp for each market he/she attends. **A farmer is not an authorized farmer and should not accept FMNP checks until he/she has received a farmer stamp and participating farmer sign.**

Farmers should consider and adopt a routine or procedure for keeping checks that have been redeemed secure until checks can be redeemed (lockbox, hole-punched, endorsement stamp, etc). Before checks can be redeemed, they must be stamped with an assigned certification number. The farmer should stamp the face of each check with his/her stamp at the time of the sales transaction.

2. Depositing the Check

The farmer must **endorse** each check with a **signature or endorsement stamp**. The check may then be deposited into his/her retail bank account.

Checks should be deposited on the same day they are accepted from FMNP participants, but **no later than 5 days** after they are accepted. **Farmers should not “store up” checks for bulk redemption.**

All checks must be deposited on or before five business days after the deadline date for the WIC FMNP and November 30th for the Senior FMNP.

3. Payments to Farmers

An authorized farmer, who accepts FMNP checks, while complying with program rules, is guaranteed payment by the State. When handling FMNP check transactions, farmers must follow certain federal and state regulations. Farmers who accept checks before being authorized to participate in the program will not receive payment for the checks until proper authorization is obtained.

4. Rejected Checks

FMNP checks may be rejected for the following reasons:

- **Checks with no farmer certification stamp or signature**
If an FMNP check has no farmer stamp at deposit, it will possibly be returned unpaid.
- **Not a valid farmer**
If a farmer accepts and deposits FMNP checks, but has not been authorized by the Department, the checks deposited will be returned unpaid.
- **Submitted for payment too late**
If an FMNP check is deposited for payment too late, it will be returned to the farmer and he/she will not receive payment.

IX. PROGRAM VIOLATIONS

Actions of a farmer and/or farmers' market which constitute violations of the Rules and Procedures governing the FMNP are divided into Class I and Class II violations.

1. **Class I** violations include:

- a. Failure to display the Mississippi Farmers' Market Nutrition Program Poster;
- b. Knowingly provide false information about the program to check recipients or the FMNP;
- c. Accept checks for foods not solely grown by the farmer and not accounted for on the FMNP Application and Agreement; &
- d. Offensive behavior toward WIC/Senior recipients, and/or preventing any FMNP representative from conducting any monitoring visits (market or farm).

Class I violations will result in a verbal warning from MDAC to the violating farmer and applicable market manager and will be documented in the MDAC's file for that farmer and market. The farmer may be invited to explain the alleged violation; that response and/or any corrective actions taken will also be recorded. *The second substantiated instance of a **Class I** violation during a season will constitute a **Class II** violation.*

2. **Class II** violations will include the following:

- a. Giving program participants cash change when the value of the participant's purchase is less than the value of the check(s) presented;
- b. Cashing checks for customers, or cashing checks under any circumstances, including checks accepted by an unauthorized, suspended or disqualified vendor at the market;
- c. Accepting checks for non-food items or for any purchase other than eligible foods;
- d. Accepting checks, or indicating willingness to accept checks by posting an authorized Mississippi FMNP poster at any site that is not authorized to accept checks or at a farmers' market or related site where the farmer is not currently authorized to participate;
- e. Accepting checks after the expiration date;
- f. Participating in the program while selling fruits or vegetables **solely** grown by someone other than the participating farmer;
- g. Charging higher prices for check sales than for cash sales;
- h. Discriminating against a recipient on the basis of race, color, national origin, gender, religion, age, or disability;
- i. Continuing to participate in the program during a period of suspension or disqualification, including acceptance or evidence of intent to accept checks; &
- j. The second instance of a **Class I** violation during a season will constitute a **Class II** violation.

Class II violations by a farmer/ farmers' market shall result in suspension and/or probation for the remainder of the market period from the Miss. Farmers' Market Nutrition Program.

Suspensions may be invoked under the following:

- I) The second instance of any Class I violation during the program cycle.
- II) The first instance of any Class II violation during the program cycle.

A second Class II violation within the same market season and/or the following market season will result in disqualification from the FMNP program for up to 5 years. The farmer's certification stamp and participating program poster will be collected immediately by MDAC.

In the event a farmer in violation of the "Rules and Procedures" redeems checks, the farmer may be required to pay the state agency for the total amount of the transactions in violation. MDAC will send a letter demanding payment. If there is no response after 30-days, the matter will be referred to legal staff.

Certain violations may constitute **a criminal offense**, subjecting the recipient, local agency or farmer/farmers' market to prosecution under applicable state or federal laws.

Following the investigation of and a finding resulting in an adverse action, MDAC will notify the farmer or farmers' market of the adverse action to be taken. The farmer or farmers' market will have an opportunity to appeal the adverse action.

Administrative Procedure

A recipient, local agency or farmers/farmers' market may appeal an adverse action of the Farmers Market Nutrition Program Division of the Mississippi Department of Agriculture and Commerce (Department), including the denial of its application to participate, imposition of a sanction, or disqualification from participating in the Farmers' Market Nutrition Program (FMNP).

Notification and Appeals

The Department shall provide the recipient, local agency or farmer/farmers' market with written notification of the adverse action, the causes for the action, and the effective date of the action, including the agency's determination of whether the action shall be postponed if it is appealed. The notification of an adverse action shall be provided by certified mail, return receipt requested, at least (15) fifteen days before the effective date of the action. An adverse action may be postponed, at the Department's option, if the Department finds that recipients would be unduly inconvenienced by the adverse action. In a case where a recipient appeals the termination of benefits, that recipient shall continue to receive FMNP benefits until a final decision is reached by the Department or the expiration of the current FMNP season, whichever occurs first.

Applicants who are denied benefits may appeal the denial, but shall not receive benefits while awaiting the decision.

The recipient, local agency or farmer/ farmers' market may appeal the adverse action and request an administrative hearing within thirty (30) days from the date of the notification. The Commissioner of the Department shall appoint an impartial hearing officer, who shall conduct a hearing after giving written notice of the date, time and place of such hearing to the farmer or farmers' market not less than fourteen (14) days prior to commencing the hearing. Failure to request a hearing within the allotted time period shall constitute a waiver of the right to a hearing. Any party may participate in the hearing in person or by duly authorized representative.

The Department shall cause the hearing to be recorded by a court reporter. Any party may, at its own expense, request the court reporter to prepare a transcript of the hearing. The Mississippi Rules of Evidence shall not apply to these proceedings, but the Hearing Officer may use them as a guide in the proceedings. The parties will have an opportunity to confront and cross-examine adverse witnesses.

At the conclusion of the hearing, the **Hearing Officer** shall prepare a written recommendation. The Commissioner may adopt or reject the recommendation as the final order of the Department or remand the matter for further proceedings. The final order shall be issued within sixty (60) days from the date of receipt of the request for a hearing by the Department. The recipient, local agency or farmer/farmers' market shall have thirty (30) days from the date of entry of the final order to pay any penalties that may be imposed. The decision of the Department may be appealed to the Circuit Court of the First Judicial District of Hinds County. The appealing party shall be responsible for the costs of preparing the record on appeal, including the costs of the transcript.

In addition, all fair hearing procedures are pursuant to **7 CFR §248.16** of the *WIC Farmers' Market Nutrition Program Consolidated Regulations*.

X. COMPLAINT PROCEDURES

Market vendors/farmers and FMNP recipients are encouraged to report any questions or problems about the FMNP to the market manager. Some issues can be worked out locally, without involving state officials, or through procedural changes that come about as a result of routine problem-solving communications among state and local agencies and farmers' market personnel. If a problem cannot be resolved satisfactorily through these means, the following applies:

- A. Anyone with a complaint about the Farmers' Market Nutrition Program may contact the FMNP Coordinator by calling (601) 359-1100.
- B. Any person wishing to file a written complaint may either use the Mississippi Farmers' Market Nutrition Program Complaint Report Form (**appendix B**) supplied to participating markets and local issuing agencies, or may write to:

**Program Coordinator
Mississippi Farmers' Market Nutrition Program
P.O. Box 1609
Jackson, MS 39215-1609**

- C. A local agency or market may file a Complaint Report for an individual who does not want to file a complaint independently. The report should be sent as quickly as possible to the above address.
- D. Where the complaint alleges discrimination on the basis of race, color, national origin, gender, religion, age or disability. A person alleging discrimination on any of the basis listed should write to the address below directly instead of filing the complaint through the FMNP Coordinator.

**USDA, Director, Office of Adjudication and Compliance
Room 326-W, Whitten Building
14th and Independence Avenue, SW.,
Washington, DC 20250-9410**

Or call (800) 795-3272 (voice) or (202) 720-6382 (TTY).

- E. Complaints will receive action no later than five working days from the date the written or verbal complaint is received. The process generally depends on the type of complaint.
 - 1. When the problem involves organizational issues within the market, the complaint should be directed to the FMNP office only if it relates to the FMNP.

2. When the problem involves access to checks or behavior of WIC or senior shoppers, market personnel should bear in mind that the complaint process should be reserved for “fixable” problems.
- F. Farmers’ markets personnel should not contact a check-issuing agency directly to complain about residents’ access to checks or an apparent need for recipients to be better informed about how to use the checks. The complaint in this case should be directed to the Program Coordinator.
- G. If a general complaint is against a farmers’ market or a market vendor, the complaint should be directed to:

Purvie Green
FMNP Coordinator
P.O. Box 1609
Jackson, MS 39215-1609

- H. If a general complaint involves WIC recipients or local Health Department personnel, the complaint should be directed to:

WIC FMNP Liaison
P.O. Box 1700
Jackson, MS 39215

- I. A person may request the complaint to be confidential to the extent that is permitted by law.

XI. PROGRAM EVALUATION

Before the end of the FMNP cycle, local WIC agencies will assist the MDAC in surveying FMNP participants to collect information relating to their market activity.

WIC participants will receive surveys at the farmers’ markets when purchasing fruits and vegetables. The surveys will include self-addressed stamped envelopes for participants to return surveys to the state WIC office. The state WIC office will evaluate surveys and forward data to the MDAC.

The MDAC will also survey participating farmers during the last part of the program months to determine the impact of the FMNP on farmers and direct sales. This data will be utilized by the MDAC to evaluate the program and to MDAC will forward data to the USDA-Food and Nutrition Services.

It is imperative that MDAC receives completed surveys from farmers in order to properly evaluate the program on a local, state and federal level.

XII. PROGRAM ASSISTANCE

If you need any assistance with the Farmers' Market Nutrition Programs you may contact the following:

Coordinator

Purvie Green
Mississippi Farmers' Market Nutrition Program
Mississippi Department of Agriculture and Commerce
Local Jackson area (601) 359-1168, or 1-800-551-1830
purvie@mdac.ms.gov

WIC Program, FMNP Liaison

WIC Coordinator, Farmers' Market Nutrition Program
Mississippi State Department of Health, WIC Program
Local Jackson area (601) 991-6011, or 1-800-359-7832

Jackson/Central Mississippi

Central Mississippi Area Agency on Aging
For Hinds, Rankin, Madison, Simpson and Yazoo Counties
Local Jackson area (601) 981-1511

South Miss./Gulf Coast

South Mississippi Area Agency on Aging
For Harrison, Marion, Lamar, Forrest Counties
In Gulfport (228) 868-2311

Lower/Central Miss. Delta

Director
North Central Mississippi Area Agency on Aging
For Carroll, Holmes, and Leflore Counties
In Winona (662) 283-2675

Southwest Mississippi

Director
Southwest Mississippi Area Agency on Aging
For Adams, Jefferson, Claiborne and Walthall Counties
In Natchez (601) 446-6044

Golden Triangle Counties

Director
Golden Triangle Area Agency on Aging
Oktibbeha, Lowndes, Clay Counties
In Starkville (662) 324-7860

North Miss./North Delta

North Mississippi Area Agency on Aging
For Desoto, Tate, and Marshall Counties
In Batesville (662) 561-4100

East Central Mississippi

East Central Area Agency on Aging
For Lauderdale and Neshoba Counties
In Newton (601) 683-2401

**FOR MORE INFORMATION REGARDING THE FARMERS MARKET NUTRITION PROGRAMS,
PLEASE SEE WWW.MDAC.MS.GOV**

Appendixes

- A. Farmer Application and Crop Plan/ Participation Agreement**
- B. Complaint Form**

FMNP NUMBER: _____

DATE RECEIVED (MDAC): _____

FARMERS' INITIALS: _____
(Complete after receiving training)



MISSISSIPPI FARMERS' MARKET NUTRITION PROGRAM

P.O. BOX 1609

JACKSON, MISSISSIPPI 39215-1609

Phone (601) 359-1100 • Fax (601) 354-6290

FARMER APPLICATION AND AGREEMENT

1. Name: _____

2. Farm/Business Name: _____ 3. Acres in Production: _____
(Doing business as OR name that will appear on deposited checks)

4. Mailing Address: _____
(This is the address to receive all FMNP information, please list accurately.)

5. City: _____ 6. State: _____ 7. Zip: _____

8. Telephone: Home: _____ Cell: _____

9. E-mail address: _____

10. Farm Location: *(Attach address or county if different than above and list travel directions)*

11. List other growers with whom you share vendor space or coop produce or other family members or people that may be selling produce at the market on your behalf:

12. Market Name *(List all markets farmer will participate):* _____

(Please read before signing)

I am a bona fide Mississippi agricultural producer and plan to grow or produce the crops listed on this form in 2016. I agree to abide by the rules governing the Mississippi Farmers Market Nutrition Program (FMNP) and the rules of the farmers market. I understand that any violation of the FMNP rules may result in suspension or loss of my privilege to participate in the program. I also understand that a FMNP representative may verify the information provided on this application by visiting my farm. I agree to inform the FMNP coordinator, MDAC/WIC representative or the market manager if and when there are changes in my production or marketing that affect the validity of the information provided on this form.

Signature

Date

Market Manager/MDAC Signature
(New farmers in 2016 must have manager signature)

Date approved

COMPLETE THE BACK SECTION

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, religious creed, disability, age, political beliefs, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotope, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the [USDA Program Discrimination Complaint Form](#), (AD-3027) found online at: http://www.ascr.usda.gov/complaint_filing_cust.html, and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter 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: (202) 690-7442; or (3)email: program.intake@usda.gov.

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