



WIC Farmers Market and Senior Farmers Market Nutrition Program Handbook

Effective January 1, 2025

Alaska Department of Health
Division of Public Assistance
Women, Infants & Children (WIC) Program
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A. About the Farmers' Market Nutrition Programs

Supplemental Nutrition Program for Women, Infants and Children (WIC) FMNP

WIC is a federally funded health and nutrition program for women, infants, and children. WIC helps families by providing food assistance to buy nutritious supplemental foods from WIC-authorized vendors. WIC also provides nutrition education to participants. To qualify for the program, participants must meet the federal income guidelines, be nutritionally at-risk, and be pregnant, new mothers, infants, or children under age five (5).

WIC Farmers' Market Nutrition Program (FMNP)

Eligible WIC participants may also qualify for Alaska WIC Farmers' Market Nutrition Program (FMNP) benefits during the farmers' market season (July 1 – October 31). Since farmers' markets and farmstands are not available in every region of Alaska, WIC FMNP benefits are distributed to participants who live in a region with authorized farmer-vendors. Participants receive a QR Code to purchase fresh, nutritious, Alaskan grown produce from Alaska WIC-authorized farmer-vendors.

Senior Farmers' Market Nutrition Program (SFMNP)

The SFMNP serves eligible senior citizens sixty (60) years of age and older who meet income and residency guidelines. Senior participants are provided with a QR Code that may be redeemed for fresh, nutritious, Alaskan grown and produced fruit, vegetables, herbs and honey sold by authorized farmer-vendors during the July 1 – October 31 season.

B. Farmer-Vendor and Farmers' Market Eligibility

Alaska FMNP and SFMNP QR Codes can only be accepted by authorized farmer-vendors at designated farmers' markets, farmstand and/or farm locations that have been approved by the State of Alaska WIC Program.

Who qualifies for the programs?

- A farm, either owned, leased, or rented by an individual producer which holds an active agricultural related Alaska business license.
- A farm or farmstand which grows at least one-third (33 percent) of the produce offered for sale at a farmers' market, farmstand or farm.
- A farmer-vendor whose produce offered for sale is clearly labelled. Labels must allow shoppers to easily identify Alaska grown produce and pre-tax sale price.
- A farmer, farmstand, and farmers' market that includes enough variety and quantity of produce to meet the demand of FMNP and SFMNP participants in the area served.
- A farmers' market, farmstand, or farm that is open for produce sales for a minimum of three hours on at least one consistent day every week for at least eight consecutive weeks during the season. These criteria must be met using a consistent location.
- A farmers' market, farmstand, or farm that is consistently located in an area that serves enough eligible FMNP, and/or SFMNP participants to justify the need for a farmers' market or farmstand. Determination is made by the State of Alaska WIC FMNP and SFMNP Program Coordinator.
- A farmers' market or farmstand that is in an area where the local WIC and/or Senior Agency is/are able to provide necessary services to administer the programs. Determination is made by the State of Alaska WIC FMNP and SFMNP Program Coordinator.
- A farmer who can meet the general program requirements beginning on page 5 of this Farmer Handbook.

Who does not qualify?

- Organizations and/or companies that are not owned by an individual and/or that primary purpose is not to grow and sell produce directly to the consumer.
- A farmer who grows less than 33 percent of the produce offered for sale.
- A farmer who sells only through Community Supported Agriculture (CSA) or similar.
- A farm, farmstand, or farmers' market that operates based on an honor payment system.
- A farmer, farmstand, and/or farmers' market which is in violation of other Food and Nutrition Service (FNS) programs such as the Supplemental Nutrition Assistance Program (previously known as Food Stamps).
- A farmer who is currently disqualified, sanctioned, or under investigation by the WIC and/or SNAP Programs.

C. Farmer-Vendor Authorization Process

Farmer-Vendor authorizations are issued for up to three-years. All interested farms, farmstands and farmers' markets must submit a new application upon agreement expiration to continue participation. Applications are accepted during the open application period each year. Applications submitted outside of the open application period will not be processed. **Authorized farmers are required to submit an Information Update Form by April 1st of each year apart from the year in which a farmer received authorization.**

An application form and Farmer-Vendor Agreement can be found on the Alaska WIC Program website or a request may be submitted to receive the forms by mail, fax or email.

How to Apply

1. Complete and submit the appropriate application form and Farmer-Vendor Agreement by mail, email, or fax to the following:
Mail: State of Alaska - WIC
email: doh.dpa.wic.vendor@alaska.gov
 2. PO Box 110612
Juneau, Alaska 99811
 3. fax: (907) 465-3416
- 1) If your farm, farmstand or farmers' market is authorized, the State Agency will return a finalized copy of the Farmer-Vendor Agreement to you via email.
 - 2) Applications are accepted in the Spring of the current year. Applications received after the deadline will not be processed.

Authorization Process

Applications for authorization to accept FMNP and SFMNP benefits are processed within 30 days of receipt by the WIC Program. Applications with missing information will not be processed until all forms and information is complete.

If your application is denied authorization by the WIC Program, reimbursement for FMNP or SFMNP benefits will not be provided. All complete applications that are denied authorization will receive written notification of the denial and the right to an appeal.

If your application is approved by the WIC Program, a copy of your Farmer-Vendor Agreement will be sent to you, with the WIC Program Director's countersignature. The Farmer-Vendor Agreement will be valid for all remaining seasons during the three-year cycle. If you have applied during the second or third year of the cycle, the Farmer-Vendor Agreement will be valid for the remaining season(s) only.

The WIC Program will mail you the following:

- A copy of the fully executed Farmer-Vendor Agreement.
- A copy of this Alaska WIC and Senior FMNP Handbook.
- A WIC Farmers' Market Accepted Here poster that **must** be displayed prominently at all public sale sites whenever selling eligible produce. Posting the sign lets participants know that they can use their FMNP or SFMNP benefits at your farm, farmstand or market. Failure to comply will result in a violation of your Farmer Agreement and may result in penalties or sanctions.

IMPORTANT: Do not accept any FMNP or SFMNP benefits until you have received your signed Farmer-Vendor Agreement or written confirmation of your farm authorization.

General Requirements

The authorized Farmer-Vendor will:

- Accept and redeem FMNP and SFMNP benefits only after receiving authorization by the State of Alaska WIC Program.
- Accept benefits within the dates of their validity and submit them to your bank of choice for payment within the allowable time established by the State of Alaska.

IMPORTANT: It is your responsibility to ensure all benefits are submitted for reimbursement at your bank of choice. The State of Alaska is not responsible for bank fees.

- Not ask to see ID for program benefits.
- Assure that FMNP and SFMNP benefits are accepted only for eligible foods grown within Alaska's borders. See Appendix H for approved foods.
- Provide eligible fruits and vegetables at the current price charged to other customers and posted in an easy to see location.
- Accept training on FMNP and SFMNP procedures and provide training to farm representatives with responsibilities for such procedures. First time authorized farmers are required to participate in one-on-one training with the State of Alaska FMNP and SFMNP prior to participating in the programs.
- Be accountable for actions of all farm representatives including volunteers.
- Agree to be monitored overtly and covertly and provide access and cooperate with FMNP and SFMNP representatives when being monitored for compliance with program procedures and requirements.
- Understand that the State of Alaska may deny payment and require reimbursement for any improperly redeemed benefits and agree to reimburse the State of Alaska FMNP and/or SFMNP for any benefits transacted in violation of program requirements.
- Comply with the nondiscrimination provisions of USDA regulations:

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

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (e.g., Braille, large print, audiotape, 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; or
2. **fax:**
(833) 256-1665 or (202) 690-7442; or
3. **email:**
Program.Intake@usda.gov

This institution is an equal opportunity provider.

- Offer FMNP and SFMNP shoppers and/or their proxies the same courtesies as other customers.
- Notify the State Agency within 15 business days if farm or market ceases operation prior to the end of the authorization period.
- Benefit QR Codes damaged beyond legibility may be denied.
- Prominently display your farm name and the Farmers' Market Accepted Here poster at the point of sale so participants can identify the farm as an approved farmer-vendor.

The authorized farmer-vendor will not:

- Collect tax on purchases paid for by FMNP and/or SFMNP benefits.
- Seek restitution from the State of Alaska and/or participants for benefits not paid.
- Claim reimbursement for an amount greater than the face value of FMNP and/or SFMNP benefits.
- Issue cash change.
- Accept and exchange FMNP and/or SFMNP benefits for cash or other non-approved items or services.
- Charge more or levy a surcharge for participants who use FMNP and/or SFMNP benefits.
- Commit fraud or abuse of the FMNP and/or SFMNP programs.
- Participate in the FMNP and/or SFMNP if you are sanctioned, suspended, debarred, or disqualified by the Alaska Department of Health or the United States Department of Agriculture.

- Accept FMNP and/or SFMNP benefits that are canceled, previously accepted, marked void, or appear to be reproduced or tampered with.

D. Farmers' Market Authorization Process

Farmers' market authorizations are for a three-year period beginning June 1 through November 30 of each year. All interested farmers' markets must submit a new application for each three-year cycle. Applications must be submitted during the Spring open application period. Applications submitted outside of the open application period will not be processed.

An application form and Farmers' Market Agreement for authorization as a farmers' market under the Farmers' Market Nutrition Programs will be made available on the Alaska WIC Program website at <http://wic.alaska.gov>.

How to Apply

- 1) Complete and submit the appropriate application form and Farmer-Vendor agreement by mail, email, or fax to the following:
 Mail: State of Alaska - WIC
 PO Box 110612
 Juneau, Alaska 99811
 email: doh.dpa.wic.vendor@alaska.gov
 fax: (907) 465-3416
- 2) If your market is authorized, the State Agency will finalize the agreement and return a finalized version to you.
- 3) Applications are accepted in the Spring of the current year. Applications received after the deadline will not be processed.

Authorization Process

Applications for authorization to accept FMNP and SFMNP benefits are processed within 30 days of receipt by the WIC Program. Applications with missing information will not be processed until all forms and information is complete. If your application is denied you will receive written notification of the denial and the right to an appeal.

If your application is approved by the WIC Program, a copy of your Farmer-Vendor Agreement will be sent to you, with the WIC Program Director's countersignature. The Farmer-Vendor Agreement will be valid for all remaining seasons during the three-year cycle. If you have applied during the second or third year of the cycle, the Farmer-Vendor Agreement will be valid for the remaining season(s) only.

The WIC Program will mail you the following:

- A copy of the fully executed Farmer-Vendor Agreement.
- A copy of this Alaska WIC and Senior FMNP Handbook.
- A WIC Farmers' Market Accepted Here poster that **must** be displayed prominently when an authorized farm is selling eligible produce. Posting the sign lets participants know that they can use their FMNP or SFMNP benefits at your market. Failure to comply will result in a violation of your Farmer Agreement and may result in penalties or sanctions.

FMNP Farmers' Market Requirements

The authorized Farmers' Market Manager will:

- Ensure that the Farmers' Market poster is prominently posted at all Market Manager information booths,

- Provide FMNP and SFMNP information to farmers interested in requesting authorization to participate in these programs,
- Before April 15th, provide the State Agency with the location and scheduled dates and hours of market operation.
- Provide the State Agency by October 31st of each year a list of market expenses paid for using non-federal funds, and
- Report to the State Agency any alleged or suspected misuse, abuse, fraud, or violation in connection with the programs policy and procedures.

E. Termination of Farmer-Vendor or Farmers' Market Agreement

A farmer-vendor or farmers' market manager may terminate participation in the FMNP and SFMNP by giving the program at least 15 days written advance notice via mail, email or fax. You must remove any FMNP and/or SFMNP materials supplied by the program and return them to the following address:

| | | | |
|-------|-----------------------|--------|--|
| Mail: | State of Alaska - WIC | email: | doh.dpa.wic.vendor@alaska.gov |
| | PO Box 110612 | fax: | (907) 465-3416 |
| | Juneau, Alaska 99811 | | |

Upon termination of the Farmer-Vendor Agreement, all FMNP and SFMNP benefits must be deposited to the farmers bank of choice within 15 days.

F. Approved Food List

The foods that are approved for purchase by FMNP and SFMNP participants are called eligible and approved foods. See Appendix H for a complete list of approved foods. We strongly recommend that you familiarize yourself with the Approved Food List annually and keep a copy handy for quick reference.

Allowed:

- Alaska grown fruits and vegetables that are not processed or prepared beyond their natural state except for usual harvesting and cleaning processes.
- Alaska grown, fresh cut edible herbs

Not allowed:

- Food products processed beyond their natural state
- Products that are not grown within Alaska borders
- Products that are diced, shredded, sliced, chopped, et cetera
- Frozen products
- Potted plants, herbs, flowers
- Edible flowers
- Meats, seafood, eggs, or dairy products
- Baked goods
- Ornamental foods
- Nuts or seeds
- Dried fruits and vegetables, fruit leathers or fruit roll-ups
- Marijuana

G. Accepting Benefits

All FMNP and SFMNP benefits must be handled like cash; lost or stolen benefits will not be replaced or reimbursed. If you suspect abuse, please report it to the State Agency via email, mail or fax.

Mail: State of Alaska - WIC
PO Box 110612
Juneau, Alaska 99811

email: doh.dpa.wic.vendor@alaska.gov
fax: (907) 465-3416

DOs:

- Do accept FMNP and SFMNP benefits only within the valid market dates of July 1 – October 31 of the current year.
- Do offer to add produce to equal the amount of the benefit if a purchase is less than the value of the benefit.
- Do allow participants to combine multiple FMNP and/or SFMNP benefits in a single transaction.
- Do allow the participant to pay the difference using her/his own funds, if the purchase is more than the amount printed on the benefit.

DO NOTs:

- Do not accept benefits outside of the valid market dates.
- Do not give change.
- Do not charge or collect tax on the value of the benefits presented.

Benefit Details:

Introducing and Electronic-Solution (e-solution) for Senior and WIC FMNP!

Beginning 2025, Alaska is working with Healthy Together to launch an e-solution for S/FMNP. Farmers will be able to download the Healthy Together APP onto any number of iOS or Android devices and set up direct deposit to accept payments directly. Farmers will scan a QR code on the participant's phone or card to accept payment. Participants will be required to enter their PIN in order to securely process the payment.

Benefit Distribution:

The State of Alaska WIC Program has partnered with several agencies across Alaska to accept applications and issue program benefits. FMNP benefits are issued to low-income women, infants, and children in regions where there are authorized farmers. SFMNP benefits are issued by senior distribution agencies such as senior housing facilities and senior centers. Senior Distribution Agencies may be authorized only if there is an authorized farm within 20 miles to ensure accessibility and reasonable access for seniors. For more information on distribution locations, please contact the State WIC Office at (907) 465-3100. Participants will receive their annual FMNP benefit either through their mobile device or through a card with a QR code.

FMNP Benefit Value:

Each FMNP benefit is worth \$30. Eligible applicants will receive a total value of \$30 to use between July 1st and October 31st. Partial purchase is allowed and benefits remaining will be accessible by participant via APP.

SFMNP Benefit Value:

Each SFMNP benefit is worth \$40. Eligible applicants will receive a total value of \$40 to use between July 1st and October 31st. Partial purchase is allowed and benefits remaining will be accessible by participant via APP.

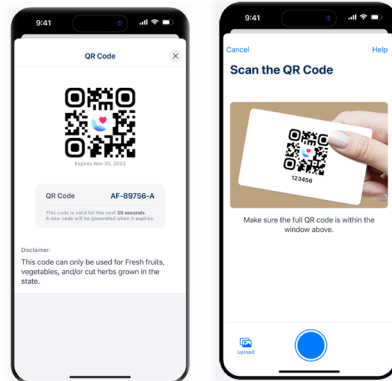
QR Code Examples:

QR Codes can be scanned on screen or on card. Security and proper management of the FMNP funds is vitally important, so to ensure transactions are secure:

- Shoppers cannot take a screenshot of their QR codes.
- Each time a shopper wants to make a transaction a unique QR code will be

generated on their device.

- QR codes expire after some time so if the transaction takes longer than 5 minutes, for example, then a new QR code would be generated.
- Farmers that scan an invalid or expired QR code will be alerted and the transaction will not be processed.
- If a shopper does not have sufficient funds for the transaction the farmer will be alerted and the transaction will not be processed.



Farmer Reimbursement Process:

To ensure prompt payment, the State of Alaska encourages farmers to provide direct deposit information during the onboarding process. Farmers will be able to securely log into their bank accounts through a safe, in-app experience provided by the State of Alaska. Rather than storing sensitive banking details, a secure token linked to the farmer’s account and routing number will be generated and stored. This token will be used when processing payments. The farmer’s actual banking information will remain secure and will only be stored by our trusted payment processor.

IMPORTANT: It is your responsibility to ensure all benefits are submitted for reimbursement at your bank of choice. The State of Alaska is not responsible for bank policies, procedures, and/or fees.

Note: Fees applied by your bank will not be reimbursed under any circumstance by the State of Alaska.

Found QR Code Card

If a QR card is lost, the existing QR code can be canceled or voided, and a new card can be issued to the shopper, along with their remaining balance. If any FMNP or SFMNP QR code cards are found, please notify the State WIC Office immediately.

Void or Cancel QR Code

In the instance of a lost QR Code card, please contact the nearest local distribution agency or the State of Alaska WIC to deactivate the QR code. The local agency will re-assign a new QR code to the user and transfer any remaining balance. All voided QR Codes should be reported to the State WIC Office within 3 days.

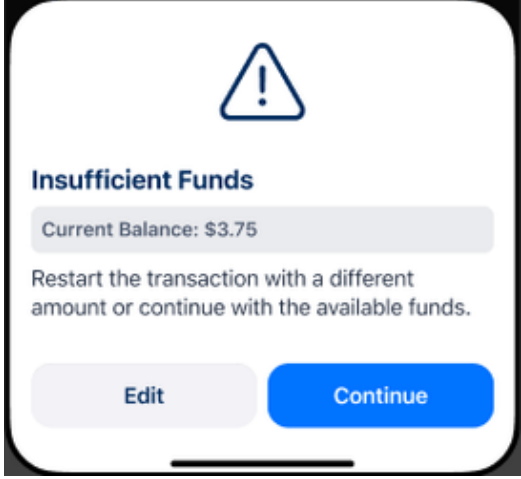
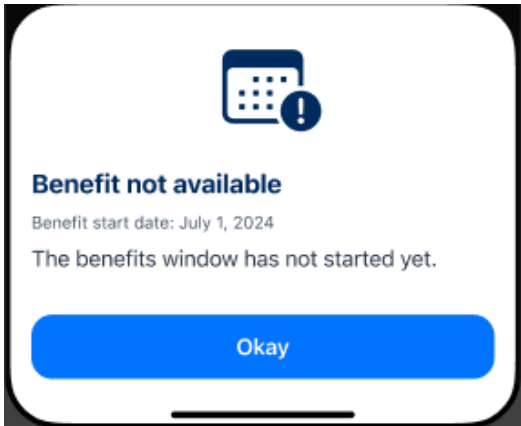

Preventing and Correcting Errors

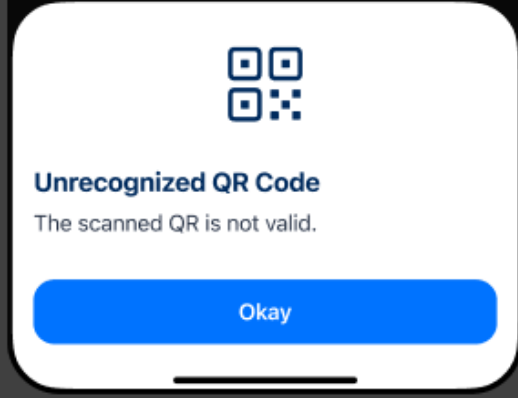
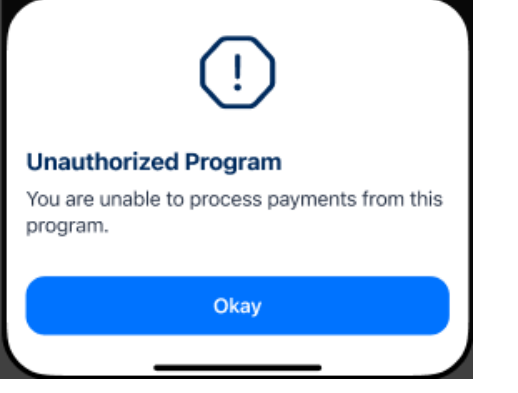
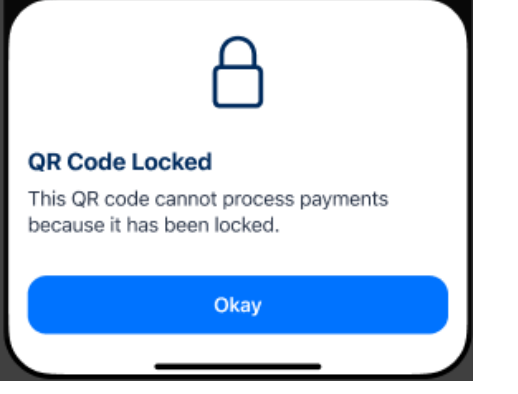
QR Codes are “pre-edited” (screened for errors) by the State of Alaska and Healthy Together. Errors may be correctable.

Table 1: Potential QR Code Scanning Errors

There are a number of potential helpful errors you may encounter when scanning QR codes for things like the participant’s balance having insufficient funds for the transaction amount, the transaction happening outside of the benefit window, or invalid or unauthorized QR codes scanned.

The table below provides QR Code scanning errors and related solutions.

| Image | Error | Solution |
|---|---|---|
|  | <p>Insufficient Funds</p> | <p>There are insufficient funds remaining to process the total amount of the transaction. Restart the transaction and adjust the amount being purchased to less than or equal to the current balance that is displayed.</p> |
|  | <p>Benefit not available - The benefits window has not started yet.</p> | <p>The program does not allow transactions to occur before the benefit date indicated in the error. Wait until the benefit start date to process any transactions for this program.</p> |
|  | <p>Benefit not available - The benefits window has ended.</p> | <p>The program does not allow transactions to occur after the benefit date indicated in the error. No additional transactions for this program are allowed until the start of the next program year.</p> |

| | | |
|--|-----------------------------|--|
|  | <p>Unrecognized QR Code</p> | <p>The QR code being scanned is not recognized for processing transactions.</p> |
|  | <p>Unauthorized Program</p> | <p>The QR code being scanned is not part of the program that you are trying to process a transaction for. If you sell under more than one program, such as FMNP and Senior FMNP, check to make sure that you are processing the transaction under the correct program.</p> |
|  | <p>QR Code Locked</p> | <p>The participant has the ability to lock their QR code to prevent undesired transactions. Ask the participant to go into their Healthy Together app and unlock the QR code.</p> |

H. WIC Program Responsibilities

The Alaska WIC Program will:

- Provide **Accepted Here** posters for the farmers and farmers' markets participating in the FMNP and SFMNP.
- Provide each eligible FMNP and SFMNP participant benefits that may be redeemed only at authorized farmer-vendors between July 1 and October 31.
- Assure reimbursements (to authorized farmers) of valid FMNP and SFMNP QR Codes are completed before November 1st.
- Deny payment to a farmer for improperly redeemed QR Codes and/or demand repayment to the State of Alaska SFMNP and/or FMNP.
- Provide program training and technical assistance to farmers' market managers, farmers, and farmstands.
- Provide monitoring of farmers' markets, farmers, and farmstands to assure compliance with 7 CFR 246 (WIC regulations), 7 CFR 248 (FMNP regulations) and 7 CFR 249 (SFMNP regulations).

I. Program Monitoring

USDA regulations require the State of Alaska monitor authorized farmer-vendors and farmers' markets for compliance with the rules that are intended to ensure that federal funds allocated for FMNP and SFMNP are properly spent.

Monitoring Visits

State and Local Agency staff conduct regular on-site visits and monitoring of farmer-vendors and farmers' markets – both covertly and overtly. The goals are to:

- ensure compliance with the program requirements,
- provide technical assistance and support, and
- conduct investigations of complaints, alleged violations, frauds, and/or illegal activity.

Farmers' markets and farmer-vendors who fail to comply with the FMNP and SFMNP requirements are subject to warning, sanctions (penalties), and/or disqualification depending on the extent, severity, and frequency of the violation.

Sanctions for Program Violations

A farmer-vendor or farmers' market which commits fraud or abuse is subject to program sanctions, which may include repayment, fine, suspension, or disqualification from the program.

Violations are classified into four levels of noncompliance: Category I, Category II, Category III and Category IV. If a violation is documented, sanctions will be imposed.

Table 2a: SFMNP and FMNP Sanctions for Farms and Farmstands

| Violation Type | Description | State Agency Action/Penalty |
|----------------|--|--|
| Category I | Failure to display a S/FMNP Accepted Here sign at public sales location. | Violation will result in verbal or written warning, with corrective action requested. The farmer-vendor may be required to participate in special training to resolve the violation. |
| Category II | Two Category I violations. Providing false information on the Farmer Application which did not result in incorrect eligibility and/or authorization. Failure to provide updated sales location information by the annual deadline. Failing to review annual training newsletter. Accepting FMNP or SFMNP benefits before July 1st or after October 31 st or before authorization is complete. Operating a sales location on the self-service or honor system, i.e., not staffing the sales location. | Violation will result in a written notification of noncompliance from the State Agency. The farmer-vendor may be required to participate in special training to resolve the violation. Vendor may be required to reimburse the State of Alaska for any incorrectly redeemed and/or reimbursed benefit QR Code. |

| | | |
|--------------|--|---|
| | <p>Accepting FMNP or SFMNP benefits for in-eligible food products. (See Category IV for issues concerning drugs, weapons, alcohol, or cash.)</p> <p>Attempting to collect or collecting tax on produce sold to FMNP and SFMNP participants (benefit portion only).</p> <p>Refusal to accept valid FMNP and/or SFMNP benefit QR Codes for eligible products.</p> | |
| Category III | <p>Three or more Category I violations or two or more Category II violations.</p> <p>Providing false information on the Farmer Application which resulted in incorrect eligibility and/or authorization.</p> <p>Failure to meet the minimum eligibility criteria during the current market season.</p> <p>Failure to sell any produce grown during the agreement year.</p> <p>Accepting FMNP or SFMNP benefits for non-food products. (See Category IV for issues concerning drugs, weapons, alcohol, or cash.)</p> <p>Providing money, rain checks, or services in exchange for benefit QR Codes.</p> <p>Charging FMNP or SFMNP participants more than other customers.</p> <p>Seeking restitution from program participants for benefits not paid by the Dept.</p> <p>Discrimination, hostile actions, and/or inappropriate behavior towards a FMNP or SFMNP participant.</p> <p>Receiving reimbursement or cashing benefit QR Codes for a grower who is not authorized or bartering for benefits the non-authorized grower has accepted.</p> <p>Failing to allow, comply with, or cooperate in the Department's inspections and monitoring.</p> <p>Any noncompliance with the Program Requirements not specifically identified as a Category I, II or IV violation.</p> | <p>Violation will result in termination of Farmer-Vendor agreement and disqualification from the FMNP and SFMNP for a full market season (July 1-Oct 31). Farmer-vendor will need to reapply for authorization after suspension.</p> <p>Vendor may be required to reimburse the State of Alaska for any reimbursed benefits resulting of false application approval and authorization.</p> <p>Program staff may notify the Alaska Business License office of any farmer operating without a valid business license.</p> |
| Category IV | <p>Two or more category III violations.</p> <p>Committing fraud or abuse in connection with the FMNP or SFMNP.</p> <p>Continuing to participate in FMNP and/or SFMNP during a period of suspension or disqualification.</p> | <p>Violation will result in termination of Farmer-Vendor agreement and disqualification from the program for a period of three full seasons (seasons run July 1-Oct 31).</p> <p>Fraud, abuse, and/or the sale of drugs, weapons, and/or alcohol may be reported to the police or federal</p> |

| | | |
|--|---|---|
| | <p>Providing drugs, weapons, alcohol, or cash to a customer in exchange for program benefits.</p> | <p>government for further investigation or disciplinary action.</p> <p>Vendor may be required to reimburse the State of Alaska for any benefit QR Code which the State of Alaska has deemed invalidly redeemed.</p> |
|--|---|---|

Table 2b: SFMNP and FMNP Sanctions for Farmers’ Markets

| Violation Type | Description | State Agency Action/Penalty |
|-----------------------|--|--|
| Category I | <p>Failure to display a S/FMNP Accepted Here sign at public sales location.</p> <p>Failure to provide S/FMNP training and/or information to the public when requested.</p> | <p>Violation will result in verbal or written warning, with corrective action requested.</p> <p>The farmers’ market manager may be required to participate in special training to resolve the violation.</p> |
| Category II | <p>Two Category I violations.</p> <p>Providing false information on the Farmers’ Market Application which resulted in incorrect eligibility and/or authorization.</p> <p>Failure to provide updated sales location information by the annual deadline.</p> <p>Failing to review annual training newsletter.</p> | <p>Violation will result in a written notification of noncompliance from the State Agency.</p> <p>The manager may be required to participate in special training.</p> |
| Category III | <p>Three or more Category I violations or two or more Category II violations.</p> <p>Providing false information on the Farmer’s Market Application which resulted in incorrect eligibility and/or authorization.</p> <p>Failure to meet the minimum eligibility criteria during the current market season.</p> <p>Discrimination, hostile actions, and/or inappropriate behavior towards a FMNP or SFMNP participant.</p> <p>Failing to cooperate in S/FMNP monitoring.</p> <p>Any noncompliance with the Program Requirements not specifically identified as a Category I, II or IV violation.</p> | <p>Violation will result in termination of Farmers’ Market Agreement and disqualification from the FMNP and SFMNP for a full market season. Farmers’ market will need to reapply for authorization after suspension.</p> <p>Program staff may notify the Alaska Business License office of any farmers’ market operating without a valid business license.</p> |

| Violation Type | Description | State Agency Action/Penalty |
|-----------------------|--|--|
| Category IV | Two or more category III violations. Committing S/FMNP fraud or abuse. Continuing to participate in FMNP and/or SFMNP during suspension or disqualification. Providing drugs, weapons, alcohol, or cash to a customer in exchange for program benefits. | Violation will result in termination of the Farmers’ Market Agreement and disqualification from the program for a period of three (additional) years. Fraud, abuse, and/or the sale of drugs, weapons, and/or alcohol may be reported to the police or federal government for further investigation or disciplinary action. |

J. Problems or Complaints

Problems or complaints may be submitted to the State of Alaska by anyone. To report an issue, call the WIC Program at (907) 465-3100 during regular State of Alaska business hours or submit a written complaint via mail, fax or email. The State of Alaska WIC Program will review, investigate and work to resolve the issue.

To file a written complaint, you may download a complaint form from the program website at <http://wic.alaska.gov>, or you may request a complaint form from the WIC Program by calling (907) 465-3100. See Appendix G for a copy of the complaint form.

Submit via: Email: doh.dpa.wic.vendor@alaska.gov Mail: State of Alaska – DOH – WIC
Fax: (907) 465-3416 PO Box 110612
Juneau, AK 99811-0612

K. Discrimination Complaints

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

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (e.g., Braille, large print, audiotape, 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; or
2. **fax:**
(833) 256-1665 or (202) 690-7442; or
3. **email:**
Program.Intake@usda.gov

This institution is an equal opportunity provider.

L. Administrative Appeals

The WIC Program will provide written notice of adverse action to be taken during the farmer-vendor or farmers' market agreement period.

The State agency will provide farmer-vendors and/or farmers' markets with not less than 15 days advance written notice by email and/or certified mail of adverse action to be taken during the agreement period. Adverse action will be implemented after the 15-day advance notice period has elapsed. **No advance notice will be provided for a disqualification due to a conviction of trafficking, selling firearms, alcohol, or illegal substances in exchange for FMNP and/or SFMNP benefits.**

A farmer-vendor or farmers' market may request an administrative appeal for the following:

- denial of an application to become an authorized farmer-vendor or farmers' market,
- termination of the Farmer or Farmers' Market Agreement for cause,
- imposition of a penalty, and/or
- disqualification (except in case of a reciprocal disqualification as a result of another USDA Program disqualification).

If the farmer-vendor or farmers' market chooses to appeal the action, the farmer-vendor or farmers' market manager must file a written Request for Administrative review within 30 days after notification of the action to: Department of Health, Director, Division of Public Assistance, P.O. Box 110640, Juneau, Alaska 99811.

The request must include a statement setting forth the State agency action which the farmer-vendor or farmers' market is contending and the reasons for appealing the action. Evidence supporting the farmer-vendor or farmers' market statement should be included. Requests for Appeal will be reviewed, and hearings conducted, in accordance with the Administrative Review Process in Appendix AM. The farmer-vendor or farmers' market may be able to pursue judicial review of the agency's decision.

M. Definitions

Compliance Buy means a covert, on-site investigation in which a representative of FMNP and/or SFMNP poses as a participant, parent or caretaker of an infant or child participant, or proxy, transacts program benefits, and does not reveal during the visit that he or she is a FMNP and/or SFMNP representative.

Community Supported Agriculture (CSA) is defined by Merriam-Webster as a system in which a farm is supported by local consumers who purchase prepaid shares in the farm's output which they receive periodically throughout the growing season. CSA's are not authorized for the FMNP or SFMNP in the State of Alaska.

DOH stands for Alaska Department of Health. This is also sometimes referred to as the State Agency throughout this document.

Senior Distribution Agency means an entity or agency which accepts SFMNP applications and issues SFMNP benefits to eligible participants and the public.

Eligible Foods for purchase with Senior and Farmers Market Nutrition Program QR Codes (SFMNP/FMNP) means fresh, nutritious, unprepared, Alaska grown, approved fruits, vegetables, and herbs for human consumption. Eligible foods may not be processed or prepared beyond their natural state except for usual harvesting and cleaning processes. Ineligible foods include dried, frozen, and cut fruits and vegetables, edible flowers, marijuana, maple syrup, cider, juices, nuts, seeds, eggs, meat, cheese, and seafood. Honey is approved only for purchase with SFMNP benefits.

Fraud and Abuse means the intentional conduct which violates FMNP and/or SFMNP regulations, policies, or procedures, including, but not limited to, misappropriating, or altering QR Code, entering false or misleading information, or creating records for fictitious participants.

Farmer means an individual producer who owns or manages a leased or rented farm and who is authorized by the FMNP and/or SFMNP to sell eligible fruits, vegetables, and herbs directly to consumers at a farmers' market or farmstand. Entities or individuals who exclusively sell produce grown by someone else, such as wholesale distributors, non-profit organizations, rehabilitation centers, and others cannot be authorized to participate in FMNP and SFMNP. For purposes of this agreement, this includes the term "Farmer" as defined in WIC Farmers' Market Nutrition Program (FMNP), 7 C.F.R. § 248.2, and Seniors FMNP, 7 C.F.R. § 249.2, and in Special Supplemental Nutrition Program for Women, Infants and Children (WIC), 7 C.F.R. § 246.2.

Farmers' Market means an association of local farmers who assemble at a defined location and scheduled time for the purpose of selling their produce directly to consumers.

Farmstand means a location at which a single, individual farmer sells his/her produce directly to the consumer. This contrasts with a group or association of farmers selling their produce at a farmers' market.

FMNP stands for Farmers' Market Nutrition Program.

Local Agency means any entity or agency which issues FMNP benefits and provides nutrition education and/or information on operational aspects of the programs to eligible participants.

Locally Grown means produce grown only within Alaska borders. Under no circumstances can produce grown outside of Alaska be considered eligible for the FMNP and SFMNP.

Participants means pregnant women, breastfeeding women, postpartum women, infants and children age 5 or under, and seniors age 60 or older, who meet eligibility criteria, and who are receiving benefits from the SFMNP.

Participant Violation means any intentional action of a participant, parent, or caretaker of an infant or child participant, or proxy that violates federal and/or state statutes, regulations, policies, or procedures governing the WIC Program, FMNP, and SFMNP. Participant violations include intentionally making false or misleading statements or intentionally misrepresenting, concealing, or withholding facts to obtain benefits; exchanging QR Code or supplemental foods for cash, credit, non-food items, services, or unauthorized food items, including supplemental foods in excess of the participant's benefit; threatening to harm or physically harming clinic, farmer or vendor staff; and dual participation.

Proxy means any person designated by a participant, or by a parent or caretaker of an infant or child participant, to obtain and transact benefits or to obtain supplemental foods on behalf of a participant. The proxy must be designated consistent with the State agency's procedures established pursuant to 7 CFR § 246.12 (r) (1). Parents or caretakers applying on behalf of a child and infant are not proxies. For the SFMNP, "proxy" means an individual authorized by an eligible senior to act on the senior's behalf according to 7 CFR §249.2.

QR Code means a financial instrument by which benefits under the FMNP and SFMNP are transferred to participants.

SFMNP stands for Senior Farmers' Market Nutrition Program.

USDA stands for United States Department of Agriculture.

WIC stands for Special Supplemental Nutrition Program for Women, Infants and Children.



WIC Farmers Market and Senior Farmers Market Nutrition Program **Handbook Appendices**

Please visit <http://wic.alaska.gov> for appendices
or call (907) 465-3100 to request an
emailed, faxed or mailed copy.

Alaska Department of Health
Division of Public Assistance
Women, Infants & Children (WIC) Program
Farmers' Market Nutrition Program
PO Box 110612
Juneau, AK 99812
Phone: (907) 465-3100
Email: doh.dpa.wic.vendor@alaska.gov



State of Alaska Farmer Market (FMNP) and Senior Farmers Market (SFMNP) Nutrition Programs

Approved Food List

INELIGIBLE FOODS:

The following are not allowed for purchase with program benefits:

- Honey is not eligible for WIC FMNP purchase.
- Fruits & vegetables processed beyond their natural state
(examples: dried, diced, shredded, sliced, frozen, and chopped)
- Fruits, vegetables and herbs with added sugars, fats, and/or oils
(examples: syrups, jams, ciders, fruit leathers, and fruit roll-ups)
- Mixtures containing grains, nuts, seeds, and/or other non-eligible products
- Eggs, meats, cheeses, seafood, canned & dried mature legumes
- Potted herbs, plants, flowers, and starts

ELIGIBLE FOODS: The following fresh fruits, vegetables and fresh-cut herbs are allowed for purchase in exchange for program benefits. All products must be grown within Alaska borders and be intentionally planted on a farmers' property (either owned, leased, or rented) for the purpose of public sale.

Vegetables

Artichoke
Mushrooms
Arugula
Mustard greens
Asparagus
Onion
Baby greens
Parsnip
Beet Peas
Bok choy
Peppers
Broccoli
Potato
Brussels sprout
Pumpkin
Cabbage
Radicchio
Carrot
Radish
Cauliflower
Romanesco
Celery
Rutabaga

Vegetables

Chickweed
Snap beans
Collard
Spinach
Corn
Sprouts
Cucumber
Squash
Eggplant
Swiss chard
Endive
Taro
Garlic Tatsoi
Green beans
Tomatillo
Green onion
Tomato
Kale
Turnip
Kohlrabi
Watercress
Leeks
Zucchini
Lettuce greens
***All other eligible greens**

Herbs

Basil
Chamomile
Chives
Cilantro
Dill
Fennel
Lavender
Lovage
Marjoram
Mint
Oregano
Parsley
Rosemary
Sage
Savory
Scallions
Sorrel
Spearmint
Stevia
Tarragon
Thyme

Fruit

Apple
Cherries
Currants
Gooseberries
Haskaps
Honeyberry
Huckleberries
Lingonberries
Melon varieties
Raspberry
Rhubarb
Strawberry

***Honey (SFMNP Only)**



Farmer-Vendor Agreement

Between the State of Alaska Department of Health and the Farmer named below:

This agreement is entered into by and between the State of Alaska, Department of Health and the farm named above to participate in the State of Alaska WIC Farmers' Market Nutrition Program (FMNP) and Senior Farmers' Market Nutrition Program (SFMNP). The duration of this agreement shall be for the 2024-2025 Farmers' Market seasons unless terminated earlier as provided below.

It is the purpose of this agreement to:

1. Describe and agree to program policies, procedures, and expectations for the proper redemption and reimbursement of WIC and Senior FMNP benefits.
2. Expand customer base and use of Alaska farmers' markets, farmstands, and farms where consumers buy direction from the farmer.

It is therefore mutually agreed that:

1. The farm named above shall furnish the necessary personnel and services and otherwise do all things necessary for, or incidental to, the performance of conditions set forth below.
2. The farm named above authorized to participate in the Alaska FMNP, and SFMNP agrees to conditions and rules listed in this agreement and supplemental documentation provided by the State of Alaska.

QR Code redemption deadlines are as follows:

1. All FMNP and SFMNP QR code redemptions must be deposited during the same year of issue into the authorized farm bank of their choice no later than November 15 of each year.

Definitions:

DOH stands for Alaska Department of Health. This is also sometimes referred to as the State Agency.

Compliance buy means a covert, on-site investigation in which a representative of WIC, FMNP and/or SFMNP poses as a program participant or proxy, transacts a purchase with program benefits, and does not reveal during the visit that he or she is a WIC, FMNP and/or SFMNP representative.

Benefit means a check, coupon, food instrument, warrant, voucher, or other negotiable financial instrument by which benefits under the FMNP and SFMNP are transferred to participants.

Community Supported Agriculture (CSA) is a system in which a farm is supported by local consumers who purchase prepaid shares in the farm's output which they receive periodically through the growing season. CSAs are not authorized for the FMNP or SFMNP in the State of Alaska.

Distribution agency means any entity or local government agency which issues FMNP or SFMNP benefits and provides nutrition education and/or information on operational aspects of the program to eligible participants.

Eligible foods for purchase with WIC and Senior Farmers Market Nutrition Program benefits (FMNP/SFMNP) means fresh, nutritious unprepared, locally grown, approved fruits, vegetables, and herbs for human consumption. Eligible foods may not be processed or prepared beyond their natural state except for usual harvesting and cleaning processes. Ineligible foods include, but are not limited to potted plants, marijuana, dried fruits and vegetables, maple syrup, cider, juices, nuts, seeds, eggs, meat, cheese, and seafood. Alaska produced honey is approved only for purchase with SFMNP benefits.

Fraud and abuse mean the intentional conduct which violates WIC program, FMNP and/or SFMNP regulations, policies, or procedures, including but not limited to, misappropriating, or altering benefits, falsifying, or providing misleading information, incorrectly redeeming, and receiving reimbursement for benefits, receiving reimbursement for benefits not redeemed by your farm, and others.

Farmer means an individual authorized to sell eligible fruits, vegetables, and herbs to participants at a farmers' market, farmstand or farm. Individuals or organizations which exclusively sell product grown by someone else cannot be authorized to participate in the FMNP and SFMNP. For purposes of this agreement, this includes the term "Farmer" as defined in WIC Farmers' Market Nutrition Program (FMNP), 7 C.F.R. 248.2, and Senior FMNP 7 C.F.R. 249.2, and in Special Supplemental Nutrition Program for Women Infants and Children (WIC) 7 C.F.R. 246.2 as well as the term "producer" as that term is used in C.N.A. 42 U.S.C. 1786

Farmers' market means an association of local farmers who assemble at a defined location and scheduled time for the purpose of selling produce directly to consumers.

Farmstand means a location at which a single, individual farm or farmer sells his/her produce directly to the consumer. This is in contract to a group or association of farmers selling their produce at a farmers' market.

FMNP stands for Farmers' Market Nutrition Program.

Local agency means any entity or local government agency which issues FMNP benefits and provides nutrition education and/or information on operational aspects of the program to eligible participants.

Locally grown means produce grown only within Alaska borders. Under no circumstances can produce grown outside of Alaska be considered eligible for the FMNP and SFMNP.

Participants means women, infants, and children who are receiving supplemental food benefits under the FMNP; and seniors aged 60 or older who have applied and have met eligibility criteria.

Participant violation means any intentional action of a participant, parent, caretaker, or proxy that violates federal or state statutes, regulations, policies, or procedures governing the WIC program, FMNP, and SFMNP. Participant violations include intentionally making false or misleading statements or intentionally misrepresenting, concealing, or withholding facts to obtain benefits; exchanging benefits or supplemental foods for cash, credit, non-food items, or unauthorized food items, including supplemental foods more than those listed on the participant's benefits; treating to harm or physically harming clinic, farmer, or vendor staff; and dual participation.

Proxy means any person designated by a participant, or by a parent or caretaker of an infant or child participant, to obtain and redeem benefits or to obtain supplemental foods on behalf of a participant. The proxy must be designated consistent with the state agency's procedures established pursuant to 7 C.F.R. 246.12(r)(1). Parents or caretakers applying on behalf of a child and/or infant are not proxies. For the SFMNP, proxy means an individual authorized by an eligible senior to act on the senior's behalf according to 7 C.F.R. 249.2.

Senior participant means eligible seniors 60 years old and over who have applied and have been approved for participation.

SFMNP stands for Senior Farmers' Market Nutrition Program.

USDA stands for United States Department of Agriculture.

WIC stands for Supplemental Nutrition Program for Women, Infants, and Children.

The State of Alaska Department of Health shall:

1. Provide each eligible senior, woman, infant, and child applicant a one-time benefit issuance. Distribution of the FMNP benefits will be made by Local agencies. Distribution of the SFMNP benefits will be made by approved distribution agencies.
2. Correctly determine and monitor farmer eligibility.
3. Evaluate and determine regions of program benefit distribution prior to July 1st of each season.
4. Assure payments to authorized farmers of properly processed and valid FMNP and SFMNP benefits are submitted by the end of the calendar year.
5. Deny payments to a farmer for improperly redeemed benefits and/or demand repayment for improperly reimbursed benefits prior to the farm's continued participation in future seasons.
6. Provide training to authorized farmers' market managers, farmstands, and farmers.
7. Provide accepted here signs to be displayed by authorized farmers at point of sale.
8. Provide monitoring of authorized farmers and farmstands to assure compliance with 7 C.F.R. 248 (FMNP regulations) and 7 C.F.R. 249 (SFMNP regulations).
9. Communicate with authorized farmers via the email provided on the Farm Application or other email per the request of the farmer.

The Farmer shall:

1. Be in an area that serves enough participating seniors, women, infants, and children to justify the authorization of the farm.
2. Include enough variety and quantity of produce to meet the demand of eligible FMNP and SFMNP participants in the area it serves.
3. Be open for business to the public at a consistent location for a minimum of three hours on at least one consistent day of the week for at least eight weeks between July 1 and October 31.
4. Must have authorized sales locations staffed and may not operate on the self-serve or honor system.
5. Maintain a valid agriculture-related Alaska business license.
6. Accept training relating to the FMNP and SFMNP procedures and provide training to any employees and/or volunteers on all procedures. Farms in their first year of FMNP and/or SFMNP authorization are required to participate in one-on-one training with the State of Alaska prior to participation in the programs.

7. Assure that FMNP and SFMNP benefits are redeemed only after receiving a complete copy of this agreement.
8. Accept FMNP and SFMNP benefits at all public sales locations offering eligible foods.
9. Display the Accepted Here sign at all public sales locations when selling eligible foods.
10. Assure that FMNP and SFMNP benefits are redeemed only for eligible, unprocessed, fresh fruits, vegetables, and herbs. Alaska honey is also eligible for purchase with SFMNP benefits.
11. Do not provide unauthorized food items, nonfood items, cash, or credit (including rain checks) in exchange for benefits.
12. Accept FMNP and SFMNP benefits only within the valid market dates of July 1 through October 31 of the year listed on the benefit.
13. Offer customers the opportunity to use the full benefit value.
14. Do not provide cash change in exchange for program benefits.
15. Allow FMNP and SFMNP participants to pay the difference if the total of their purchased is over the amount printed on the benefit. Shoppers may use any payment method offered to other customers, including cash, check, debit, credit, and/or SNAP (previously known as Food Stamps).
16. Allow FMNP and SFMNP participants to combine multiple benefits in a single transaction.
17. Do not charge tax on portions of the sale paid for using FMNP and/or SFMNP benefits.
18. Assure that all benefits feature the unique State of Alaska WIC and Senior FMNP farmer identifier prior to submitting for reimbursement.
19. Take responsibility for ensuring all FMNP and SFMNP benefits are deposited at their bank of choice no later than November 15 of the current year.
20. Provide equitable treatment of FMNP and SFMNP shoppers and participants, including the availability of produce that is of the same quality and at the current price as sold to other customers.
21. Provide program staff with any information available which the Alaska FMNP and SFMNP deems necessary to track the impact of the FMNP and SFMNP, including information required for annual reports to the USDA, Food and Nutrition Services.
22. Comply with applicable state and federal regulations pertaining to civil rights and nondiscrimination.
23. Cooperate with Alaska FMNP and SFMNP staff in overt and covert monitoring for compliance with FMNP and SFMNP procedures.
24. Be accountable for actions of all farm employees and volunteers.
25. Pay the Alaska FMNP and SFMNP for any benefits transacted in violation of this agreement.
26. Not seek restitution from FMNP and SFMNP shoppers for benefits not paid or partially paid by Alaska DOH.
27. Safeguard confidential FMNP and SFMNP participant information including names, phone numbers, email addresses, mailing and physical addresses, and other personal identifiable information.
28. Notify the DOH FMNP and SFMNP office when and if your farm ceases operation prior to the end of the authorization period.
29. Submit an annual Information Update Form provided by the State of Alaska WIC program by the stated deadline.
30. Accept communications via email and regularly monitor the email address provided to the Alaska DOH FMNP and SFMNP for program related communications, deadlines and requirements, training, and others.

Any violation of these rules may result in the Alaska DOH disqualifying the farm from the programs. The farm may be subject to sanctions in addition to, or in lieu of, disqualification. For a list of sanctions please refer to the FMNP/SFMNP Sanction Schedule at the end of this agreement. The Alaska DOH shall notify the farm in writing 15 calendar days prior to the disqualification effective date. The Alaska DOH may deny payment to the farm from improperly redeemed FMNP and/or SFMNP benefits or may establish a claim for payments already made on improperly redeemed benefits. The Alaska DOH may disqualify a farm for program abuse with a minimum of 15 days' advance written notification.

A farm which commits fraud, abuse, or engages in other illegal activity is liable to prosecution under applicable federal, state, and/or local regulations. Farm may appeal an action of the Alaska DOH denying its application to participate, imposing a sanction, or disqualifying it from participating in the FMNP/SFMNP if received within 30 calendar days of notification. Expiration of an agreement shall not be subject to appeal through the Alaska DOH. All appeals must be in writing, and addressed to: State of Alaska, Farmers' Market Nutrition Program, PO Box 110612, Juneau, Alaska 99811. The State of Alaska Farmers' Market Nutrition Program maintains no obligation to reinstate a farm agreement after disqualification. The farm understands that they may reapply to participate in the program as stipulated in the disqualification notification.

Any of the parties to this agreement shall have the right to terminate the agreement with 30 days' notice upon submission of a written notice to the other parties. Termination notices or other correspondence from the farm shall be addressed to: State of Alaska, Farmers' Market Nutrition Program, PO Box 110612, Juneau, Alaska

Order of Precedence:

In the event of an inconsistency in this agreement, unless otherwise provided herein, the inconsistency shall be resolved by giving precedence in the following order: 1) applicable federal and state statutes and regulations, 2) special terms and conditions, 3) any other provision of the agreement whether incorporated by reference or otherwise.

This agreement contains all the terms and conditions agreed upon by the parties. No other understandings, oral or otherwise, regarding the subject matter of this agreement shall be deemed to exist or to bind any of the parties. The undersigned have affixed their signatures in execution thereof.

Neither the State agency nor the farmer, farmers' market nor a roadside stand has an obligation to renew the agreement. Either the State agency or the farmer, farmers' market or a roadside stand may terminate the agreement for cause after providing advance written notification

Farm Representative

State of Alaska Department of Health

Signature

Signature

Printed Name

Printed Name

Title or Position

Title or Position

Date Signed

Date Signed

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

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (e.g., Braille, large print, audiotape, 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; or
2. **Fax:**
(833) 256-1665 or (202) 690-7442; or
3. **Email:** Program.Intake@usda.gov

FMNP and SFMNP Sanction Schedule

Each occurrence is considered one day and/or one location unless otherwise stated.

Violation Type: Category I

Description:

Failure to display a S/FMNP Accepted Here sign at public sales location. Depositing/cashing incomplete benefit checks.

State Agency Action/Penalty:

Violation will result in verbal or written warning, with corrective action requested. The farmer-vendor may be required to participate in special training to resolve the violation.

Violation Type: Category II

Description:

Two Category I violations. Providing false information on the Farmer Application which did not result in incorrect eligibility and/or authorization. Failure to provide updated sales location information by the annual deadline. Failing to participate in annual training. Accepting FMNP or SFMNP benefits before July 1st or after October 31st or before authorization is complete. Operating a sales location on the self-service or honor system, i.e., not staffing the sales location. Accepting FMNP or SFMNP benefits for in-eligible food products. (See Category IV for issues concerning drugs, weapons, alcohol, or cash.) Attempting to collect or collecting tax on produce sold to FMNP and SFMNP participants (benefit portion only). Refusal to accept valid FMNP and/or SFMNP benefit checks for eligible products.

State Agency Action/Penalty:

Violation will result in a written notification of noncompliance from the State Agency. The farmer-vendor may be required to participate in special training to resolve the violation. Vendor may be required to reimburse the State of Alaska for any incorrectly redeemed and/or reimbursed benefit checks.

Violation Type: Category III

Description:

Three or more Category I violations or two or more Category II violations. Providing false information on the Farmer Application which resulted in incorrect eligibility and/or authorization. Failure to meet the minimum eligibility criteria during the current market season. Failure to sell any produce grown during the agreement year. Accepting FMNP or SFMNP benefits for non-food products. (See Category IV for issues concerning drugs, weapons, alcohol, or cash.) Providing money, rain checks, or services in exchange for benefit checks. Charging FMNP or SFMNP participants more than other customers. Seeking restitution from program participants for benefits not paid by the Dept. Discrimination, hostile actions, and/or inappropriate behavior towards a FMNP or SFMNP participant. Receiving reimbursement or cashing benefit checks for a grower who is not authorized or bartering for benefits the non-authorized grower has accepted. Failing to allow, comply with, or cooperate in the Department's inspections and monitoring. Any noncompliance with the Program Requirements not specifically identified as a Category I, II or IV violation.

State Agency Action/Penalty:

Violation will result in termination of Farmer-Vendor agreement and disqualification from the FMNP and SFMNP for a full market season (July 1-Oct 31). Farmer-vendor will need to reapply for authorization after suspension. Vendor may be required to reimburse the State of Alaska for any reimbursed benefits resulting of false application approval and authorization. Program staff may notify the Alaska Business License office of any farmer operating without a valid business license.

Violation Type: Category IV

Description: Two or more category III violations. Committing fraud or abuse in connection with the FMNP or SFMNP including providing drugs, weapons, alcohol, or cash to a customer in exchange for program benefits. Continuing to participate in FMNP and/or SFMNP during a period of suspension or disqualification.

State Agency Action/Penalty:

Violation will result in termination of Farmer- Vendor agreement and disqualification from the program for a period of three full seasons. Fraud, abuse, and/or the sale of drugs, weapons, and/or alcohol may be reported to the police or federal government for further investigation or disciplinary action. Vendor may be required to reimburse the State of Alaska for invalidly redeemed benefits



Farmers' Market Agreement

Between the State of Alaska Department of Health and the Farmers' Market named below:

This agreement is entered into by and between the State of Alaska, Department of Health and the farmers' market named above to participate in the State of Alaska WIC Farmers' Market Nutrition Program (FMNP) and Senior Farmers' Market Nutrition Program (SFMNP). The duration of this agreement shall be for the 2025-2026 Farmers' Market seasons unless terminated earlier as provided below.

It is the purpose of this agreement to:

1. Describe and agree to program policies, procedures, and expectations for the proper redemption and reimbursement of WIC and Senior FMNP benefits.
2. Expand customer base and use of Alaska farmers' markets, farmstands, and farms where consumers buy direction from the farmer.

It is therefore mutually agreed that:

1. The farmers market named above is not authorized to accept program benefits and/or receive reimbursement.
2. The farmers market name above shall furnish the necessary personnel and services and otherwise do all things necessary for, or incidental to, the performance of conditions set forth below.
3. The farmers market named above authorized to participate in the Alaska FMNP, and SFMNP agrees to conditions and rules listed in this agreement and supplemental documentation provided by the State of Alaska.

Definitions:

DOH stands for Alaska Department of Health. This is also sometimes referred to as the State Agency.

Compliance buy means a covert, on-site investigation in which a representative of WIC, FMNP and/or SFMNP poses as a program participant or proxy, transacts a purchase with program benefits, and does not reveal during the visit that he or she is a WIC, FMNP and/or SFMNP representative.

Benefit means a check, coupon, food instrument, warrant, voucher, or other negotiable financial instrument by which benefits under the FMNP and SFMNP are transferred to participants.

Community Supported Agriculture (CSA) is a system in which a farm is supported by local consumers who purchase prepaid shares in the farm's output which they receive periodically through the growing season. CSAs are not authorized for the FMNP or SFMNP in the State of Alaska.

Distribution agency means any entity or local government agency which issues FMNP or SFMNP benefits and provides nutrition education and/or information on operational aspects of the program to eligible participants.

Eligible foods for purchase with WIC and Senior Farmers Market Nutrition Program benefits (FMNP/SFMNP) means fresh, nutritious unprepared, locally grown, approved fruits, vegetables, and herbs for human consumption. Eligible foods may not be processed or prepared beyond their natural state except for usual harvesting and cleaning processes. Ineligible foods include, but are not limited to potted plants, marijuana, dried fruits and vegetables, maple syrup, cider, juices, nuts, seeds, eggs, meat, cheese, and seafood. Alaska produced honey is approved only for purchase with SFMNP benefits.

Fraud and abuse mean the intentional conduct which violates WIC program, FMNP and/or SFMNP regulations, policies, or procedures, including but not limited to, misappropriating, or altering benefits, falsifying, or providing misleading information, incorrectly redeeming, and receiving reimbursement for benefits, receiving reimbursement for benefits not redeemed by your farm, and others.

Farmer means an individual authorized to sell eligible fruits, vegetables, and herbs to participants at a farmers' market, farmstand or farm. Individuals or organizations which exclusively sell product grown by someone else cannot be authorized to participate in the FMNP and SFMNP. For purposes of this agreement, this includes the term "Farmer" as defined in WIC Farmers' Market Nutrition Program (FMNP), 7 C.F.R. 248.2, and Senior FMNP 7 C.F.R. 249.2, and in Special Supplemental Nutrition Program for Women Infants and Children (WIC) 7 C.F.R. 246.2 as well as the term "producer" as that term is used in C.N.A. 42 U.S.C. 1786.

Farmers' market means an association of local farmers who assemble at a defined location and scheduled time for the purpose of selling produce directly to consumers.

Farmstand means a location at which a single, individual farm or farmer sells his/her produce directly to the consumer. This is in contrast to a group or association of farmers selling their produce at a farmers' market

FMNP stands for Farmers' Market Nutrition Program.

Local agency means any entity or local government agency which issues FMNP benefits and provides nutrition education and/or information on operational aspects of the program to eligible participants.

Locally grown means produce grown only within Alaska borders. Under no circumstances can produce grown outside of Alaska be considered eligible for the FMNP and SFMNP.

Participants means women, infants, and children who are receiving supplemental food benefits under the FMNP; and seniors aged 60 or older who have applied and have met eligibility criteria.

Participant violation means any intentional action of a participant, parent, caretaker, or proxy that violates federal or state statutes, regulations, policies, or procedures governing the WIC program, FMNP, and SFMNP. Participant violations include intentionally making false or misleading statements or intentionally misrepresenting, concealing, or withholding facts to obtain benefits; exchanging benefits or supplemental foods for cash, credit, non-food items, or unauthorized food items, including supplemental foods more than those listed on the participant's benefits; treating to harm or physically harming clinic, farmer, or vendor staff; and dual participation.

Proxy means any person designated by a participant, or by a parent or caretaker of an infant or child participant, to obtain and redeem benefits or to obtain supplemental foods on behalf of a participant. The proxy must be designated consistent with the state agency's procedures established pursuant to 7 C.F.R. 246.12(r)(1). Parents or caretakers applying on behalf of a child and/or infant are not proxies. For the SFMNP, proxy means an individual authorized by an eligible senior to act on the senior's behalf according to 7 C.F.R. 249.2.

Senior participant means eligible seniors 60 years old and over who have applied and have been approved for participation.

SFMNP stands for Senior Farmers' Market Nutrition Program.

USDA stands for United States Department of Agriculture.

WIC stands for Supplemental Nutrition Program for Women, Infants, and Children.

The State of Alaska Department of Health shall:

1. Provide each eligible senior, woman, infant, and child applicant a one-time benefit issuance that may be accepted only by eligible farmers and farmstands between July 1 and October 31. Distribution of the FMNP benefits will be made by Local agencies. Distribution of the SFMNP benefits will be made by approved distribution agencies.
2. Correctly determine and monitor farmer, farmstand, and farmers market eligibility.
3. Evaluate and determine regions of program benefit distribution prior to July 1st of each season.
4. Deny payments for improperly redeemed benefits and/or demand repayment for improperly reimbursed benefits.
5. Provide training to authorized farmers' market managers, farmstands, and farmers.
6. Provide accepted here signs to be displayed by authorized farmers markets, farmstands, and farmers point of sale.
7. Provide monitoring of authorized farmers markets, farmers, and farmstands to assure compliance with 7 C.F.R. 248 (FMNP regulations) and 7 C.F.R. 249 (SFMNP regulations).

The Farmer Market shall:

1. Be in an area that serves enough participating seniors, women, infants, and children to justify the authorization.
2. Include enough variety and quantity of produce to meet the demand of participants in the area it serves.
3. Be open for business to the public at a consistent location for a minimum of three hours on at least one consistent day of the week for at least eight weeks between July 1 and October 31.
4. Accept training relating to the FMNP and SFMNP procedures and provide training to any employees and/or volunteers on all procedures. Farmers markets in their first year of authorization are required to participate in one-on-one training with the State of Alaska prior to participation in the programs.
5. Display the Accepted Here sign in a highly visible area when authorized farmers are present at the market.
6. Receive prior approval from the Alaska DOH prior to offering incentives to FMNP & SFMNP shoppers.
7. Ensure equitable treatment of all FMNP and SFMNP shoppers.
8. Provide program staff with any information which the Alaska FMNP and SFMNP deems necessary to track the impact of the FMNP and SFMNP, including information required for annual reports to the USDA.
9. Report to the Alaska DOH by October 15 all in-kind contributions made during the farmers market season.
10. Comply with applicable state and federal regulations pertaining to civil rights and nondiscrimination.
11. Cooperate with Alaska FMNP and SFMNP staff in covert or overt monitoring for compliance with FMNP and SFMNP procedures.
12. Safeguard confidential FMNP and SFMNP participant information including names, phone numbers, email addresses, mailing and physical addresses, and other personal identifiable information.

13. Notify the DOH when and if your farmers market ceases operation prior to the end of the authorization period.
14. Submit an annual Information Update Form provided by the State of Alaska WIC program by the stated deadline.
15. Accept communications via email and regularly monitor the email address provided to the Alaska DOH FMNP and SFMNP for program related communications, deadlines and requirements, training, and others.

Any violation of these rules may result in the Alaska DOH disqualifying the farmers market from the programs. The farmers market may be subject to sanctions in addition to, or in lieu of, disqualification. For a list of sanctions please refer to the FMNP/SFMNP Sanction Schedule at the end of this agreement. The Alaska DOH shall notify the farmers market in writing 15 calendar days prior to the disqualification effective date. The Alaska DOH may disqualify a farmers' market for program abuse with a minimum of 15 days' advance written notification.

A farmers' market which commits fraud, abuse, or engages in other illegal activity is liable to prosecution under applicable federal, state, and/or local regulations. The farmers market may appeal an action of the Alaska DOH denying its application to participate, imposing a sanction, or disqualifying it from participating in the FMNP/SFMNP if received within 30 calendar days of notification. Expiration of an agreement shall not be subject to appeal through the Alaska DOH. All appeals must be in writing, and addressed to: State of Alaska, Farmers' Market Nutrition Program, PO Box 110612, Juneau, Alaska 99811. The State of Alaska Farmers' Market Nutrition Program maintains no obligation to reinstate a farmers market agreement after disqualification. The farmers' market understands that they may reapply to participate in the program as stipulated in the disqualification notification.

Any of the parties to this agreement shall have the right to terminate the agreement with 30 days' notice upon submission of a written notice to the other parties. Termination notices or other correspondence from the farmers market shall be addressed to: State of Alaska, Farmers' Market Nutrition Program, PO Box 110612, Juneau, Alaska.

Order of Precedence:

In the event of an inconsistency in this agreement, unless otherwise provided herein, the inconsistency shall be resolved by giving precedence in the following order: 1) applicable federal and state statutes and regulations, 2) special terms and conditions, 3) any other provision of the agreement whether incorporated by reference or otherwise. This agreement contains all the terms and conditions agreed upon by the parties. No other understandings, oral or otherwise, regarding the subject matter of this agreement shall be deemed to exist or to bind any of the parties. The undersigned have affixed their signatures in execution thereof.

Neither the State agency nor the farmer, farmers' market nor a roadside stand has an obligation to renew the agreement. Either the State agency or the farmer, farmers' market or a roadside stand may terminate the agreement for cause after providing advance written notification

Farmers Market Representative

State of Alaska Department of Health

Signature

Signature

Printed Name

Printed Name

Title or Position

Title or Position

Date Signed

Date Signed

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

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

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

1. **Mail:**
U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410; or
2. **Fax:**
(833) 256-1665 or (202) 690-7442; or
3. **Email:** Program.Intake@usda.gov

FMNP and SFMNP Sanction Schedule

Each occurrence is considered one day and/or one location unless otherwise stated.

Violation Type: Category I

Description: Failure to display a S/FMNP Accepted Here sign at public sales location. Failure to provide S/FMNP training and/or information to the public when requested.

State Agency Action/Penalty: Violation will result in verbal or written warning, with corrective action requested. The farmers' market manager may be required to participate in special training to resolve the violation.

Violation Type: Category II

Description: Two Category I violations. Providing false information on the Farmers' Market Application which resulted in incorrect eligibility and/or authorization. Failure to provide updated sales location information by the annual deadline. Failing to participate in annual training.

State Agency Action/Penalty: Violation will result in a written notification of noncompliance from the State Agency. The farmers' market manager may be required to participate in special training to resolve the violation.

Violation Type: Category III

Description: Three or more Category I violations or two or more Category II violations. Providing false information on the Farmer's Market Application which resulted in incorrect eligibility and/or authorization. Failure to meet the minimum eligibility criteria during the current market season. Discrimination, hostile actions, and/or inappropriate behavior towards of a S/FMNP shopper. Failing to cooperate in S/FMNP monitoring. Noncompliance with requirements not specifically identified as a Category I, II or IV violation.

State Agency Action/Penalty: Violation will result in termination of Farmers' Market Agreement and disqualification from the FMNP and SFMNP for a full market season. Farmers' market will need to reapply for authorization after suspension. Program staff may notify the Alaska Business License office of any farmers' market operating without a valid business license.

Violation Type: Category IV

Two or more category III violations. Committing S/FMNP fraud or abuse including providing drugs, weapons, alcohol, or cash to a customer in exchange for program benefits. Continuing to participate during suspension or disqualification



Farmers' Market and Senior Farmers' Market Nutrition Programs
Farmer-Vendor Application for Authorization

July 1 – November 30, 2025, and July 1 – November 30, 2026
Authorization is complete when notified by Alaska WIC Office

Program Introduction: The Alaska Farmers' Market nutrition programs issues QR Codes which can be exchanged for Alaska-grown fruits, vegetables, and herbs at authorized farmer sales sites. Seniors can also purchase Alaska produced honey.

***** Please write legibly. Items marked with an asterisk (*) are required. *****

Farmer Information:

*Alaska Business License Number: _____

*Farm Name _____ *Owner's Name _____

*Email _____ *Phone _____ Fax _____

*Mailing Address _____ *City _____ *Zip _____

*Physical Address _____ *City _____ *Zip _____

Order & Payment Information:

Pre-orders are accepted by (check all that apply): Phone Online/Website By mail/fax Other

*Select all payment types accepted at your farm sales location(s).

(Do not include payment accepted by the market.)

Debit/Credit Cash/Check Venmo Paypal
 SNAP EBT cards Other: (please list) _____

*Please select your electronic payment device and/or software provider:

None Square Marketlink/TotilPay Clover Other: _____

*Bank Name: _____

*Name Registered to Account: _____

*Routing Number: _____ *Account Number _____

Location Information:

*Provide ALL public sales locations. If you have additional locations, please attach additional pages.

Farm/Market Name or Location Description: _____

Physical Street Address (Intersections not accepted): _____

Date Range (First and Last sales dates): _____

Day(s) of the week: _____

Program Sign Requirement:

All authorized farms must display the bright yellow “Accepted Here” sign at every public sales location. If you do not have a sign or need replacement(s), please identify how many signs you’d like to request here: _____

Produce Information:

Do you sell non-produce items? No Yes Do you grow in a greenhouse and/or high tunnel? No Yes

*We grow _____ % of the produce we sell. If less than 100%, please indicate states, regions and/or other farms where produce is grown:

_____ List produce that *your farm will grow* in Alaska and sell to the public. (If more space is needed, please attach.)

_____ List *Alaska grown* produce that your farm acquires from other farms. (If more space is needed, please attach.)

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mail:
U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410; or
fax:
(833) 256-1665 or (202) 690-7442; or
email:
Program.Intake@usda.gov
This institution is an equal opportunity provider.

By signing below, I have read and acknowledge the following:

- All the information in this application is true and correct. I will report any changes to information listed on this application to the State of Alaska WIC Office within 10 business days of the change.
- I understand that providing false information may result in denial or termination of my authorization to participate.
- I agree to follow all program requirements listed in the 2025 Farmer Handbook available per request or online at <https://dhss.alaska.gov/dpa/Pages/nutri/fmnp/fmnpvendorinfo.aspx>.
- I will monitor the email address listed above regularly for program notifications, updates, and requests.
- I will work with State of Alaska staff as the program transitions to electronic benefits or notify the program of my voluntary withdrawal from the FMNP and SFMNP.

*Applicant Printed Name

*Applicant Signature

*Date