Farmers’ Market Nutrition Programs

Women, Infants and Children Farmers’ Market Nutrition Program and
Senior Farmers’ Market Nutrition Program

What is the Farmers’ Market Nutrition Program?

The New York State Farmers’ Market Nutrition Program (FMNP) consists of two programs: the Women, Infants and Children Farmers’ Market Nutrition Program (WIC FMNP) and the Senior Farmers’ Market Nutrition Program (SFMNP). Those who are eligible for these programs are provided checks to redeem for fresh, local fruits and vegetables at participating farmers’ markets and farm stands.

The purpose of the program is to promote improved nutrition through increased consumption of locally grown fresh fruits and vegetables. It is also intended to expand sales at farmers’ markets and farm stands. The New York State Department of Agriculture and Markets (Department) collaborates with the New York State Department of Health, the New York State Office for the Aging, and Cornell Cooperative Extension in administering the program.

Program runs June 1 – November 30
**Who is FMNP**

**Farmers**
- Fruit and vegetable farmers may be eligible to enroll and accept FMNP checks. There is no fee to participate, but they must sign up with the Department annually.

**Markets**
- Farmers’ markets and farm stands may be eligible to enroll, therefore allowing authorized farmers at their market to accept FMNP checks. There is no fee to participate, but the market must sign up with the Department annually.

**Customers**
- Participants enrolled in the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) may receive FMNP checks provided that their local WIC agency participates in the program.
- Seniors who are 60 years of age and older, and who are income eligible may receive Senior FMNP checks from local senior centers, congregate meal sites or the Department of Health's Commodity Supplemental Food Program locations (CSFP).

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**Why FMNP?**

- Additional revenue source for farmers
- Diversify customer base
- Promotes positive change in communities
- Free advertising on official NYS website
- Increase knowledge and consumption of fresh produce for low income families.
Farmers' Market Nutrition Program

Find all of our Farmers' Market locations at:
www.agriculture.ny.gov
Select "Find a Farmers' Market"
The FMNP Check

Farmers’ Market Nutrition Program

The Big Picture

- The New Year
- Markets Apply
- Markets Authorized
- Farmers Apply
- Farmers Authorized
- FMNP Begins
- FMNP Ends
- November 30
- Last day to Deposit
- December 15
Basic Eligibility

Farmers

- Must be a *bona fide* farmer as defined by FMNP.
- Must sell local fruits, vegetables, and/or culinary herbs.
- Must participate in an authorized market as a vendor or supplier, or as an operator of a farm stand.
Bona fide Farmer

• To be considered a *bona fide* farmer for FMNP, you must grow and harvest local fruits, vegetables, and/or culinary herbs from land owned or leased by you.

“Local” Defined

• *Local* is New York State and adjacent states, and includes:
  

• The market may have higher standards for local, to which the farmer must adhere. (ex. “30 mile radius”)
“50% Grow Rule”

- You must adhere to the 50% grow rule when selling at a market.
- Applies to farmers that physically attend a farmers’ market or farm stand.

★ 50% Grow Rule: Of the fruits and vegetables being offered for sale by a *bona fide* farmer, at a minimum, 50% (by volume) must be grown and harvested on land he/she owns or leases.

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Eligible Food Items

The Farmer may only accept New York State FMNP checks for *fresh, local, unprocessed fruits, vegetables and culinary herbs*. This includes, but is not limited to:

- Local vegetables (cucumbers, potatoes, bok choy, lettuce, etc.)
- Local fruits (apples, peaches, berries, currants, etc.)
- Local pumpkins (edible)
- Local mushrooms (edible varieties)
- Local cut herbs for cooking (basil, thyme, mint, etc.)

NO potted plants!
Ineligible Food Items

FMNP checks are only for fresh, local, unprocessed fruits, vegetables and culinary herbs. A farmer may NOT accept them for any other products. This includes, but is not limited to:

- Produce not grown locally (bananas, oranges, avocados, etc.)
- Painted pumpkins
- Ornamental gourds or corn
- Potted plants
- Potted herbs
- Cut Flowers
- Baked goods
- Juice or cider
- Eggs
- Meats
- Dairy products
- Jam
- Honey
- Maple syrup

Application Process: Farmer

A complete application includes:

1. Farmer Participation Agreement (FMC-6)
2. Crop Plan (FMC-12)
3. Training

Due Date:

(Before checks are accepted at FMNP market)
Farmer Application Process: Agreement

1. Farmer Participation Agreement (FMC-6)
   - Farmer must read the Rules and Procedures for Farmers (FMC-5)
   - List all markets on one single FMC-6
     - Important to know name and location of the market you attend.
     - Include your own farm stand, if applicable.
   - Farmer must sign.
   - Market manager must counter-sign.
   - Send this to the Department.

2. The Crop Plan (FMC-12)
   - Provide:
     - Tillable acres
     - Cultivated acres
     - Field location (& acres)
     - What you grow
     - Produce purchased for resale
   - Must be kept up-to-date if crop plan changes in variety or volume
   - Give to the FMNP market manager to retain.
   - Market records can be audited at any time by the Department.
Farmer Application Process: Training

3. FMNP Farmer Training

New farmers: Interactive training (face-to-face, over the phone or online webinar) is mandatory for farmers new to FMNP.

After the 1st year: farmers are provided with a copy of the Rules and Procedures for Farmers (FMC-5), and expected to read this as their annual training requirement.

Farmer Authorization Process: Review

Once you have submitted the application, the Department reviews it.

A Farmer is not authorized to accept any FMNP check until they have been issued an authorization package.

An authorization package is issued by the Department when all application and training requirements are met.

Once authorized, a farmer is assigned a unique identification number.

- This number will not change if a year is skipped.

An authorization package is sent to the farmer and contains:

- Authorization letter
- ID card: Farmer must sign and stamp this with official stamp
- Signs that say “We gladly accept … Farmers’ Market Checks”
- Official ID stamp. For new applicants only. This has the farmer’s four digit ID number with New York State seal
Farmers’ Market Nutrition Program

Farmer Authorization Process: Signage

- New FMNP Sign for 2019!
- Laminated: “We Gladly Accept New York State Farmers Market Checks”
- Farmers must display their current year sign at their stall in each FMNP market location.
- Signs are sent by the Department each year. You may call the office to request more if you need them.

Farmers’ Market Nutrition Program

The Market Process
The Big Picture

Farmers' Market Nutrition Program

Basic Eligibility: Markets

- Be comprised of *bona fide farmers*.
- Operate at a designated location
  - which is easily accessible by FMNP participants
- Have a fixed schedule of operation
  - Eligibility varies per market type
- Have an organizational structure
- Supply sufficient volume and variety of locally grown, fresh fruits and vegetables.
Market Types

Traditional Farmers’ Market

Farm Stand

Mobile Market

A complete application includes:

1. Market Participation Agreement (FMC-8)
2. Proof of *bona fide* farmer(s), which is either:
   • a Crop Plan (FMC-12)
   • a Vendor List (FMC-11)
   • a Supplier List (FMC-10)
3. Market rules and regulations
4. Training

**Recommended Due Date: March 1**
**Bona fide Farmer**

To be considered a *bona fide* farmer for FMNP, you must grow and harvest local fruits, vegetables, and/or culinary herbs from land owned or leased by you.

**Market Types**

**Traditional Farmers’ Market**

- two (2) or more *bona fide* farmers, who meet the 50% grow rule, attend the market each week, and
- must be a weekly reoccurring market for at least three hours per day, and for three consecutive months.

*Note: At least two farmers must be enrolled or planning to enroll in the FMNP*
### Farmers’ Market Nutrition Program

#### Market Types

##### Farm Stand

- a single operator selling produce at a fixed market location each week, and
  - the operator is a *bona fide* farmer who meets the “50% Grow Rule” or;
  - they are a private nonprofit agency (nonprofit) and, at a minimum, 50% (by volume) of the fruits and vegetables being offered for sale are sourced from bona fide farmers, and
  - operator is committed to a weekly reoccurring market, three hours per day, three consecutive months.

##### Mobile Market

- a single operator selling produce at a fixed location each week using a mobile unit, and
  - the operator is *bona fide* farmer who meets the “50% Grow Rule” or;
  - they are a private nonprofit agency (nonprofit) and, at a minimum, 50% (by volume) of the fruits and vegetables being offered for sale are sourced from bona fide farmers, and
  - operator is committed to weekly reoccurring stops with two or more stops per day, and three consecutive months per year.
1. Market Participation Agreement (FMC-8)

- Read the Rules and Procedures for Markets (FMC-4) for a complete list of application requirements
- Submit one Agreement for every market location
- Provide the winter market address, season and hours, if applicable
- Submit annually

2. List of bona fide farmers

- Vendor List (FMC-11)
- Supplier List (FMC-10)
- Crop Plan (FMC-12)

Refer to the FMNP Rules and Procedures for Markets (FMC-4) for which document to provide.
Market Application Process: Market Rules

3. Submit the rules that govern your market(s)

- If your market does not yet have official rules, you can refer to the Rules and Procedures for Markets (FMC-4) for suggestions or contact the Department for help developing your rules.

- Farmer operated farm stands are exempt from submitting rules.

- Mobile markets and other farm stand types are not exempt.

Market Application Process: Training

4. New markets should contact the Department to receive initial FMNP training for managers

- Any new manager of an FMNP market should contact the Department to receive FMNP training for managers.

- If there is a transition in the market management, make sure the staff/sponsor/new manager has training in the FMNP.

- Pre-recorded training webinars are now available for your convenience or you can register for a live webinar.

- www.agriculture.ny.gov
**Market Authorization Process: Review**

Once you have submitted the application, the Department reviews it.

**Market Authorization Process: Authorization**

A Market is **not authorized** in the FMNP until they have been issued an **authorization package**.

An authorization package is issued by the Department when all the requirements are satisfied.

A market must be authorized for the day of the week and at its specific **geographical location** before any authorized FMNP farmer accepts FMNP checks.
**Farmers' Market Nutrition Program**

### Market Authorization Process: Authorization

- Once authorized, the market is assigned a unique identification number.
  - This number should be used for all correspondence with the Department.
- Then, an authorization package is issued to the Market.
- Once the authorization is issued to the market, authorized farmers may accept FMNP checks at that market (location).

**IMPORTANT:**
- Changes to market hours or location should be communicated to the Department ASAP.
- Markets are promoted. All FMNP market operational information is advertised at [www.agriculture.ny.gov](http://www.agriculture.ny.gov) and [www.data.ny.gov](http://www.data.ny.gov)
- These websites are updated by the Department and are used by Senior and WIC FMNP participants seeking places to spend their benefit.
- The online market lists are also used by the general public and are a free marketing opportunity for participating markets.

### Market Authorization Process: Authorization Package

An authorization package consists of:

1. The Market Authorization letter
2. Attendance Roster (FMC-7) or Purchasing Log (FMC-9)
3. Farmer application materials (to distribute to farmers)
4. Educational materials
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Market Authorization Process: Signage

• **New starting 2019!**
• Laminated: “This Market Welcomes New York State Farmers Market Checks”
• For multivendor farmers markets enrolled in FMNP.
• To Display at the management table as declaration the market is apart of the FMNP.
• Sent by the Department with the Market Authorization Package.
• Quick Rules for Markets on the reverse side.
• You may call the office to request more if you need them.

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Farmers’ Market Nutrition Program

Operating the FMNP
Operating the FMNP: During the Market Day

- A good faith effort is required regarding the 50% Grow Rule
- Staying true to the spirit of the program.
Operating the FMNP: Transactions with Customers

Farmers at the Market:

- Accept checks at market between June 1 and November 30.
- **Do not give change.** You may not exchange an FMNP check for any amount of cash.
  - Up sell - try adding eligible items to help participants use their entire benefit.
- **Simple Pricing** - You may want to consider pricing that makes it easier ($1, $4, $8, etc.).
- Treat checks like cash to avoid loss or theft.
- Customers may combine two or more FMNP checks to pay for foods.
- WIC or Senior proxies are allowed to shop using the FMNP checks.
- Do not confront customers suspected of violating FMNP rules.
- Report any behavior suspicious of violating program rules to the FMNP Program Coordinator.

Operating the FMNP: Attendance or Purchasing Log

- Market name
- Date in the top row
- Produce farms listed
- Mark and ‘X’ if present
- Submit monthly
- Can continue to use same roster for whole season
Violations to Highlight

* Refer to Rules and Procedures for Farmers (FMC-5) for more in-depth information

- **Check trafficking:** cash or other currency redemption of FMNP checks for 1) customers, 2) non-FMNP farmers or 3) non-FMNP eligible vendors
- **Accepting checks for ineligible food items**
- **Accepting checks at non-authorized market locations**
- **Discrimination** against check customers in price, quality, or service, including charging check customers higher prices than non-check customers or establishing separate displays exclusively for check customers.

Complaint Process: Civil Rights Violations

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, disability, age, 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, audiotape, 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:** USDA
   
   Office of the Assistant Secretary for Civil Rights
   
   400 Independence Avenue, SW
   
   Washington, D.C. 20250-9410;
   
2. **fax:** (202) 690-7442; or
3. **email:** program.intake@usda.gov

This institution is an equal opportunity provider.
Farmers’ Market Nutrition Program

Redeeming the FMNP Checks

The Big Picture

- The New Year
- Markets Apply
- Markets Authorized
- Farmers Apply
- Farmers Authorized

November 30
FMNP Ends

December 15
Last day to Deposit

June 1
FMNP Begins

5/16/2019
Bank Transactions: Cashing or Depositing Checks

**Before the Bank:**

- Stamp all checks with your FMNP issued stamp
- Contact us for a replacement if necessary; you are not allowed to duplicate your stamp
- Find your FMNP ID card
- Talk to your bank branch re: fees, limits, etc., before you deposit checks.
- Find a local KeyBank.
  - FMNP has a partnership with KeyBank where you can cash FMNP checks at KeyBank. You do not need an account with KeyBank to cash checks.

If there is any questions about check redemption, please contact the FMNP Program Coordinator before you go to the bank.

Last day for redeeming checks is December 15.

Bank Transactions: Stamp Each Check

[Image of check with instructions to stamp ID number]
Bank Transactions: Cashing or Depositing Checks

At the Bank:

- Bring your FMNP ID card (from your authorization package) to redeem FMNP checks
- Deposit FMNP checks at any bank.
  - There is no limit on the number of check items for deposit.
- Cash FMNP checks at KeyBank branches located in New York State
  - FMNP has a partnership with KeyBank. A maximum of 250 checks ($1,000) may be cashed per business day at KeyBank. You do not need an account with KeyBank to cash checks. The FMNP ID card is required.

If there is any issue with check redemption at the bank, please contact the FMNP Program Coordinator.

Last day for redeeming checks is December 15.

Summary: Farmer’s Responsibilities

- Know and abide by the Rules and Procedures for Farmers (FMC-5)
- Train appropriate farm staff in FMNP rules
- Adhere to the “50% Grow Rule”
- Apply for FMNP annually
  - Submit a Crop Plan (FMC-12) to manager(s) of FMNP markets
  - Have FMNP Market Manager counter-sign the Farmer Participation Agreement (FMC-6)
- Keep a copy of the submitted Farmer Participation Agreement (FMC-6)
- Accept checks only for local, fresh, unprocessed fruits, vegetables and/or culinary herbs
- Accept checks from customers only between June 1 and November 30
- Submit checks to bank by December 15
Summary: Manager Responsibilities

Submit Market Application package annually by **March 1**

Know the FMNP Rules and Procedures for Markets (FMC-4)

Act as liaison for the Department

Update the Department with market hours and location changes

Submit the Attendance Roster or Purchasing Log (monthly)

Verify farmer is a *bona fide* grower:
- Inspect farmer fields;
- Countersign farmer applications;
- Collect crop plans and retain for three years.

Make sure farmers have their FMNP signs clearly posted

Know what food items are eligible for FMNP customers

Enforce the “50% Grow Rule”

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Program Contact Information

**NYS Department of Agriculture & Markets**

Nutrition Unit

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