



FARMER - VENDOR APPLICATION & AGREEMENT

WIC and Senior Farmers' Market Nutrition Program (FMNP) and/or



WIC Fruit and Vegetable Check (FVC)

Check One (required)

Applicant must currently be selling produce at a market authorized for the program in which you are applying for.

- New **FMNP** Applicant
- New **FVC and FMNP** Applicant
- Re-Authorization, enter your 6 digit WIC ID # _____

Mail completed application to:
Farmers' Market Programs
 California WIC Program/ LASB
 3901 Lennane Drive, MS 8600
 Sacramento, CA 95834

State Use Only	
<input type="checkbox"/> FMNP Only Approved	<input type="checkbox"/> Incomplete
<input type="checkbox"/> FVC and FMNP Approved	<input type="checkbox"/> Denied
Signature: _____	Date: _____

The Farmer-Vendor Application is for the California Women, Infants and Children (WIC) to authorize farmers to provide eligible foods to program participants under regulations published by the United States Department of Agriculture. This agreement will be in effect for three years unless terminated by the California State WIC Program or the Farmer-Vendor.

Please review the instructions that accompany this application.

Section 1: Certified Producer Information (Farmer)				Producer's Certificate Information		
Name of Farm				Issuing County (required)		
Certified Producer's Name #1 (Last, First)				Certificate Number (required)		
Certified Producer's Name #2 (Last, First)				Expiration Date (required)		
Mailing Address		City		County	State	Zip
Phone (Business)	Phone (Cell)	Fax Number	Email			

Section 2: Market Manager Verification of Producer's Certificate Information* (above)					
<input type="checkbox"/> I certify that the information in Section 1 provided by the farmer is correct.					
Signature of Market Manager (required)		Printed Name of Market Manager (required)		Date (required)	
Market #	Market Name (required)		Market Location (required if no Market #)		

*The California WIC Program reserves the right to verify the information in this section.

Section 3: Training Requirement (Check one, required prior to submitting application)

New FMNP Applicant: Check here if this is your first time applying. Applicants must attend a face-to-face or interactive (webinar) training and provide the required information below prior to submitting this application.

I received training provided by (check one)							
<input type="checkbox"/> WIC Authorized Market Manager <input type="checkbox"/> State WIC Staff <input type="checkbox"/> WIC Local Agency Staff <input type="checkbox"/> Webinar							
Print Name of Trainer (required)		Signature of Trainer (required)		Title (required)		Date (required)	
Webinar Registration ID # (if applicable)		Webinar Date (if applicable)					

Re-Authorizing FMNP Applicant: Check here if you are reauthorizing (required every 3 years) certifying that you have reviewed the FMNP newsletter or other FMNP materials to meet the training requirements. *Signature is not required.*

New and Re-Authorizing FVC and FMNP Applicant: Farmer-Vendors applying or re-applying are **REQUIRED** to attend a Face-to-face or interactive (webinar) training by State WIC Staff every 3 years.

I received required training via. (check one)							
<input type="checkbox"/> Webinar		Webinar Registration ID # (if applicable)		Webinar Date (if applicable)			
<input type="checkbox"/> In Person or Over Phone		Print Name of Trainer and Title (required)		Signature of Trainer		Date (required)	

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Section 4: WIC Authorized Farmers' Market Locations Where You Sell Produce

1. The first market listed must be the market of the Market Manager who has verified the information on this application.
2. List all WIC Authorized Farmers' Markets where you sell produce.
3. Use the Market # below found on the current list of WIC Authorized Markets on at www.wicfarmers.ca.gov

Market #	Market Name			Day of Operation (check one) S M T W T F S <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
	Market Location	City	County	Hours of Operation
Market #	Market Name			Day of Operation (check one) S M T W T F S <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
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	Market Location	City	County	Hours of Operation

Application will not be processed without this information. Use additional sheets if necessary.

Section 5: Certified Producer (Farmer) Agreement and Signature (required)

All the information in this application is true and correct. I understand that providing any false information may result in the California State WIC program denying or terminating my authorization to participate. By signing this application, I agree to follow all the program requirements in the attached sections and as stated in the Farmer and Market Manager Handbook.

Certified Producers Signature #1	Print Name	Date
Certified Producers Signature #2	Print Name	Date

In accordance with Federal Law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, or disability. To file a complaint of discrimination, write USDA, Director, Office of Adjudication, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410 or call toll free (866) 632-9992 (Voice). Individuals who are hearing impaired or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339; or (800) 845-6136 (Spanish). USDA is an equal opportunity provider and employer.

Complete, sign and return with page 1

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Section 6: Terms and Conditions of Farmer-Vendor Agreement

1. This Farmer-Vendor Agreement is in effect for three years.
 - a. Neither the California State WIC Program nor the Farmer-Vendor has an obligation to renew this agreement at the end of the agreement term.
 - b. The farmer may terminate the agreement for any reason after providing 10 days of advanced written notification.
 - c. The California State WIC Program may disqualify a farmer for program abuse with a minimum of 10 days advanced written notification.
 - i. A farmer that commits fraud or engages in other illegal activity is liable to prosecution under applicable Federal or State laws.
 - ii. If you suspect any type of abuse, do not accept the check and contact the Market Manager or State WIC Program staff immediately.
2. The California State WIC Program and the Farmer-Vendor must comply with all nondiscrimination provisions of USDA Regulations as provided in 7 CFR, Section 248.7 for FMNP; or Section 246.8 for WIC Regulations; or Section 249.7 for SFMNP. The requirements of this section are available via the Internet by accessing <http://ecfr.gpoaccess.gov>.
3. The Farmer-Vendor has the right of appeal to the state within 30 days of receiving written notice regarding denial of application to participate, imposing of a sanction, or denied payment from the California State WIC Program. To appeal, please contact the California State WIC Program at 916-928-8513 or email wicfmp@cdph.ca.gov.
4. The Farmer-Vendor has the right of appeal to the state regarding disqualification from the California State WIC Program. Farmer-Vendors that wish to file an appeal must submit a written notice stating the basis for disagreement within 30 days of receiving written notice from the California State WIC Program. The written notice of formal appeal should be directed to:

Ms. Lisa Alder, Chief
Administrative Appeals
Department of Health Care Services
1029 J Street, Suite 200
Sacramento, CA 95814
5. If you appeal, an administrative hearing will be scheduled in Sacramento. If you are unable to attend in person, you may attend the hearing via teleconference. You will receive advance notice of the time and place of the hearing and you will be given the opportunity to present your case. Counsel may represent you if you so desire. For additional information on the appeal process, please contact California State WIC Administrative Hearings and Appeals at (916) 928-8595.
6. Expiration of a contract or agreement and claims action under 7 Code of Federal Regulations (CFR), Section 248.20 of the FMNP Regulations; or Section 246.23 of the WIC Regulations; or Section 249.20 of the SFMNP Regulations are not subject to appeal. The requirements of this section are available via the Internet by accessing <http://ecfr.gpoaccess.gov>.

Section 7: Responsibilities of Farmer-Vendor

1. **Farmer-Vendors shall:**
 - a. Maintain a current Certified Producer's Certificate issued by the county Agriculture

- Commissioner in which the farm is located.
- b. Be accountable for actions of employees in check handling and processing.
 - c. Notify the CA State WIC Program if no longer selling at a WIC Authorized Market.
 - d. Agree to be monitored for compliance with program requirements, both overtly and covertly.
 - e. Provide access and cooperate with the CA State and Local Agency WIC program representatives when being monitored for compliance with program procedures and requirements.
 - f. Handle checks as CASH. Checks should be stored in a secure, locked location. Lost or stolen checks will not be replaced.
 - g. Agree to reimburse the CA State WIC Program for any checks transacted in violation of program requirements.
 - h. Understand that the CA State WIC Program may deny payment and demand reimbursement for any improperly redeemed checks, e.g. checks, redeemed prior to authorization, checks accepted for non-eligible foods.
 - i. Accept that the federal WIC logo and the WIC acronym are registered service marks of the United States Department of Agriculture (USDA); the federal WIC logo service mark, the WIC acronym service mark, and the California WIC logo are the property of the federal and state governments and their use is restricted as described below.
 - i. Agree to use the California WIC logo only through use of materials produced by the California WIC Program such as banners, posters, decals or stickers and by guidelines provided at www.vwix.ca.gov.
 - ii. Agree to not reproduce or use the California WIC logo without written permission from the WIC Program. Farmer- Vendors shall request and receive written permission from the WIC Program before implementing each WIC Program outreach message.

2. The authorized Farmer-Vendor shall not:

- a. Collect sales tax on purchases or levy a surcharge to participants using checks.
- b. Charge higher prices to WIC and Senior participants than to other customers.
- c. Seek restitution from recipients for checks not paid by the State agency.
- d. Issue cash change for purchases that are in an amount less than the value of the checks.
- e. Accept and exchange checks for cash.
- f. Accept checks for non-eligible foods.
- g. Void a check by marking the check "VOID".
- h. Levy a surcharge for participants who use the checks.
- i. Accept out-of-state checks. These checks are not honored by banks in California.
- j. Commit fraud or abuse of the programs.
- k. Participate in the program if you are sanctioned or disqualified by the State or County.
- l. Accept checks that are canceled, marked VOID, or appear to be reproduced or tampered with, and inform the Market Manager or CA WIC program immediately.

3. If authorized to accept Farmers' Market Nutrition Program (FMNP) checks for WIC and Senior the Farmer-Vendors shall:

- a. Accept and redeem FMNP checks only after you are authorized for FMNP.
- b. Not accept WIC Fruit & Vegetable Checks (FVC), unless authorized for FVC.
- c. Accept checks only at FMNP WIC Authorized Farmers' Markets
- d. Accept FMNP checks only for FMNP authorized foods.
- e. Accept FMNP checks within the dates of their validity and submit checks for payment within the allowable time period established by the State and as indicated on the checks.
- f. Mark each transacted FMNP check with a Farmer-Vendor WIC identification number prior to cashing or depositing into banks.
- g. Assure that FMNP checks are redeemed only for FMNP eligible foods grown within the California borders.
- h. Accept training on FMNP procedures and provide training to employees with FMNP responsibilities on such procedures.
- i. Review annual FMNP newsletter and announcements prior to May 1st each year.
- j. Prominently display the "**WIC and Senior Farmers' Market Checks Welcome**" sign at the point of sale or at your farm stalls so WIC and Senior participants can identify you as an approved Farmer-Vendor. These signs are provided by the CA State WIC program.

- 4. If authorized to accept WIC Fruit and Vegetable Checks (FVC) Farmer-Vendors shall:**
- a. Accept and redeem FVC only after you are authorized for FVC.
 - b. Accept check only at FVC and FMNP WIC authorized Farmers' Markets.
 - c. Accept FVC only for foods listed in the WIC Authorized Food List Shopping Guide.
 - d. Prominently display the **"Your WIC Fruit and Vegetable Checks Are Welcome Here"** sign at point of sale so WIC participants can identify approved Farmer-Vendors. These signs are provided by the CA State WIC program.
 - e. Provide the full amount of eligible foods to participants upon receipt of a valid, signed WIC FVC.
 - f. Accept WIC FVC only between the printed "first day to use" and "last day to use."
 - g. Accept WIC FVC with a printed cash value specifying the maximum allowable amount for which they may be redeemed for the purchase of fruits and vegetables using the following process:
The Farmer-Vendor must enter the actual sales total of the fruits and vegetables up to the check maximum value
 - i. If actual sale of fruits and vegetables exceeds the FVC maximum, the Farmer-Vendor should enter the check maximum value on the FVC, and collect the additional amount according to (ii) below.
 - ii. If the actual selling price exceeds the check maximum value and the participant wishes to purchase the full quantity, the Farmer-Vendor shall accept and collect payment from the participant using other forms of payment, such as cash or EBT for the amount over the FVC maximum.
 - iii. Not issue change to participants if the check maximum amount exceeds the price.
 - h. Request payment for WIC FVC by following the redemption procedure as specified below.
 - i. Transmit the serial numbers of all WIC FVC to the WIC Program through one of the options described below at least 24 hours before depositing the checks into a bank.
 - Using a computer to access the WIC Program Vendor Information Exchange (V-WIX) website at www.vwix.ca.gov, follow the instructions provided by the website.
 - Acquire technology or a service that will scan the Magnetic Ink Character Recognition (MICR) line imprinted on the bottom of each WIC FVC check. Scan each WIC FVC serial number and prepare a batch file that can be submitted to the WIC program through the WIC website or through File Transfer Protocol (FTP) software
 - i. After submitting the WIC FVC serial numbers, verification that the serial numbers were successfully received at the State can be done either through the VWIX website or by calling WIC Technical Support at 1-800-224-7472. Upon receiving confirmation that the serial numbers were received, deposit the WIC FVC into the Farmer-Vendor's bank account within forty-five (45) days of the "first day to use" date printed on the check.
 - j. Assume all responsibility to acquire the technology, resources and knowledge for successful transmission of serial numbers to the WIC program, if the Farmer-Vendor chooses a submission option that requires special equipment.
 - k. Accept that failure to meet the requirements for submitting WIC FVC serial numbers may result in returned checks from your bank, a delay in payment, or no reimbursement for WIC FVCs.
 - l. Accepting responsibility for successful transmission of all WIC FVC serial numbers to the WIC Program.
 - m. Accepting all financial responsibility for all account costs including returned check charges if incurred by the Farmer-Vendor in the WIC FVC redemption process.

Section 8: California State WIC Program Responsibilities

1. The California State WIC Program shall:

- a. Reimburse the Farmer-Vendor for the face value of each checks properly presented for payment through normal banking procedures.
- b. Provide the Farmer-Vendor clarification of applicable program requirements, and provide training and technical assistance.
- c. Monitor operations and provide written notification of any noncompliance observations of the Farmer-Vendor as outlined in the Farmer and Market Manager Handbook.

- d. Provide the Farmer-Vendor access to the FMNP/SFMNP Approved Produce List and the WIC Program's WIC Authorized Food List for fruits and vegetables.
- e. Provide the Farmer-Vendor with a "WIC and Senior Farmers' Market Checks Welcome" sign and/or a "Your WIC Fruit and Vegetable Checks Are Welcome Here" sign.
- f. Provide training on all program requirements and provide the times and dates of training sessions.
- g. Have the right to terminate this agreement, and the termination shall become effective **10** days after receipt of written notification.
- h. Have the right to reimbursement from the Farmer-Vendor of an amount equal in value to checks deposited and paid in violation of Federal or State laws and regulations or of the terms of this agreement, after the final notice of suspension or disqualification.

2. The California State WIC Program may:

- a. Deny payment and seek repayment from the farmer, farmers' market or any entities for improperly redeemed checks.
- b. Disqualify the Farmer-Vendor for program abuse upon written notification for a period of up to 2 years based on the severity of the violation. Program abuse shall include any violations of the terms of this agreement.
- c. Authorize special exceptions to rules and procedures involving unique circumstances; however, such exceptions shall not be effective until the CA State WIC Program provides written notification to the Farmer-Vendor.