



FARMER-VENDOR APPLICATION AND 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/FMNP** Applicant

Re-authorization

Mail completed application forms to:

Farmers' Market Nutrition Program
California WIC Program
3901 Lennane Drive
Sacramento, CA 95834-2956

WIC ID #: _ _ _ _ _

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)

If Market Manager is unavailable to complete Section 2, please provide a copy of your Producer's Certificate from your county Agricultural Commissioner.

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)

WIC Authorized Market Manager
 State WIC Staff
 WIC Local Agency Staff
 Webinar

Signature of Trainer (Required)	Print Name 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)

Webinar	Webinar Registration ID # (If applicable)	Webinar Date (If applicable)	
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	County	Day(s) of Operation (Check Below) S M T W T F S
	Market Location	City	Hours of Operation
Market#	Market Name	County	Day(s) of Operation (Check Below) S M T W T F S
	Market Location	City	Hours of Operation
Market#	Market Name	County	Day(s) of Operation (Check Below) S M T W T F S
	Market Location	City	Hours of Operation
Market#	Market Name	County	Day(s) of Operation (Check Below) S M T W T F S
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	Market Location	City	Hours of Operation
Market#	Market Name	County	Day(s) of Operation (Check Below) S M T W T F S
	Market Location	City	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

NOTE: PLEASE READ AND KEEP THE FOLLOWING SECTIONS FOR YOUR RECORDS

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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 CDPH WIC 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 CDPH WIC 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 CDPH WIC staff immediately.
2. CDPH WIC 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://www.ecfr.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 CDPH WIC. To appeal, please contact CDPH WIC at 916-928-8513 or email wicfmpn@cdph.ca.gov
4. The Farmer-Vendor has the right of appeal to the state regarding disqualification from FMNP/SFMNP. 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 CDPH WIC. The written notice of formal appeal should be directed to:

California Department of Public Health
Office of Legal Services
Administrative Litigation Unit
1415 L Street, Suite 500
Sacramento, CA 95814

A copy of your appeal letter should also be sent to:

Hearing and Appeals Unit (HAU)
California Department of Public Health
Women, Infants, and Children (WIC) Division
3901 Lennane Drive
Sacramento, CA 95834

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.

If you have any questions regarding the appeal process, please call (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://www.ecfr.gov>

Section 7: Responsibilities of Farmer-Vendor

1. Farmer-Vendors shall:

- a. Maintain a current Certified Producer's Certificate issued by the Agriculture Commissioner's office from the county in which the farm is located.
- b. Be accountable for actions of employees in check handling and processing.
- c. Notify CDPH WIC if you are 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 CDPH WIC and CDFA 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 CDPH WIC for any checks transacted in violation of program requirements.
- h. Understand that CDPH WIC 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 <https://vwix.ca.gov>
 - ii. Agree to not reproduce or use the California WIC logo without written permission from CDPH WIC. Farmer- Vendors shall request and receive written permission from CDPH WIC before implementing a 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 compared to other customers.
- c. Seek restitution from recipients for checks not paid by the CA State Treasurer's office.
- d. Issue cash change for purchases for 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 CDPH WIC or CDFA.
- l. Accept checks that are canceled, marked VOID, or appear to be reproduced or tampered with, and inform the Market Manager or CDPH WIC 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/SFMNP checks only after becoming authorized for FMNP/SFMNP.
- b. Not accept WIC Fruit and Vegetable Checks (FVC), unless authorized for FVC.
- c. Accept checks only at WIC- Authorized Farmers' Markets.
- d. Accept FMNP/SFMNP checks within the dates of their validity and submit checks for payment within the allowable time period established by CDPH WIC and as indicated on the checks.
- e. Mark each transacted FMNP/SFMNP check with a Farmer-Vendor WIC identification number prior to cashing or depositing into banks.
- f. Assure that FMNP/SFMNP checks are redeemed only for eligible foods grown within California.
- g. Accept training on FMNP procedures and provide training on such procedures to farm employees with FMNP responsibilities.
- h. Review annual FMNP/SFMNP newsletter and announcements prior to May 1st each year.
- i. Prominently display the "**WIC and Senior Farmers' Market Checks Welcome**" sign at the point of sale at the farm stalls so WIC and Senior participants can identify you as an approved Farmer-Vendor. These signs are provided by the CDPH WIC.

4. If authorized to accept WIC Fruit and Vegetable Checks (FVC) Farmer-Vendors shall:
- a. Accept and redeem FVC only after being authorized for FVC.
 - b. Accept checks only at WIC FMNP/FVC 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 CDPH WIC.
 - 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 CDPHWIC through one of the options described below at least 24 hours before depositing the checks into a bank.
 - Using a computer to access the Vendor WIC Information eXchange (VWIX) website at <https://vwix.ca.gov> and 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 CDPH WIC 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 CDPH WIC 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 CDPH WIC, 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 CDPH WIC.
 - 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 Department of Public Health (CDPH) WIC Responsibilities

1. CDPH WIC 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 Shopping Guide 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. CDPH WIC 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 CDPH WIC provides written notification to the Farmer-Vendor.