



Farmers' Market Programs FVC / FMNP / SFMNP Sanctions and Violations

State WIC, California Department of Food & Agriculture (CDFA), and WIC Local Agency staff will conduct on-site monitoring of Farmer Vendors at Certified Farmers' Markets. Farmers' Market monitoring includes the WIC Fruit & Vegetable Checks (FVC) at the Farmers' Market, WIC Farmers' Market Nutrition Program (FMNP) and Senior Farmers' Market Nutrition Program (SFMNP). The goals are to:

- Provide technical assistance and support to Farmer Vendors and Market Managers.
- Ensure compliance with the FVC/FMNP/SFMNP requirements.
- Monitor Farmer Vendors and market activities, including but not limited to, the proper WIC authorization, display of signage, checks handling and transaction and customer service.
- Conduct investigations of complaints, alleged violations, fraud or illegal activity.

Farmer Vendors who fail to comply with FVC/FMNP/ SFMNP requirements are subject to warning, disqualification and/or sanctions depending on the extent of severity and frequency of the violation.

Program Sanctions for Violations

A WIC-authorized Farmer Vendor or Market Manager who commits fraud or abuse is subject to program sanctions and may result in disqualification from the program, including repayment, penalty, or both. Violations are classified into four levels of non-compliance: Class I, Class II, Class III and Class IV. If a violation is found to be valid, the sanctions below will be imposed. Note that violations are not limited to those listed below and sanctions listed may be subject to change. For the most update list of sanctions please visit our website at www.wicworks.ca.gov.

Class I Violation

- a. Accepting FVC/FMNP/SFMNP checks before a Notice of Authorization (NOA) Packet is received from the State WIC Program.
- b. Accepting checks without a current FVC/FMNP farmer identification number.
- c. Failure to display current WIC Authorization signs and/or banner.

Sanction: Class I violation will result in a warning letter from the State WIC Program.

Class II Violation

- a. Accepting FVC/FMNP/SFMNP checks for non-eligible food or non-food items.
- b. Accepting FVC/FMNP/SFMNP checks at an unauthorized farmers' market.
- c. Depositing or cashing FMNP/SFMNP checks without a valid FMNP farmer identification number in the appropriate box on the check.
- d. Accepting or depositing FVC checks without the actual dollar amount written on the appropriate box on the check.
- e. Accepting or depositing FVC checks without an authorized participant's signature.
- f. Promoting an unauthorized farmer by a Market Manager.
- g. Discriminating actions demonstrated against a WIC or Senior participant.
- h. Two or more Class I violations.

Sanction: Class II violation would result in a non-compliance letter from the State WIC Program. In addition, the Farmer Vendor will be required to attend a special training to resolve the violation.

Class III Violation

- a. Charging FVC/FMNP/SFMNP customers more than the price charged to other customers.
- b. Providing money back to customers for purchases where the amount of the purchase is less than the value of the checks.
- c. Attempting to collect or collecting sales tax on produce sold to WIC and Senior participants.
- d. Two or more Class II violations.

Sanction: Class III violations result in disqualification from the FVC/FMNP/SFMNP, which would also result in disqualification from the CalFresh Program. The length of disqualification is one year.

Class IV Violation

- a. Committing fraud or abuse in connection with the FVC/FMNP/SFMNP.
- b. Providing drugs, alcohol or cash to a customer for FVC/FMNP/SFMNP checks.
- c. Two or more Class III violations.

Sanction: Class IV violations result in disqualification from the FVC/FMNP/SFMNP, which would also result in disqualification from the CalFresh Program. Farmer Vendors may be disqualified from the programs and/or be required to repay WIC for improperly redeemed checks, whichever applies. The length of disqualification is three years.

Appeal Process

If you receive a disqualification or sanction letter from the state, you do have the right to an appeal. All appeals must be received within 30 days of the notice from the state. For more information on the appeals process please call **916-928-8513**.

