



Senior Farmers Market Nutrition Program and Farmers Market Nutrition Program

Emily Carpenter
January 2019



- The Senior Farmers Market Nutrition Program and Farmers Market Nutrition Program are both administered by the USDA.
 - The SFMNP was created in the 2002 Farm Bill
 - The FMNP was created in 1992 and operates similarly to the SFMNP. This program does require the state to provide a 30% match of administrative funds.
- The Senior Farmers Market Nutrition Program serves low income adults over the age of 60 while the Farmers Market Nutrition Program serves women and children receiving WIC program benefits.

Senior Farmers Market Nutrition Program

Established in the Bureau of Health
Promotion in 2010.



WIC Farmers Market Nutrition Program

Brand new program for Kansas!



Program Goals

- To provide low income seniors the resources to purchase fresh, nutritious, unprepared, locally grown fruits, vegetables, cut herbs, and honey from direct marketing farmers at farmers markets and roadside stands
- To increase the consumption of locally grown fresh fruits, vegetables, cut herbs, and honey
 - Locally grown is defined as grown in the State of Kansas or a bordering county in Oklahoma, Colorado, Nebraska, or Missouri
- To develop or aid in the development of new farmers markets and roadside stands or to help support existing farmers markets, and roadside stands

- **Senior Farmers Market Nutrition Program**
 - Bureau of Health Promotion partners with local agencies to distribute benefits
 - Regional AAA Organizations
 - County Senior Centers
 - Health Departments
 - Food Banks
 - County Extension
 - Local non-profits
- **Farmers Market Nutrition Program**
 - Bureau of Health Promotion will operate this program with the assistance of
 - State WIC program
 - Local WIC Clinics

Functions of the State and Local Agencies

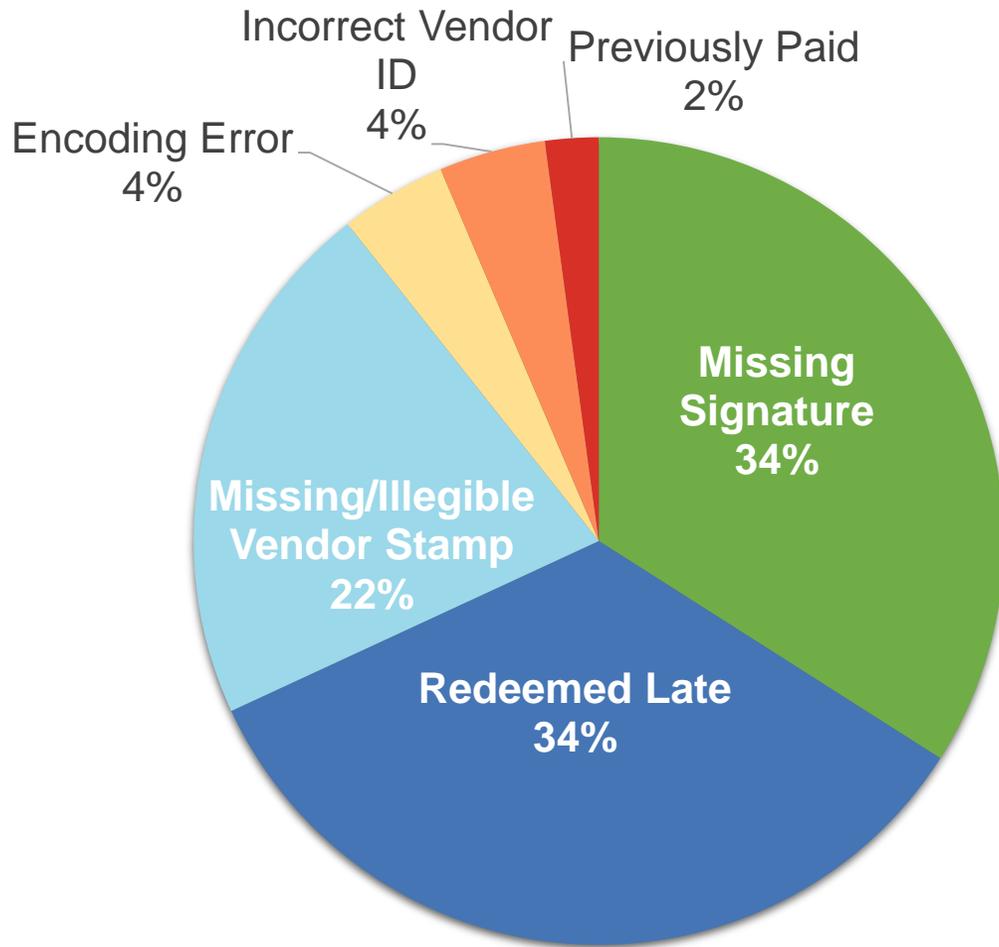
- Write the State Plan!
- Identify eligible participants for both programs.
- Process applications, and distribute checks.
- Provide nutrition education.
- Promote both programs through PSAs, social media, online ads, outreach to social services and extension offices.



2018 Program Summary

- \$133,440 dollars went directly to checks for food and produce bundles for seniors.
- Over 5,626 Seniors received checks or participated in the bundle program in far Western Kansas.
- 292 farmers authorized to accept checks.
- Local Agencies covering 53 counties distributed checks to low-income seniors.

June – December, 2018 Denied Checks



56% of checks rejected in 2018 were rejected due to Missing/Illegible Vendor Stamp or Missing Signature. This is an improvement over 2017 but we can do better!

Remember! Checks are only valid in the year they are issued, between June 1 and November 15. 34% of our rejections in 2018 were checks that were past their “stale” date. If you find checks from a previous years program, please do not cash them! The rejections cost you (and the program) banking fees!

Check Processing Pattern in 2018

- It's no surprise that July (6,496 checks) and August (6,849 checks) are our top two redemption months, followed up by October (4,487 checks).
- 1,605 checks were redeemed in November of 2018 compared to 2,996 in November 2017. I REALLY appreciate you regularly depositing checks throughout the season!

Benefit Level

- The benefit level provided to participants of the SFMNP and FMNP is the same, \$30 dollars per eligible participant.
 - These are individual benefits (e.g. more than one person from a household may qualify)
 - These benefits are distributed in one book of six (6), \$5 checks.
 - Participants are allowed to designate a proxy to spend their checks when they are unable

Designated Proxy

- Seniors and parents applying for the FMNP for their child can designate a proxy to spend the benefit checks on the behalf of the beneficiary.
- Seniors/parents sign a form designating a proxy when they apply for checks
- The proxy may be a family member, neighbor, or friend of any age
- The proxy CAN sign their own name on the check, they do NOT need to sign the senior/child name.
- The proxy does NOT need to show ID at the point of sale.

Eligible Food Choices

- SFMNP/FMNP
 - Fresh, nutritious, unprepared, locally grown fruits, vegetables, and cut herbs
 - Eligible foods may not be prepared beyond their natural states (beyond harvesting/cleaning processes)
- To review, locally grown for this program is defined as grown in the State of Kansas or in a county bordering the state line in Missouri, Oklahoma, Colorado, or Nebraska

Eligible Fruits and Vegetables

- Below is an itemized list of eligible foods that may be purchased with Kansas Senior Farmers Market Nutrition Program or WIC Farmers Market Nutrition Program benefits:
 - Salad greens, herbs, spinach, green onions, turnips, radishes, beets, strawberries, peas, rhubarb, asparagus, bok choy, broccoli, potatoes, cabbage, carrots, garlic, cucumbers, onions, beans, peaches, eggplant, corn, tomatoes, blueberries, summer squash, hot peppers, sweet peppers, okra, raspberries, blackberries, basil, apples, melons, eggplant, edamame, sweet potatoes, winter squash, local Kansas honey and any other whole fresh fruit or vegetable **grown in Kansas.**

What About Honey?

- Honey is eligible for purchase through the **SFMNP ONLY**, it is not eligible for the FMNP.
- Honey vendors who do not also sell fresh fruits, vegetables, or cut herbs will only be authorized to participate in the SFMNP.
- **REMINDER:** only pure, unaltered honey is an eligible product. Creamed, whipped, flavored, herb infused or otherwise processed honey is ineligible for purchase through the SFMNP.



Ineligible Items

- Non – locally grown fruits (e.g. California Figs, Washington Apples)
- Dried Fruits/Vegetables (e.g. prunes, raisins, peppers, sun-dried tomatoes, etc.)
- Potted fruit/vegetable plants (including herbs)
- Wild Rice
- Cider
- Seeds
- Eggs
- Meat
- Cheese
- Seafood
- Nuts
- Grains
- Maple Syrup
- Popcorn

Farmer Requirements

1. Participate in an interactive training in-person, online, or over the phone*.
2. Complete the Certified Farmers Agreement (either on the website or on paper).
 - Renew the Certified Farmer Agreement **annually**.
 - Agreements are valid January 1, 2019 – November 30, 2019.
3. Only one agreement per farm is required.
 - All employees should be trained on eligible/ineligible items.
The agreement signatory is responsible for any violations made under their vendor ID number!

Farmer Requirements

- Sell only eligible foods in exchange for the checks!
- Only accept checks from June 1 – November 1, 2019
- Treat all KSFMNP or FMNP participants equitably and kindly!

- Provide foods that are of the same quality and cost as those sold to other customers
 - Sales tax
 - Spending the full five dollars
 - Price labeling

So what about the sign?

Due to the addition of the FMNP there will be two versions of the
“Checks Accepted Here Sign”
SFMNP only and combined SFMNP/FMNP

Two Versions of the Authorized Farmer Sign

Kansas Senior Farmers Market Nutrition Program

ID Number:

CHECKS ACCEPTED HERE



Checks can buy locally grown, fresh fruits, vegetables, herbs and locally produced honey.



This institution is an equal opportunity provider.

For more information about the program, please visit www.kdheks.gov/sfmnp/ or call 785-296-2330.
Revised November 2018

Kansas Senior Farmers Market Nutrition and Kansas Farmers Market Nutrition Programs

ID Number:

CHECKS ACCEPTED HERE



Checks can buy locally grown, fresh fruits, vegetables and herbs.



This institution is an equal opportunity provider.

For more information about these programs, please visit www.kdheks.gov/sfmnp/ or call 785-296-2330. These programs are provided by the Kansas Department of Health and Environment.

Check Use

- SFMNP/FMNP Checks work just like a standard check
- Checks must be deposited into your bank account **ASAP!**
 - Depositing checks as soon as possible would allow me to serve more seniors....
- Checks may be deposited at any financial institution*.
 - *Banks/tellers that are unfamiliar with the program may refuse them initially. Please provide them with the Bank Letter and my contact information
- Senior and farmer **MUST** both sign the check
 - If the senior signature is missing call me **before** you have deposited the check!
- Stamp the check with your ID number or write the ID number in the appropriate box.

- Nov. 15 is the deadline to deposit checks, **checks deposited after Nov. 15 will be denied!**

PLEASE

Do not wait until the last minute to deposit checks!

- The check will be denied if:
 1. Number is missing or unreadable and I am not able to figure out who the check belongs to.
 2. Signature is missing.
 3. Deposited after November 15th.

- If a check is denied, you are responsible for returned check fees, if any are assessed.
- Checks may be resubmitted for payment in the event that it can be properly and legally corrected, for example:
 - If the farmer signature is missing, sign the check and redeposit
 - If the ID number is missing, enter the ID number and redeposit
 - If the senior signature is missing, call the KSFMNP/FMNP Coordinator!
- KDHE may deny payment for improperly deposited checks and may require refunds.

Example Check

Kansas 2018 Senior Farmers Market Nutrition Program 072124973

Red Numbering
667000
Parts 2-6

**Pay to the order of authorized
 Kansas Farmers Market Farmer**

Farmer must deposit by November 15, 2018

NOT VALID AT GROCERY STORES

Good for the purchase of fresh locally grown vegetables, fruits, cut flowers, and honey from a KSFMNP Farmer. Any other use constitutes fraud.

VALID DATES OF USE
 June 1, 2018 – November 1, 2018
 SOME MARKETS MAY CLOSE EARLIER

NOT TO EXCEED \$5.00
\$ 5.00
 NO CHANGE GIVEN

FARMER NUMBER HERE

Prints Black & 170 Orange,
Parts 2-6

PARTICIPANT'S SIGNATURE

UNITED COMMUNITY BANK
 MARIETTA, GA
 64-1968/611




⑈667000⑈ ⑆061119684⑆ 2072124973⑈

Micro Black Numbering, Parts 2-6

Example Check

Farmer ID Number

Kansas 2018 Senior Farmers Market Nutrition Program Account # 2072124973 *Red Numbering*
667000
Parts 2-6

Pay to the order of authorized
Kansas Farmers Market Farmer

Farmer must deposit by November 15, 2018
 NOT VALID AT GROCERY STORES

Good for the purchase of fresh, locally grown
 vegetables, fruits, cut herbs, and honey from a
 KSFMNP Farmer, Any other use constitutes fraud.

STAMP AUTHORIZED KSFMNP

VALID DATES OF USE
 June 1, 2018 – November 1, 2018
 SOME MARKETS MAY CLOSE EARLIER

NOT TO EXCEED \$5.00
\$ 5.00
 NO CHANGE GIVEN

FARMER NUMBER HERE

Prints Black & 170 Orange,
Parts 2-6

PARTICIPANT'S SIGNATURE

UNITED
 COMMUNITY BANK
 MARIETTA, GA
 64-1968/611



KSFMNP and FMNP checks cannot be deposited after November 15th of 2019. So, if you see a check this color or with a 2018 date do not accept! It will be automatically denied.

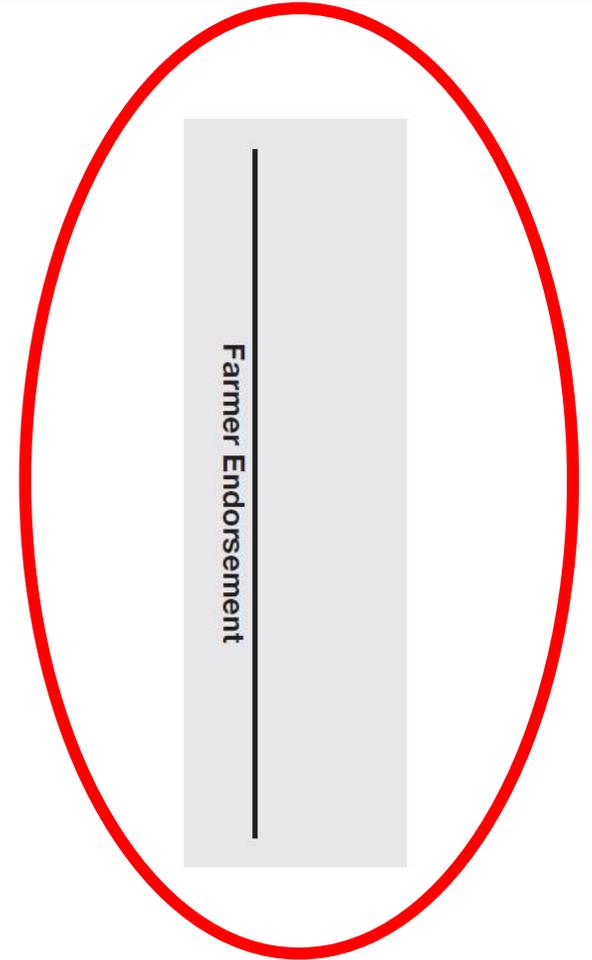
⑈ 66 7000 ⑈ ⑆ 06 1 1 1 9684 ⑆ 20 7 2 1 24 9 7 3 ⑈

Micro Black Numbering, Parts 2-6

Participant or Proxy Signature

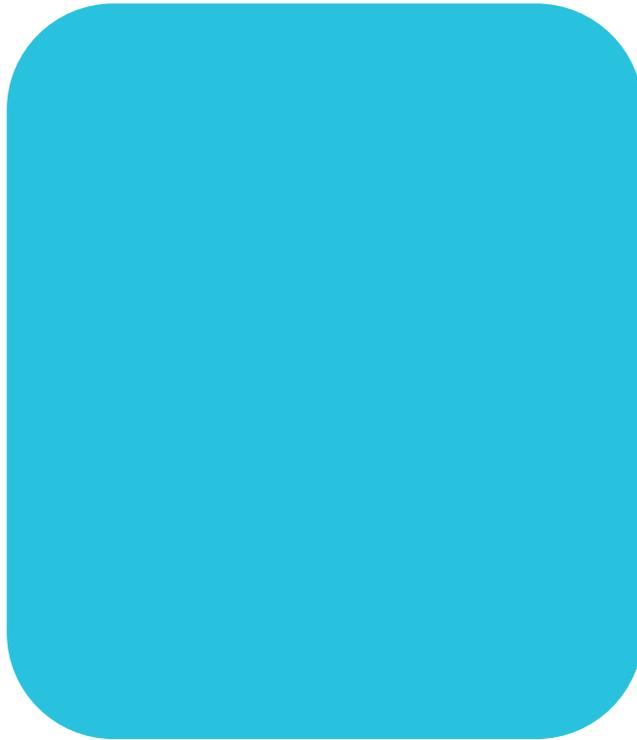
Example Check

Don't forget to endorse the back of the check!

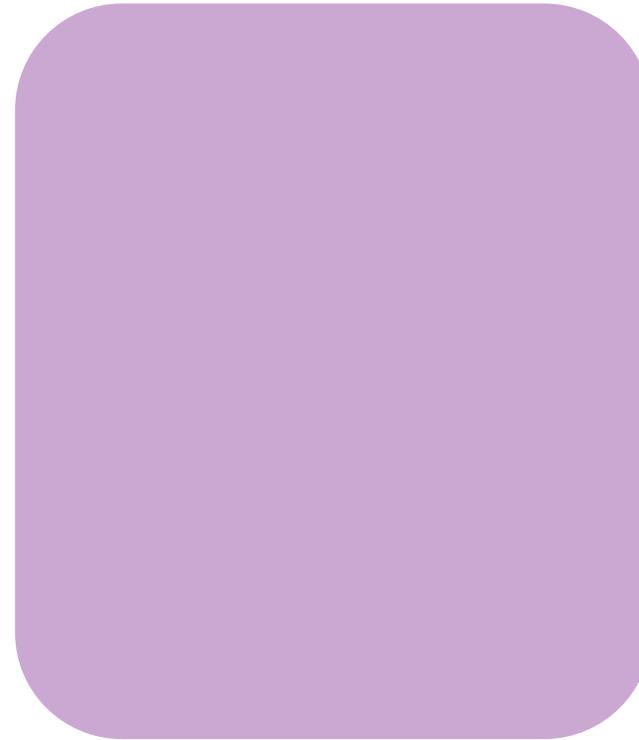


Checks in 2019

SFMNP



FMNP



- Farmers cannot:
 - Collect sales tax on KSFMNP/FMNP check purchases
 - Seek restitution from KSFMNP/FMNP participants for checks not paid or rejected at deposit
- Farmers must claim sales made in exchange for KSFMNP checks
 - You will receive a sales tax deduction for sales made to account for not charging KSFMNP customers sales tax
- For more information about how to correctly report sales tax please contact:

Robert Adcock

Revenue Agent 235

Field Investigations

Kansas Department of Revenue

(913) 631-6296 Ext. 202

robert.adcock@ks.gov

OR

Lisa Leikam-Jones

Revenue Agent

Field Services – Tax Enforcement

Kansas Department of Revenue

(913) 631-6296 Ext. 202

Lisa.Leikamjones@ks.gov

Cash, Change, Refunds

- Checks cannot be exchanged for cash
- Change, credit and/or refunds may not be issued on items purchased with KSFMNP checks
- Authorized farmers are prohibited from cashing checks accepted by a non-certified farmer.

Class I Violation

- Negotiating KSFMNP checks without a valid identification number stamped in the appropriate box
- Failure to display the “Senior Farmers Market Nutrition Program Checks Accepted Here” sign.
- **Sanction:** Class I violation will result in a “warning” letter from the SFMNP/FMNP Coordinator

Class II Violation

- Accepting SFMNP/FMNP checks for ineligible items
- Discriminating against a KSFMNP customer
- Two (2) Class I violations within a season

- **Sanction:** Class II violation will result in a “non-compliance” letter from the SFMNP/FMNP Coordinator to the farmer. Technical assistance will be provided by telephone with a verbal test of information provided.

Class III Violation

- Providing drugs, alcohol, or cash in exchange for checks
- Charging SFMNP/FMNP customers more than the current price charged other customers
- Attempting to collect sales tax from a SFMNP/FMNP customer
- Providing change back to customers for purchases where the amount of the purchase is less than the value of the check(s)
- Two (2) Class II violations within a season

Class III Violation

- **Sanction:** Class III violation results in the farmer's suspension from the SFMNP/FMNP.
- **Suspension:** The length of suspension for a first time offense is dependent on the violation. A second offense in the same growing season will result in suspension for the rest of the growing season. A farmer who is suspended must reapply to participate in the SFMNP/FMNP.

What is Discrimination?

- Different treatment which makes a distinction of one person or a group of persons from others; either intentionally, by neglect, or by the actions or lack of actions based on a protected class.

- Participants in the SFMNP/FMNP should not be discriminated against on the basis of:
 - Race
 - Color
 - National Origin
 - Age
 - Sex
 - Disability
- **No person, shall, on the grounds of race, color, national origin, age, sex, or disability be excluded from participation, be denied benefits, or be otherwise subjected to discrimination under the SFMNP/FMNP**

Civil Rights Complaints

- Farmers and seniors have the right to file a civil rights complaint
- Complaints must be filed within 180 days of discovery of the discrimination.
 - Verbal
 - Written
 - Anonymously
- Complaints are forwarded to the USDA and investigated by the USDA and Program.

Civil Rights Complaints

- Information needed:
 - Complainant's name, address, phone
 - Location where discrimination occurred
 - Description of the incident
 - Basis for the claim (protected class)
 - Names of any witnesses
 - Date(s) when action(s) occurred
- The USDA discrimination complaint form can be found [here](#).

Aspects of Civil Rights Compliance:

- Collection and Use of data
- Effective public notification systems
- Complaint procedures
- Compliance review techniques
- Resolution of noncompliance
- Requirements for reasonable accommodation of persons with disabilities
- Requirements for language assistance
- Verification of citizenship and immigration status
- Conflict resolution
- Customer Service

Conflict Resolution and Customer Service

- Seniors will often be confused or forget the rules for using their SFMNP checks. Please be patient!
 - If a product is not eligible for purchase with a SFMNP/FMNP check explain why
 - Show the senior/FMNP participant that eligible products are listed on their check
 - Help the senior/FMNP participant spend the full \$5 check – this may mean selling a partial box
 - Make sure you do NOT charge SFMNP/FMNP participants sales tax
 - Be kind!
 - Make sure all employees are familiar with how the SFMNP/FMNP programs work

Federal Relay Service

- Individuals who are deaf, hard of hearing, or have speech disabilities may contact the USDA through the Federal Relay Service at:
 - (800) 877-8339 (English)
 - (800) 845-6136 (Spanish)



Due Process

- The State of Kansas will follow the Administrative Procedure act to allow for due process to SFMNP/FMNP local agencies, SFMNP/FMNP authorized farmers, and SFMNP/FMNP participants
- Expiration of the Agreement with the farmer and claims actions under the KSFMNP rules and regulations is not appealable



If a violation is found that leads to a suspension/disqualification from participating....You do have the right to appeal,

- You must make written request for an administrative appeal to KDHE.
- The appeal must be made within 30 days of the receipt of the certified mail notification of suspension/disqualification.
- The Office of Administrative Hearings will set a date and location for the hearing within 15 days of the appeal being filed.
- Farmer will receive written notice of time and place at least 30 days prior to the date of the hearing.
- Farmer has one opportunity to reschedule the hearing.
- Farmer can examine, prior to and during the decision, the documents and records that support the decision under appeal.

- KDHE will provide the farmer with written notification of adverse action, the cause of adverse action, and effective date of the action and an opportunity for a fair hearing.
 - The hearing official will be an impartial party, not directly associated with the program in question.
- Notification will be provided at least 15 days before the effective date of the action.

At a minimum, the farmer has the opportunity to:

- Present their case.
- Question or disprove any testimony or evidence, including an opportunity to confront and cross-examine adverse witnesses.
- Be represented by counsel.
- Bring witnesses.
- Review the case record prior to the hearing.
- Submit evidence to establish all pertinent facts and circumstances in the case.
- Advance arguments without undue interference.
- An adverse action, at KDHE's option, may be postponed until a decision in the appeal is rendered.
- A postponement is appropriate where KDHE finds that participants could be unduly inconvenienced by the adverse action.

Appeals continued

- The decision of the official is given to the farmer within 15 days of the date of the hearing or within 60 days from the date of receipt of the request for a hearing by KDHE.
- If dissatisfied with the hearing decision, the farmer may appeal to KDHE for further state level review of the decisions and a possible rehearing.
- This appeal must be made within 15 days of the contested decision of the previous hearing.
- The same procedures outlined previously are followed.
- If a farmer appeals an adverse action (and is permitted to continue in the program while the appeal is pending) he/she will continue to be responsible for compliance with the terms of the written agreement.

Farmer Agreement

- All farmers NEW and RETURNING must submit the annual Authorized Farmer Agreement.
- The agreement is:
 - A legally binding agreement that the farmer will agree to abide by all rules and regulations of the SFMNP/FMNP.
 - A contact information update sheet.
 - A farmers market tracking tool.
 - A “Checks Accepted Here” sign order form.
- Agreements must be submitted online at <http://www.kdheks.gov/sfmnp/farmers.htm>
- Submission deadline: June 1st, 2019
- Only one agreement is needed per farm – you are welcome to list multiple business partners on the name line.

Farmer Agreement

Appendix P




If all of the above criteria have been met, please completely fill out this agreement.

Contact Information

Farmer Name: _____

Business Name: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Email: _____

Telephone: _____

General Information

Have you attended a KDHE hosted, interactive training in 2019? This includes any in person training given at From the Land of Kansas workshops or interactive webinars. Yes or No (circle one)

Is this your first year participating in the SFMNP? Yes or No (circle one)

Is this your first year participating in the FMNP? Yes or No (circle one)

If you are a returning Farmer, what is your SFMNP ID Number? _____

Do you have at least one KDHE issued sign? Yes or No (circle one)

How many SFMNP only signs do you need? (these should be utilized by honey vendors and sellers in counties without FMNP only) _____

How many combined SFMNP/FMNP signs do you need? _____

Farmers Market Information

Provide a list of all of the farmers markets and/or roadside stands where you will sell in 2018. Providing this information helps us direct seniors and FMNP participants to locations that they can use their SFMNP/FMNP checks. Please be as specific as possible about the days, dates, and times of operation for your markets.

- Please make certain you update your contact information
 - Needed if there are banking issues
- Pay close attention to the general information, those questions have changed since last year!
 - All Farmers that are selling in Wyandotte, Sedgwick, Johnson, Shawnee, Riley, Geary, Allen, and Crawford will need new signs to account for the new program!

Farmer Agreement

Be prepared with the names and addresses of the farmers markets and/or roadside stands where you will sell in 2019.

- Provide your best projection
- If you change markets or add new ones during the season it is okay
- Reporting changes is encouraged as the change in markets can be communicated to seniors only if we are notified

Appendix P



Farmers Market 1
Name _____
Address _____
City _____
County _____
Zip _____
Days/Dates/Times of Operation _____

Farmers Market 2
Name _____
Address _____
City _____
County _____
Zip _____
Days/Dates/Times of Operation _____

Farmers Market 3
Name _____
Address _____
City _____
County _____
Zip _____
Days/Dates/Times of Operation _____

If you would like a home farm stand listed on our directory this section **MUST** be filled out!
Home Farm Stand
Address _____
City _____
County _____
Zip _____
Special Instructions _____

(please add an additional sheet to list more farmers markets)

Farmer Agreement

Appendix P



Agreement period: January 1, 2019-November 30, 2019

BY SIGNING THIS AGREEMENT, THE FARMER AGREES TO:

1. Comply with the Federal Regulations and Procedures of the KSFMNP.
2. Acknowledge receiving interactive training.
3. Exchange only eligible foods for KSFMNP checks.
4. Display the SFMNP or SFMNP/FMNP combined sign when selling at a Farmers Market or roadside stand.
5. Provide eligible foods to participants at or less than the price charged to other customers and offer participants the same courtesy as other customers.
6. Comply with all civil rights guidelines.
7. Accept KSFMNP checks within the dates of their validity and submit such checks for payment within the allowable time period established by KIDHE.
8. Safely store all checks collected in a lock box before submitting for reimbursement in a timely manner.
9. Stamp all checks with the Farmer ID stamp and endorse appropriately while presenting for deposit.
10. Be monitored for compliance by KIDHE overtly or covertly as required by USDA to ensure KSFMNP regulations are being met. Please note: all first year vendors may be monitored.
11. Not issue cash change for purchases that are in an amount less than the value of the KSFMNP check and collect tax on KSFMNP checks purchases.
12. Provide information as KIDHE may require for Food and Nutrition Service reports.
13. Be accountable for actions of employees.
14. Pay KIDHE for any checks transacted in violation of this Agreement.
15. Notify KIDHE if the Farmer ceases operation prior to the end of the authorized period.
16. Shall not seek restitution from participants for coupons not paid by the State agency.

Sanctions

Failure to comply with agreed upon KSFMNP policies may result in the following action.

Class 1 Violation: Warning letter

Class 2 Violation: Warning letter and technical assistance by telephone with a verbal list of information provided.

Class 3 Violation: Suspension from the program.

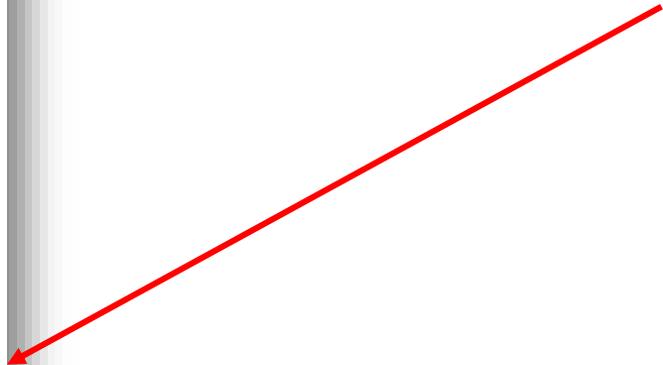
I have attended a training session that describes, in detail, the rules and relations of the Kansas Senior Farmers Market Nutrition Program and how it operates. I agree to abide by these rules, and I understand that failure to do so may result in non-payment, suspension, and/or disqualification from the program. I agree that an electronic signature constitutes my acceptance of this Agreement.

Farmer Name (print): _____

Farmer Signature: _____

KSFMNP Manager Signature: _____

- Read through the rules and regulations for the SFMNP and FMNP
- Remember to sign!



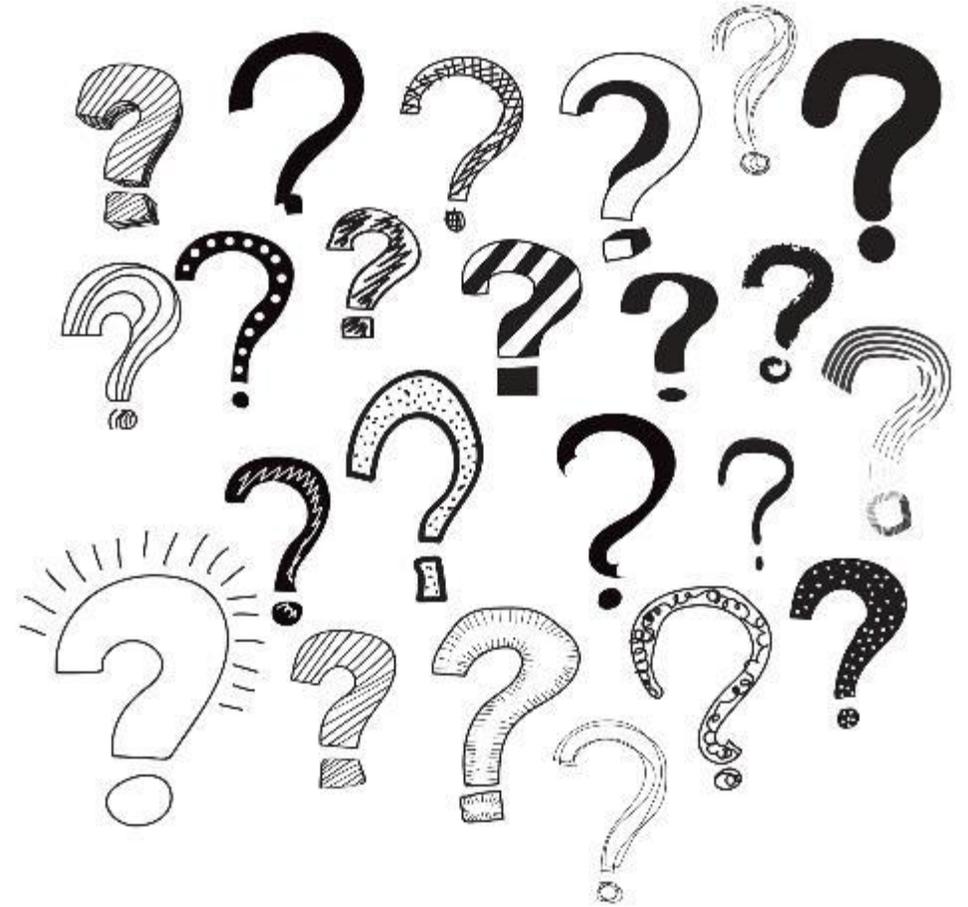
2019 Authorized Farmer Agreement

Key Takeaways!

- Complete the 2019 Certified Farmer Agreement by June 1, 2019
- Display the “Checks Accepted Here” sign **at all times**
- Sell only **eligible foods** in exchange for SFMNP/FMNP checks
- Only take checks during the dates indicated on the checks (June 1-November 1)
- **Stamp every check** with your ID number
- Make sure every check is **signed by the senior**
- **Endorse the back** of every check with your signature
- Deposit checks into your bank account by **November 15, 2019**

If you need assistance...

- Local public library staff will often help you get set up for a webinar or provide assistance in downloading documents.
- Feel free to contact the SFMNP/FMNP Coordinator.
- Questions?



Emily Carpenter

KSFMNP/FMNP Coordinator

Emily.Carpenter@ks.gov

1000 SW Jackson, Suite 230

Topeka, KS 66612

(785) 296-2330

<http://www.kdheks.gov/sfmnp/>

