

**NEW MEXICO
WIC & SENIOR**
FARMERS' MARKET PROGRAMS



Annual Training **Handbook**

2040 S. Pacheco, Santa Fe, NM 87505

2025 Market Season

Farm Name or Market Name	Printed Name	Signature

Introduction

Dear NM Market Manager,

Thank you for participating in the Farmers Market Nutrition Program (FMNP)! This program plays a vital role in connecting limited-resource shoppers with farmers and their fresh, locally grown produce. This handbook is designed to provide you with the information and resources necessary to accept electronic S/FMNP benefits at your farmer's market.

New Mexico is proving that fresh, locally grown food isn't just nourishment—it's medicine. The New Mexico WIC Farmers' Market Nutrition Program (FMNP) and Senior Farmers' Market Nutrition Program (SFMNP) are showing how access to healthy food improves lives, strengthens communities, and supports small farmers.

The idea of "Food is Medicine" has been around for decades. Programs like FMNP and SFMNP have long connected families and seniors to fresh produce, recognizing its role in preventing disease and promoting wellness. In recent years, the U.S. Department of Agriculture (USDA) has doubled down on this approach, emphasizing the link between nutrition and health. The 2018 Farm Bill expanded support for initiatives that help Americans access fresh, healthy foods, and in 2020, USDA established its Food is Medicine Working Group to bring this concept to the forefront.

If you have additional questions, reach out to:

NMDOH WIC & Senior Farmers Market Nutrition Program Contact Information

Veronica Griego - Program Manager - 505-469-0548
veronica.griego3@doh.nm.gov

Tanya Matson - Program Coordinator - 505-487-0904
tanya.matson@doh.nm.gov

Melanie Varela - Office Assistant - 505-690-5528
melanie.varela@doh.nm.gov

The United States Department of Agriculture (USDA) WIC and Senior Farmers Market Nutrition Program offers an annual benefit to participants. This program enables Women, Infants, and Children (WIC) participants, as well as limited-resource seniors, to purchase fresh, locally grown, and unprepared fruits and vegetables during the market season. It also promotes awareness of the wide variety of local produce available at farmers markets while potentially boosting sales for farmers.

WIC Farmers Market Nutrition Program

The Farmers' Market Nutrition Act of 1992 establishes the WIC Farmers' Market Program and New Mexico adopts FMNP, becoming one of the first states to provide WIC participants with access to fresh, locally grown fruits and vegetables—while supporting local agriculture. In NM, each eligible participant receives up to **\$30 per season** in FMNP benefits.

Senior Farmers Market Nutrition Program

Senior Farmers' Market (SFMNP) is made permanent under the 2002 Farm Bill, focusing on providing eligible seniors with access to fresh, locally grown food. New Mexico Department of Health (NMDOH) WIC expands its farmers' market efforts to include eligible seniors and elders. In NM, each eligible senior/elder participant receives up to **\$50 per season** in Senior FMNP benefits. If State benefits are available participants will receive up to **\$100 per season**.

Five Sandoval Indian Pueblo, Inc.



New Mexico and Five Sandoval have a joint Farmer Agreement, allowing farmers to sell to participants from both programs.

Five Sandoval Indian Pueblos (FSIP) includes the following Pueblos: Jemez, Cochiti, Santa Ana, Sandia, Zia

Five Sandoval Indian Pueblos (FSIP) and the State of New Mexico both issue Farmers' Market Nutrition Benefits (FMNP) to eligible WIC Participants and Senior Farmers' Market Nutrition Benefits (SFMNP) to eligible seniors

Eligible participants (either WIC or Senior) can only receive benefits from FSIP or NM

- FSIP uses the same eFMNP solution as the State of New Mexico

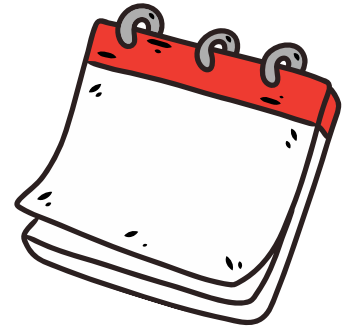


Karen Griego-Kite Director, WIC Program Five Sandoval Indian Pueblos, Inc

T: 505-771-5386

E: KgriegoKite@fsipinc.org

Important Dates



February 15 - Senior Application Portal Opens

May 1 - WIC Application Opens

June 1 - FMNP / SFMNP Season Begins

November 15 - Last day to accept FMNP/SFMNP benefits

Additional Information

Farmers:

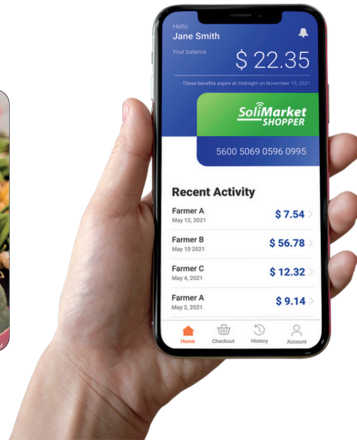
- Farmer agreements valid for 3 years.
- Additional FMNP/SFMNP signs available upon request

Markets:

- Market agreements valid for 3 years.
- Additional FMNP/SFMNP signs available upon request
- Additional “And Justice for ALL” posters available upon request

Cards that are not accepted at Farmers Markets





What is e-FMNP

ELECTRONIC FARMERS MARKET NUTRITION PROGRAM (e-FMNP)

- Shopper cards replaced paper checks with e-benefits issued to participants.
- FMNP and SFMNP benefits accessed on WIC and Senior shopper cards using a QR code.
- SoliMarket allows authorized farmers/growers to scan a participant's QR code to access either FMNP or SFMNP benefits during transactions
- Farmers/growers are reimbursed weekly with Automatic deposit to their bank account

Eligible Food List

Fresh Vegetables, Fruits, and Fresh cut herb (No potted or dried)

Are harvested for immediate consumption and are in their natural, unprocessed state. vegetables are typically raw, whole, or minimally processed (e.g., washed or trimmed) without any added preservatives, chemicals, or cooking processes.

Examples:

Tomatoes, cucumbers, peppers, lettuce, spinach, carrots, beans, squash, mushrooms, micro-greens and other fresh vegetables.

Apples, berries, melons, peaches, pears, plums, grapes, and other fresh fruits
Fresh-cut herbs such as basil, cilantro, dill, parsley, and others.

Honey (SENIORS ONLY)

Comb, liquid honey, naturally crystallized honey, kosher/wild honey, and honey sticks

Local Fresh Green and Red Chile

New Mexico's official state vegetable chile pepper, Fresh green chiles are harvested before they fully ripen, offering a vibrant, slightly spicy flavor. As they mature, these chiles turn red, developing a sweeter and more robust taste.

Local New Mexico Pinto Beans

New Mexico's official state vegetable the Pinto Bean, they are high in protein, fiber, vitamins, and minerals, making them an affordable, healthy source of nutrition

Chile Pods or Ristras

(Must be edible-Non decorative)

Dried on the plant naturally or in the Sun, then bagged for sale, the chiles could be stored for months, ready to be rehydrated and used in sauces, stews, or ground into powder.

Local/Traditional New Mexico

White/Blue corn (NO POWDER)

This corn that has been harvested, husked, and bagged, without any further processing. It remains in its whole, natural form, without any alterations, preservatives, drying, or other processing methods that would change its structure or nutritional content



Non-Eligible Food List



Wholesale Produce, oranges, bananas, mangos, lemons, limes, grapefruits, tangerines.

These fruits are not locally grown

Chile Powder, chile pique, baked goods, processed foods, jams, apple butter, syrups, nuts (pecans or pistachios), seeds, eggs, meat, cheese, breads

Updated 11/13/2024

This institution is an equal opportunity provider.



Lista de productos alimenticios elegibles

Verduras frescas, frutas y hierbas recién cosechadas (no en macetas ni secas)

Se recolectan para consumo inmediato y se presentan en su estado natural, sin procesar. Las verduras suelen estar crudas, enteras o mínimamente tratadas (por ejemplo, lavadas o recortadas) sin conservantes, productos químicos ni procesos de cocción añadidos.

Ejemplos:

Tomatos, pepinos, pimientos, lechuga, espinacas, zanahorias, frijoles, calabaza, champiñones, microvegetales y diversas verduras frescas.

Manzanas, frutos rojos, melones, duraznos, peras, ciruelas, uvas y otras frutas frescas. Hierbas recién cosechadas como albahaca, cilantro, eneldo, perejil y otras.



Miel (SÓLO PERSONAS MAYORES)

Panal, miel líquida, miel cristalizada de forma natural, miel kosher/silvestre y barras de miel

Chiles frescos locales de color verde y rojo

El chile oficial del estado de Nuevo México. Los chiles verdes frescos se recolectan antes de alcanzar su madurez completa, lo que proporciona un sabor vibrante y ligeramente picante. A medida que maduran, estos chiles se tornan rojos y adquieren un sabor más dulce y robusto.

Frijoles pintos autóctonos de Nuevo México

El frijol pinto, la legumbre oficial del estado de Nuevo México, posee un alto contenido de proteínas, fibra, vitaminas y minerales, lo que lo convierte en una fuente de nutrición saludable y económica.

Vainas de chile o ristras (deben ser comestibles, no decorativas)

Secados en la planta de forma natural o al sol, luego embolsados para la venta, los chiles pueden almacenarse durante meses, listos para ser rehidratados y utilizados en salsas, guisos o molidos en polvo.

Maíz blanco autóctono/tradicional de Nuevo México (en sacos)

Este maíz ha sido cosechado, descascarado y envasado, sin ningún procesamiento adicional. Se conserva en su forma natural y completa, sin alteraciones, conservantes, secado u otros métodos de procesamiento que modifiquen su estructura o contenido nutricional.

Lista de alimentos no aptos



Productos al por mayor, naranjas, plátanos, mangos, limones, limas, pomelos y mandarinas.

Estas frutas no se producen a nivel local.

chile en polvo, chile picante, productos horneados, alimentos procesados, mermeladas, mantequilla de cacahuate, jarabes, nueces (pecanas o pistachos), semillas, huevos, carne, queso, panes

Esta institución es un proveedor que brinda igualdad de oportunidades. 11/13/2024

Farmers Sign

One of the requirements for farmers participating in these programs is to post signs indicating that they accept SFMNP and FMNP benefits. In NM we require the signs must be visible and clearly indicate that the farmer accepts SFMNP and FMNP benefits.

These signs play a crucial role in informing program participants that they can use their benefits to purchase fresh produce from participating farmers, thereby supporting local agriculture and promoting healthy eating among low-income populations.

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WIC and Senior
Farmers' Market
Nutrition Programs
MOBILE AND CARD PAYMENTS

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Five Sandoval
Indian Pueblos
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8081 1234 5678 9012

HONEY
May be redeemed by
SENIORS ONLY

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NEW MEXICO
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FARMERS' MARKET PROGRAMS

WIC
FIVE SANDOVAL INDIAN PUEBLOS, INC.

THIS INSTITUTION IS AN EQUAL OPPORTUNITY PROVIDER.



Duties as Market Manager

- Meet the Farmers Market Selection Criteria - See Appendices
- Approved as a Farmers Market with WIC & Senior Farmers Market Nutrition Program.

Check that each Farmer:

- Is on your approved FMNP/SFMNP list
- Has an FMNP/SFMNP sign posted
- Knows the rules and changes
- Knows how to process transactions

Program Compliance and Monitor Visits

Monitors:

- Routine unannounced monitoring visits will be conducted at authorized farmers markets and farm stores throughout the season to ensure program compliance
- Operating out of compliance will result in required additional training, sanctions, and possible disqualification from the program

Compliance Buys: •

- A “Compliance buy” is completed by a secret shopper who is a program representative to ensure program guidelines are being met
- Purchases will be made using farmers markets benefits
- Compliance buys can be made at any location

Farmer Sanctions

The sanction procedures for violations of the New Mexico (NM) Farmers Market Nutrition Program (S/FMNP) Agreement are established in compliance with federal regulations in 7 CFR Part 248 and Part 249. Farmer violations are categorized into Class I and Class II violations. The following outlines the violations and corresponding sanctions:

Class I Violations

Class I violations include the following actions:

1. Accepting S/FMNP shopper card outside of the valid date range.
2. Failing to display the NM S/FMNP signage and prices for eligible foods during market hours.
3. Selling non-eligible foods to S/FMNP participants.
4. Failing to train and inform employees/helpers about S/FMNP obligations.
5. Failing to take responsibility for the actions of employees/helpers.
6. Failing to offer S/FMNP participants the same courtesies and equal or better quality of approved foods as offered to other customers.
7. Failing to comply with USDA nondiscrimination provisions (equal participation regardless of race, color, national origin, sex, age, or disability).
8. Denying access for unannounced on-site monitoring by S/FMNP representatives.

Sanction for Class I Violations:

- A documented warning is issued and added to the farmer's file.
- A second Class I violation within the same season escalates to a Class II violation.

Class II Violations

1. Class II violations include the following actions:
2. Failing to provide required information for USDA reporting.
3. Providing false information on the farmer's application.
4. Failing to exchange S/FMNP benefits for approved foods at the farmer's market location.
5. Charging S/FMNP participants higher prices than other customers for the same approved foods.
6. Providing cash change for shopper card/app transactions.
7. Charging sales tax for approved foods.
8. Seeking reimbursement from participants for unpaid S/FMNP benefits

Sanction for Class II Violations:

- Immediate disqualification from the NM S/FMNP for the remainder of the market season.
- A second-Class II violation within the same or following market season may result in disqualification for up to three years.
- During disqualification, the farmer must surrender the S/FMNP poster and reimburse the state agency for transactions made in violation of the program. Failure to comply may lead to state or federal prosecution.

Disqualification

Disqualification occurs under the following circumstances:

- A second occurrence of a Class I violation during the current market season.
- A first occurrence of any Class II violation.
- A second Class II violation within the same or subsequent market season.
- Disqualified farmers who redeem S/FMNP shopper card in violation must reimburse the program. Noncompliance may lead to legal action for error, negligence, or fraud.

Prosecution

Farmers may face penalties for deliberate fraud under 7 CFR Sections 248 and 249.

Termination

The S/FMNP may terminate a farmer's agreement for:

- Negligence, fraud, abuse, or violations of the agreement.
- Any other reason deemed appropriate by the program.

Notification of Termination:

- Farmers will receive a 15-day prior notice by certified mail or hand delivery.
- The notice will include details about the opportunity to appeal and request a hearing.

Appeals

Farmers may request an appeal if they are disqualified from accepting FMNP benefits. The farmer will receive a letter at least 15 days before the NMDOH Farmers Market Nutrition Program takes any action. The letter will include the reason(s) for the action and advise of the right to appeal the Program's decision. The appeal must be received or postmarked by the United States Postal Service within 10 days of the date the notification of the proposed disqualification is received.

Farmers who are appealing a Program decision for Senior FMNP, may submit a request for appeal within 30 days from the date the program mails, emails or otherwise issues the notice of adverse action.

A farmer can submit a request for a hearing by filing a written request by mail or email to:

WIC & Senior Farmers Market Nutrition Program
2040 S. Pacheco
Santa Fe, NM 87505

doh.fmnp@doh.nm.gov

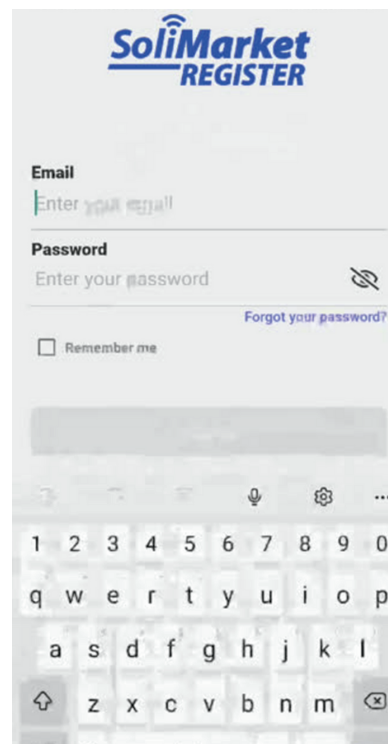
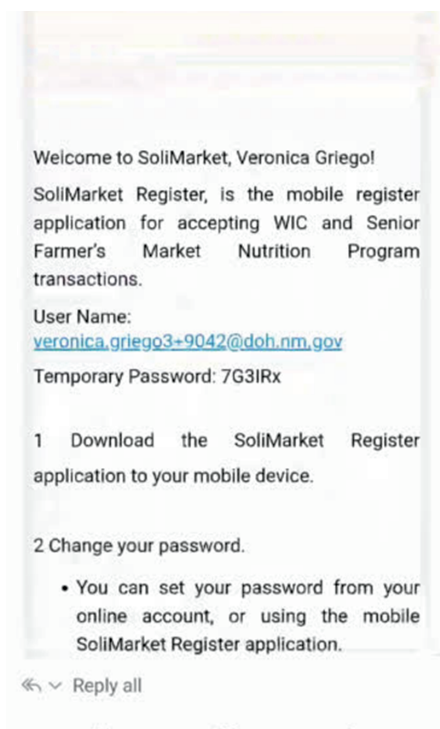
SoliMarket

Mobile Application User Guide



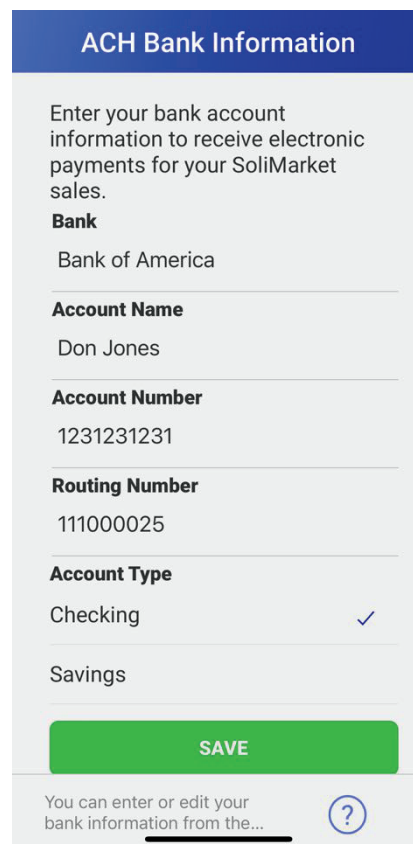
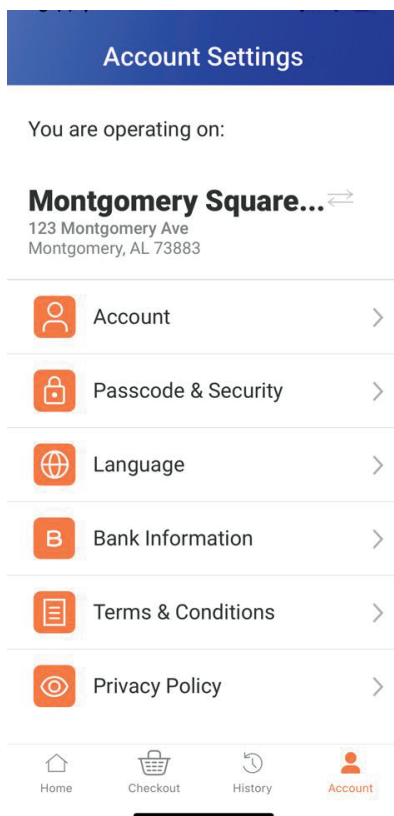
Setting up a new SoliMarket Register account:

1. The NM WIC and Senior State Office will need completed and signed Farmers agreement to create a Farm account
2. Once the farm account is created, the farmer will receive an email from noreply@soliportal.com. (Note: If you do not see this email within a few minutes after account creation, check your email's spam and junk folders.)
3. Open the SoliMarket Register application on your mobile device and log in using your email and the temporary password as seen on the email.
4. Upon logging in for the first time, you will need to create a new password. The new password must be at least 8 characters long and include at least one capital letter, lowercase letter, number, and symbol (example: Password23!)
5. Once the new password is created, select the market you will be operating from. (Note: This can be changed later if you sell at multiple markets.)
6. Your SoliMarket Register application is now ready to take transactions!



Entering in ACH/Banking Information

1. Farmers have the ability to provide their banking information for their weekly remittances directly through the SoliMarket Register Application
2. By accessing the “Account” tab within the application, the user can select the “Bank Information” button to access the ACH information form.
3. After the user enters in their bank information and designates the account type, the user can use the “SAVE” button to submit their information to SoliMarket.
4. If the user wishes to complete the form at a later time, the “CANCEL” button can be used.
5. If the banking information is accurate, the user/farmer will receive a weekly direct deposit remittance for their sales throughout the season.
6. Should any of the information provided be inaccurate and fail during the reimbursement process, the user will be notified of the error and asked to correct the banking information.



ACH Bank Information

payments for your SoliMarket sales.

Bank
Bank of America

Account Name
Don Jones

Account Number
1231231231

Routing Number
111000025

Done

1 2 3
4 5 6
7 8 9
0

ACH Bank Information

sales.

Bank
Bank of America

Account Name
Don Jones

Account Number
1231231231

Routing Number
111000025

Account Type
Checking ✓
Savings

SAVE

CANCEL

You can enter or edit your bank information from the... ?

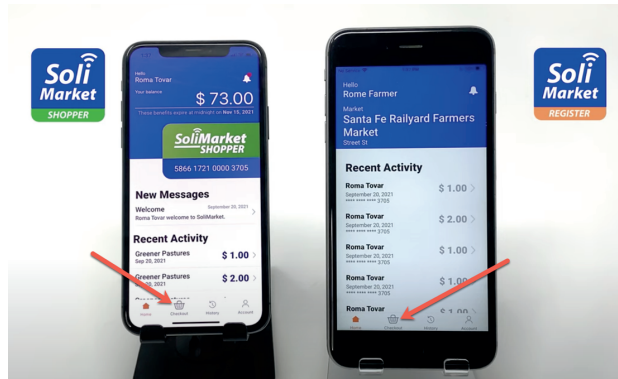
How Farmers get paid - Direct Deposit Transactions Monday-Sunday

Payment will made following week Tuesday-Wed

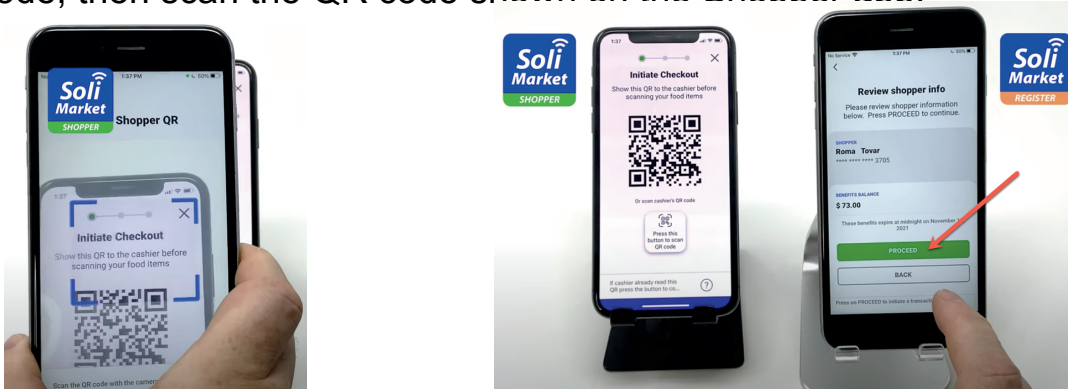
Payments will come in as

- \$ for sales of SFMNP
- \$ for sales of FMNP
- \$ for sales of NMFB
- \$ for sales of FSIP
- and any other programs we may have

Purchase Instructions: App to App

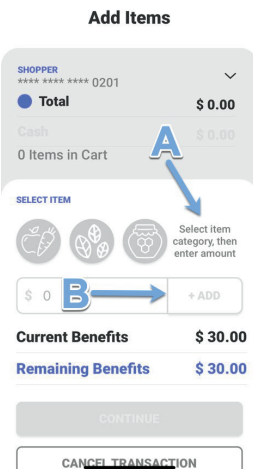


1. On both applications, click on the Checkout icon at the bottom of the screens.
2. The Shopper app will generate a QR code for the Register app to scan.
3. On the Register app, click the button that says Click this button to scan QRcode, then scan the QR code shown on the Shopper app.

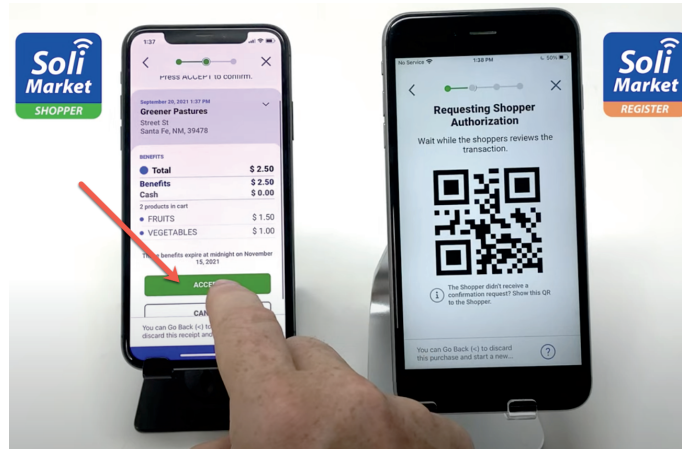


4. After scanning the QR code, the Register app will show the Shopper's benefit balance. Click the green PROCEED button to continue with the transaction.
5. The items being sold by the farmer to the participant can now be entered onto the Register app in this order:

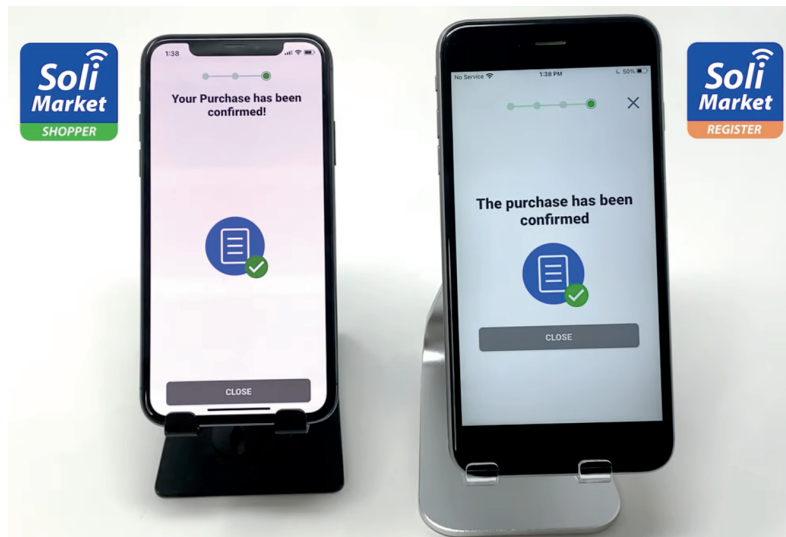
- (A) Select the category for the item by clicking on the appropriate icon. There are 3 categories: Fruits & Vegetables, Herbs, and Honey. - Example: To add onions, the Fruits & Vegetables icon should be selected.
- (B) Enter the item's price by typing it into the text box and then clicking the +ADD button.



6. Once the farmer has finished adding all the items being sold, click the CONTINUE button on the Register app.
7. The participant will now see the transaction summary on the Shopper app. If they decide to accept the transaction, click ACCEPT on the Shopper app.



8. If approved, both applications will indicate that the transaction has been confirmed. (Note: The final step for confirmation may take up to 10 seconds depending on network traffic and connectivity.)

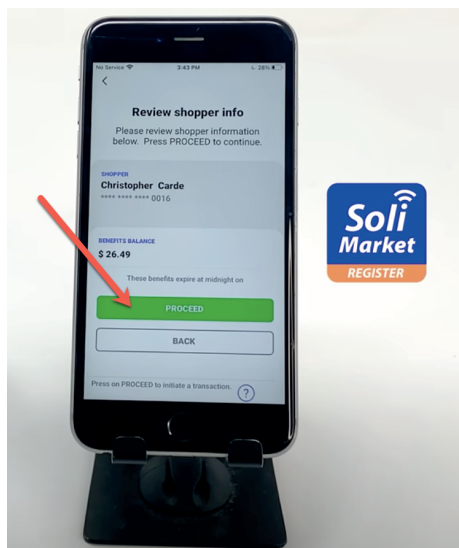


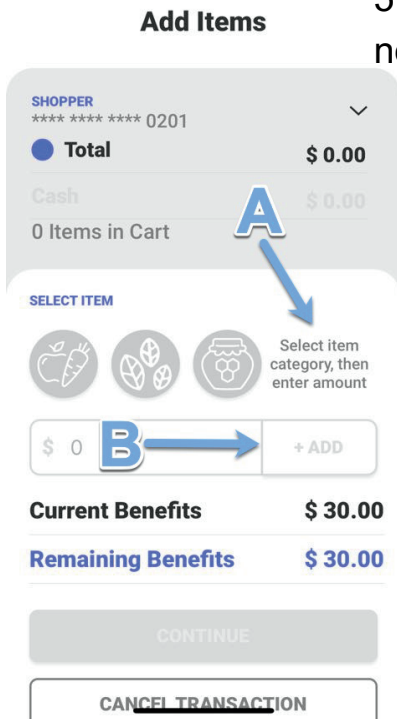
Purchase Instructions: App to Card

1. On the Register app, click the Checkout icon at the bottom of the screen, then click the button that says Click this button to scan QR code.
2. Using the Register app, scan the QR code on the customer's card.



3. Once the QR code is scanned, the account benefit balance will appear on the screen.
4. If you wish to continue with the transaction, click on PROCEED. (Note: To cancel the transaction at this point, click on BACK.)





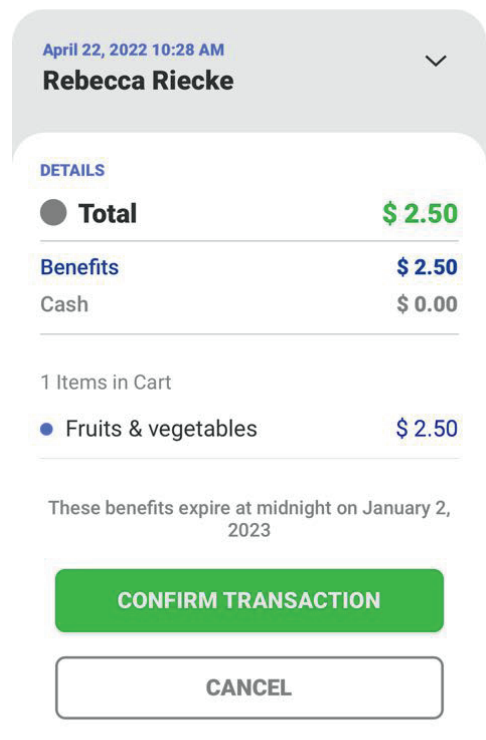
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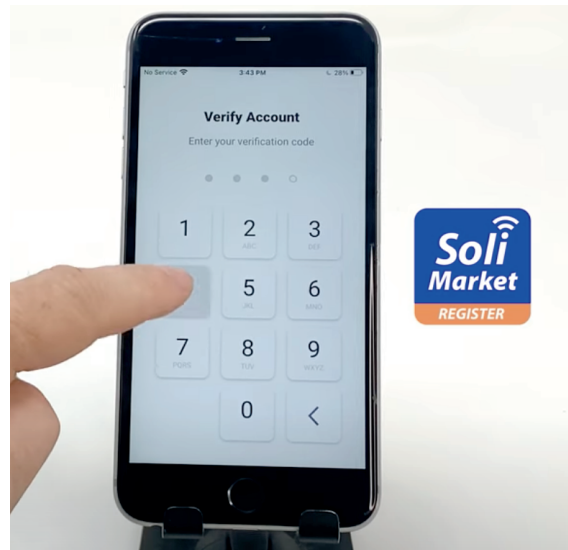
6. Once the farmer has finished adding all the items being sold, click the CONTINUE button on the Register app.

7. The details of the transaction will be displayed on the Register app, including the items being sold, the total benefit amount to be deducted, and the cash owed to the farmer (if applicable).

8. If the Shopper wishes to approve the transaction, the farmer and/or participant may click on the CONFIRM TRANSACTION button. (Note: If the transaction is not approved, you may click on CANCEL to edit the basket.)



9. The Shopper will be promoted to enter their PIN before approving the transaction.



10. Upon acceptance, the Register application will indicate that the transaction has been confirmed. (Note: The final step for confirmation may take up to 10 seconds depending on network traffic and connectivity.)

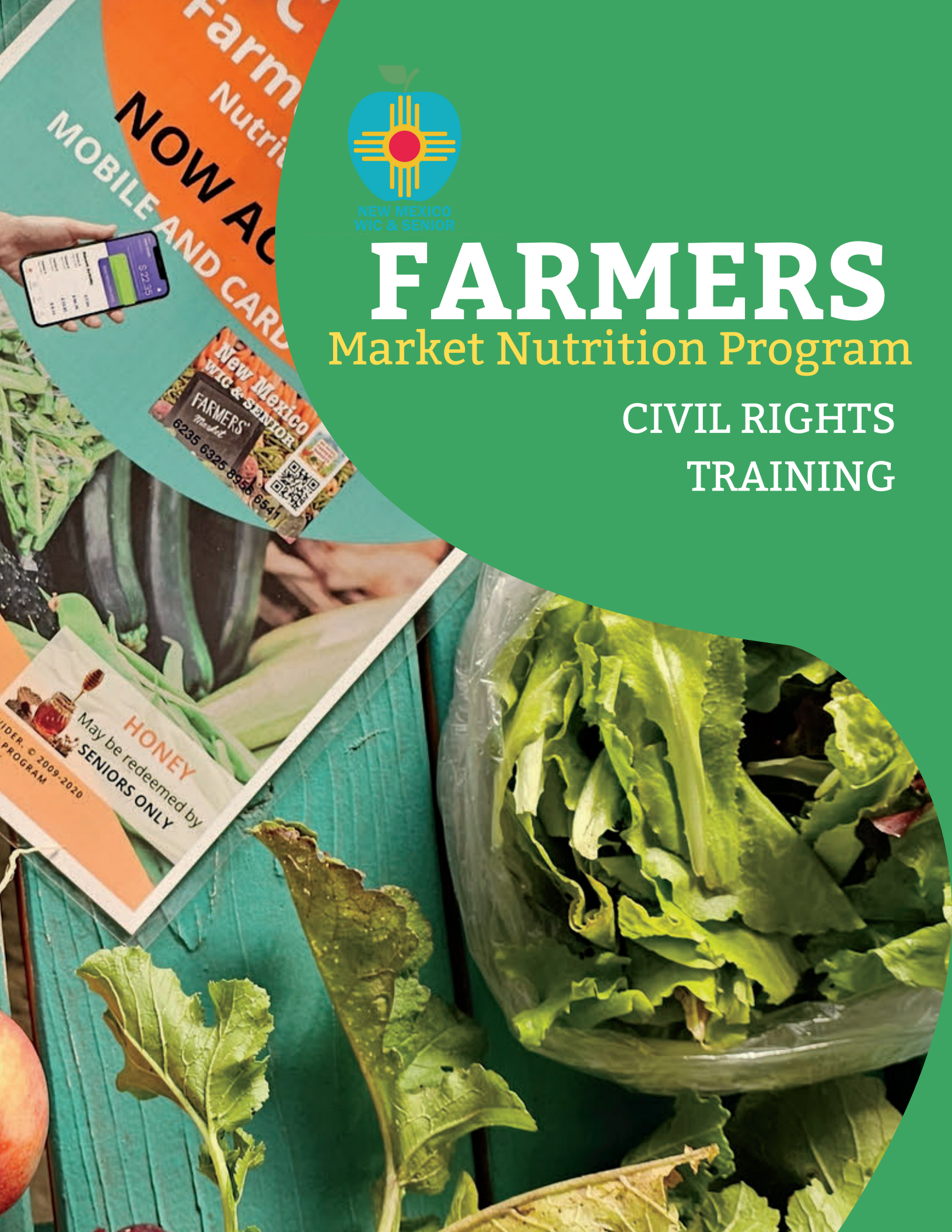


NEW MEXICO
WIC & SENIOR

FARMERS

Market Nutrition Program

CIVIL RIGHTS
TRAINING



CIVIL RIGHTS TRAINING

Training is required so that people involved in all levels of administration of programs that receive Federal financial assistance understand civil rights related laws, regulations, procedures, and directives. Persons responsible for reviewing CR compliance must receive training to assist them in performing their review responsibilities. This training may be carried out as part of ongoing technical assistance.

The FNS Regional OCR and State agencies will be responsible for training State agency staffs. State agencies are responsible for training local agencies. Local agencies are responsible for training their subrecipients, including “frontline staff.” “Frontline staff” who interact with program applicants or participants, and those persons who supervise “frontline staff,” must be provided civil rights training on an annual basis. Specific subject matter must include, but not be limited to:

- 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,
- Conflict resolution, and
- Customer service.

What are Civil Rights?

Civil Rights are the non-political rights of a citizen; the rights of personal liberty guaranteed to U.S. citizens by the 13th and 14th Amendments to the U.S. Constitution and Acts of Congress.

Civil Rights Concepts

- Stereotyping
 - Preconceived beliefs or over-simplified generalizations about a particular group
- Prejudice
 - A set of rigid and unfavorable attitudes toward a particular group that is formed without considering facts
- Discrimination
 - The practice of treating people differently because of how we have grouped them in our minds according to our prejudices

Goals of Civil Rights

- Equal and consistent treatment for all applicants and beneficiaries
- Knowledge of rights and responsibilities
- Elimination of illegal barriers that prevent or deter people from receiving food
- Customer service orientation for all applicants and beneficiaries
- Provide an atmosphere of dignity and respect for all
- Be careful of perceptions of favoritism, even if it is unintentional

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WIC
THE SANDOVAL INDIAN PUEBLOS

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Civil Rights Program Authorities

- Title VI – Civil Rights Act of 1964
- Title IX of the Education Amendments of 1972
- Section 504 of the Rehabilitation Act of 1973
- Americans with Disabilities Act (disability)
- Americans with Disabilities Act Amendments Act of 2008
- Age Discrimination Act of 1975
- Civil Rights Restoration Act of 1987
- Executive Order 13166 (LEP)
- USDA Department Regulation 4330-2
- 7 CFR Parts 15, 15a, 15b: Nondiscrimination
- 7 CFR Part 249 (SFMNP)
- 28 CFR Part 35: Nondiscrimination on the Basis of Disability in State/Local Government Services
- 28 CFR Part 42: Nondiscrimination in Federally Assisted Programs
- FNS Instruction 113-1

Six Protected Classes

For FMNP, different treatment is based on one or more of the six protected classes.

- **Race**
- **Color**
- **National Origin**
- **Sex (including gender identity & sexual orientation)**
- **Age**
- **Disability**

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.

Racial/Ethnic Data Collection

As a means of monitoring civil rights compliance, State agencies shall establish a system for the collection of racial/ethnic data of each person applying for and receiving benefits.

Applicants shall be assured that the information is required for and used for statistical purposes only and has no effect on eligibility criteria.

Data should be collected at the point of application and retained at the service delivery area.

Compliance Reviews

Examine the activities of State agencies and subrecipients to determine Civil Rights compliance;

FNS Civil Rights and Program staff review State agencies. FNS staff and State agencies review local agencies. Local agencies review their subrecipients, if applicable.

Significant findings must be provided in writing to the reviewed entity and to FNS.

Public Notification

- Be sure that the Justice for All Poster is posted where customers can see it.
- The poster has both English & Spanish.

AND JUSTICE FOR ALL

English text:

In accordance with Federal law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, disability, and reprisal or retaliation for prior civil rights activity. (Not all prohibited bases apply to all programs.)

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication for program information (e.g., braille, large print, audiotape, and American Sign Language) should contact the responsible State or local Agency that administers the program or USDA's TARGET Center at (800) 725-2906 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339.

To file a program discrimination complaint, a complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form, which can be obtained online, at <https://soils.scds.usda.gov/doccenter/ad-3027>, from any USDA office, by calling (800) 833-8962, or by writing a letter addressed to USDA. The letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted to USDA by:

mail:
U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410; or

fax:
(833) 258-1665 or (202) 696-7442;

email:
program.intake@usda.gov.

This institution is an equal opportunity provider.

Spanish text:

Conforme a la ley federal y las políticas y regulaciones de derechos civiles del Departamento de Agricultura de los Estados Unidos (USDA), esta institución tiene prohibido discriminar por motivos de raza, color, origen nacional, sexo, edad, discapacidad, venganza o represalia por actividades relacionadas con el pasado relacionadas con los derechos civiles. (No todos los principios de prohibición aplican a todos los programas).

La información del programa puede estar disponible en otros idiomas además del inglés. Las personas con discapacidades que requieren medios de comunicación alternativos para obtener información sobre el programa (por ejemplo, Braille, letra agrandada, grabación de audio y lenguaje de señas americano) deben comunicarse con la agencia estatal o local responsable que administra el programa o con el "TARGET" Center del USDA al (800) 725-2906 (voz y TTY) o comunicarse con el USDA a través del Servicio Federal de Transmisión de Información al (800) 877-8339.

Para presentar una queja por discriminación en el programa, el reclamante debe completar un formulario AD-3027. Forneado de queja por discriminación del programa del USDA, que se puede obtener en línea, en <https://soils.scds.usda.gov/doccenter/ad-3027>, en cualquier oficina del USDA, llamando al (800) 833-8962, o escribiendo una carta dirigida al USDA. La carta debe contener el nombre, la dirección y el número de teléfono del reclamante, y una descripción escrita de la supuesta acción discriminatoria con suficiente detalle para informar al Subsecretario de Derechos Civiles (ASCR), por sus siglas en inglés) sobre la naturaleza y la fecha de la presunta violación de los derechos civiles. La carta o el formulario AD-3027 completado debe enviarse al USDA por medio de:

correo postal:
U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410; o

fax:
(833) 258-1665 o (202) 696-7442;

correo electrónico:
program.intake@usda.gov.

Esta institución ofrece igualdad de oportunidades.

Non-Discrimination Statement

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, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotope, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or 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 discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at [How to File a Program Discrimination Complaint](#) 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: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410;
- (2) fax: (202) 690-7442; or
- (3) email: program.intake@usda.gov.

USDA is an equal opportunity provider.

Limited English Proficiency Plans

- Individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English.
- Organizations that receive federal assistance have an obligation to reduce language barriers that can preclude meaningful access by LEP persons to important benefits, rights, programs and services
- An LEP Plan is a strategy for organizations to identify LEP persons who need language assistance, ways the assistance will be provided, train staff, provide notice and monitor and update their plans

If you do not understand the training materials in English or English is not your primary language, you can contact the NM WIC and Senior Farmers Market Nutrition Program and the information will be provided to you in your primary language.

Disability Discrimination

- A person who has a physical or mental impairment which substantially limits one or more major life activities, has a record of such as impairment, or is regarded as having such impairment.
- Major life activity means functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.
- Sections 504 and 508 of the Rehabilitation Act of 1973 - Prohibit discrimination based on disability in programs or activities receiving Federal financial assistance.
- Americans with Disabilities Act (ADA), 28 CFR Part 35, Title II, Subtitle A - Prohibits discrimination on the basis of disability in all services, programs and activities provided to the public by State and local governments.
- These Civil Rights laws protect persons with disabilities who apply for or participate in all FNS –funded programs.

Complaints

- Customer Service Complaint – There has been a break down in service, and can result from a lack of customer focus, being insensitive, demonstrating a lack of understanding
- Civil Rights Complaint/Discrimination – Are characterized by the complainant verbalizing or submitting in writing that they feel they have been treated unfairly or discriminated against due to a protected class barrier.

USDA Discrimination Complaint Form are linked here:

English

<https://www.usda.gov/sites/default/files/documents/ad-3027.pdf>

Spanish

<https://www.usda.gov/sites/default/files/documents/USDAProgramComplaintForm-Spanish-Section508Compliant.pdf>

Types of Discrimination

- Charging a person using a NM SFMNP card more for produce than someone paying with cash.
- Refusing service to someone who is in the “protected” class.
- Refusing service to someone who is using a NM SFMNP card or app.

Retaliation

- Retaliation means negative treatment of someone because they filed a complaint or complained about discrimination or testified as a witness in a complaint investigation.
- Retaliation could involve denial of service, harassment, intimidation, etc.
- Retaliatory behavior can result in a finding of discriminatory retaliation even if the original complaint filed by the individual is baseless.

Conflict Resolution

- Be patient, be polite, and breathe
- Avoid sarcasm
- Be empathetic. Understand that people may not know the rules or understand how programs work. Even though they receive a list of acceptable produce, they may not actually read what is on it. They may try to buy something not on the list, just explain that you cannot take card for that item, but they can pay cash if they want to purchase it.
- Smile when appropriate – help people to feel welcome and valued
- Explain policy and let them know that you will get in trouble if you do anything that violates the rules.
- Don't be afraid to apologize
- Don't feel you need to have the last word

When a Customer wishes to file a complaint

If you have a customer wishing to file a complaint, let them know they will need to contact U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; Fax: (202) 690-7442; or Email: program.intake@usda.gov

When a Farmer wishes to file a complaint

You have the same rights under the law. If you wish to file a complaint you need to submit to the U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; Fax: (202) 690-7442; or Email: program.intake@usda.gov

- Name, address and phone number – or other means of contacting the person alleging discrimination
- Location and name of organization accused of discrimination
- Basis of alleged discrimination
- Nature of incident that led person to allege discrimination
- You can make your complaint verbally by calling the NM SFMNP at 505-469-0548

Points to Ponder

In order to reduce the risk of a civil rights discrimination complaint, ask yourself the following questions each time an applicant visits your business:

- Am I treating this person in the same manner that I treat all others?
- Have I told this person exactly why I cannot sell them something not on the list of accepted produce?

Educate your Staff and Volunteers

- Hold an Annual Civil Rights Training to make sure all staff and volunteers you have working for you are aware of the Civil Rights of the customer and themselves.
- Make staff and volunteers aware of how to respond to a customer who wishes to file a complaint.

Assurance of Civil Rights Compliance



MICHELLE LUJAN GRISHAM
Governor
DAVID R. SCRASE, M.D.
Acting Cabinet Secretary

Farmer Selection Criteria

Please read, detach, and keep for your records

Farmer must meet and comply with the following criteria to be authorized to participate in the electronic WIC & Senior Farmers Market and any other State funded electronic benefits issued by NMDOH and FSIP Farmers Market Nutrition Programs. NMDOH and FSIP programs may reassess the Farmer at any time using the selection criteria. A Farmer not complying with the selection criteria will be removed from eligibility to participate in the program.

Farmer Selection Criteria:

1. The Farmer must complete and submit a (3) year Farmer Agreement to Market Manager at Authorized NMDOH/FSIP Farmers' Market for review and approval, prior to being able to accept the electronic Mobile app or shopper cards issued through the NMDOH and FSIP WIC & Senior Farmers market Nutrition programs.
2. If selected to participate, the Market Manager will assign Farmer a Farmer ID Code Number. The Market Manager will submit the new/renewed Farmer Agreement to NMDOH Farmers Market Nutrition Program at Farmers' Market Nutrition Program, NMDOH PHD WIC 2040 S. Pacheco St. Suite # 123B Santa Fe, NM 87505
Email: DOH.FMNP@state.nm.us
3. The Farmer must ensure they have been trained on conducting the electronic Mobile App after being entered into the system and downloading the Mobile App, prior to accepting Mobile app and Shopper card benefits, either face-to-face or tele-video conference.
4. **The Farmers must agree to display their "WIC & Senior benefits accepted here sign"**
5. The Farmer must be the producer of at least 80% of their produce and grown within the borders of New Mexico, or within 80miles of your county line into the next State. You may sell 20% of produce that is not yours from local NM Farmers.
6. The Farmer may not sell wholesale produce to WIC or Seniors Farmers Market Nutrition Program participants. If Market rules allow for selling of wholesale products, you must label items as "non-local" and keep separate from Local produce.
7. The Farmer is responsible for applying for and maintaining all required business licenses.

Farmer Agrees to:

1. Review the Eligible food list for proper redemption of transactions.
2. Read and comply with the below Civil Rights nondiscrimination provisions of USDS regulations as provided § 249.7
3. Treat WIC & Senior Farmers market nutrition participants with the same courtesies as other customers per Civil Rights nondiscrimination provisions of USDS regulations as provided § 249.7

PUBLIC HEALTH DIVISION
1190 St. Francis Dr., Suite 1050 • P.O. Box 26110 • Santa Fe, New Mexico • 87502
(505) 827-2389 • FAX: (505) 827-2329 • www.nmhealth.org



MICHELLE LUJAN GRISHAM
Governor
DAVID R. SCRASE, M.D.
Acting Cabinet Secretary

Farmers' Market Selection Criteria

New Mexico Department of Health (NMDOH)

Five-Sandoval Indian Pueblo (FSIP)

WIC Farmers' Market Nutrition Program (FMNP)
Senior Farmers' Market Nutrition Program (SFMNP)

For purposes of the WIC Farmers' Market Nutrition Program (FMNP), the Senior Farmers' Market Nutrition Program (SFMNP), and any additional State funded electronic benefits Farmers' Market is defined as:

an association of local farmers who assemble at a defined location for the purpose of selling their produce directly to consumers.

The New Mexico Department of Health Farmers' Market Program establishes criteria for the selection of Farmers' Markets to be authorized to participate in the electronic WIC Farmers' Market Nutrition Program (FMNP), Senior Farmers' Market Nutrition Program (SFMNP) and any other State funded electronic benefits issued through the WIC & Senior Farmers Market Program.

The Farmers' Market must comply with the selection criteria to be authorized. The Department may reassess the Farmers' Market at any time using the selection criteria. Farmers' Markets not complying with the selection criteria will be ineligible to participate in WIC FMNP, SFMNP and any other State funded electronic benefits issued through the WIC & Senior Farmers Market Program, for a period of time to be determined by the Department.

Farmers' Market Selection Criteria:

1. The Farmers' Market must complete and submit a Farmers' Market Agreement to the Department for review, every (3) years.
2. If approved, Farmers' Market Agreement will be good for a fixed three-year term.
3. If selected to participate, the Department will provide the Farmers' Market with a copy of approved Farmers' Market Agreement.
4. The Farmers' Market shall ensure Farmers/growers are posting their "We accept" signs who are accepting the electronic benefits from the WIC & Senior Farmers Market .
5. Authorized farmers, farmers' markets, roadside stands, and/or CSA programs shall comply with the requirements of Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, Department of Agriculture regulations on nondiscrimination (parts 15, 15a and 15b of this title), and FNS Instructions as outlined in § 249.7 (See attached Civil Rights requirements of Nondiscrimination.)

PUBLIC HEALTH DIVISION
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(505) 827-2389 • FAX: (505) 827-2329 • www.nmhealth.org

Customer Service

Service is
Effectively communicating
Responding to their needs,
Valuing their worth, and
Instilling excellence through
Courtesy, confidence, and
Enthusiasm.

**Thank you for being part
of**



**NEW MEXICO
WIC & SENIOR**
FARMERS' MARKET PROGRAMS

Contact Information:
505-469-0548 or 505-487-0904
doh.fmnp@doh.nm.gov

Resource Documents





NEW MEXICO
WIC & SENIOR
FARMERS' MARKET PROGRAMS

Monitoring Form for Farmers, Farmers' Markets, and Roadside Stands

Section 1: General Information	
Date & Time of Monitoring:	
Monitoring Conducted By:	
State Agency:	NMDOH Farmers' Market Nutrition Program
Programs:	S/FMNP
Monitoring Location & Name	
Farmer:	
Hot Spot: <input type="checkbox"/> Tablet: <input type="checkbox"/>	
Farmers' Market:	
Hot Spot: <input type="checkbox"/> Tablet: <input type="checkbox"/>	
Roadside Stand:	
Hot Spot: <input type="checkbox"/> Tablet: <input type="checkbox"/>	
Section 2: Identified High-Risk Indicators	
High Volume of S/FMNP Benefits Redeemed	
Total S/FMNP benefits redeemed by this farmer/stand/market:	
Average redemption volume for other farmers/stands/markets in this region:	
Is this redemption volume proportionately high?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Participant Complaints	
Have there been any complaints?	Yes <input type="checkbox"/> No <input type="checkbox"/>
If yes, provide details:	
Nature of complaints:	
Number of complaints received:	
Dates of complaints:	
First-Year Operation	
Is this the first year of participation in S/FMNP?	Yes <input type="checkbox"/> No <input type="checkbox"/>
If yes, provide additional context:	
Date of enrollment:	
Training provided:	Yes <input type="checkbox"/> No <input type="checkbox"/>
Additional State-Defined Indicators	
Specify additional high-risk indicators used:	
Does this farmer/market/stand meet any of these additional indicators?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Provide details:	



NEW MEXICO
WIC & SENIOR
FARMERS' MARKET PROGRAMS

Monitoring Form for Farmers, Farmers' Markets, and Roadside Stands

Section 3: Monitoring Activities	
1. On-Site Inspection	
Date of on-site visit:	
Was the location active and operational?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Were all required S/FMNP program materials visible and available?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Observations:	
Condition of produce offered:	
Compliance with S/FMNP guidelines:	Yes <input type="checkbox"/> No <input type="checkbox"/>
Is the "And Justice For All" poster prominently displayed?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Does each farmer have a vendor poster displayed showing they are authorized to redeem S/FMNP:	Yes <input type="checkbox"/> No <input type="checkbox"/>
Are individual farmers displaying prices for S/FMNP-eligible foods during market hours?	Yes <input type="checkbox"/> No <input type="checkbox"/>
If no, list the farmers not displaying prices:	
Are farmers selling eligible foods to participants?	Yes <input type="checkbox"/> No <input type="checkbox"/>
List items sold:	
Were any ineligible foods/items purchased with shopper cards?	Yes <input type="checkbox"/> No <input type="checkbox"/>
List ineligible items:	
Were participants charged more to use shopper cards than non-shopper card paying customers?	Yes <input type="checkbox"/> No <input type="checkbox"/>
If yes, describe:	
Do all farmers have a signed S/FMNP FM and Farmer Agreement on file?	Yes <input type="checkbox"/> No <input type="checkbox"/> See attached listing



NEW MEXICO
WIC & SENIOR
FARMERS' MARKET PROGRAMS

Monitoring Form for Farmers, Farmers' Markets, and Roadside Stands

If not, list the farmers:	
Have all farmers, staff, and volunteers been trained in Civil Rights?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Dates of training:	
If not, list the farmers:	
Have all farmers received their annual and/or new S/FMNP Training?	Yes <input type="checkbox"/> No <input type="checkbox"/>
If no, list the farmers:	
2. Farmer/Market/Stand Interviews	
Were interviews conducted with participating farmers/vendors?	Yes <input type="checkbox"/> No <input type="checkbox"/> See attached listing
Number of active farmers present:	
Provide a record/summary of interviews with recipients, market managers, and/or farmers that took place during this review:	
Key Observations:	
Understanding of program requirements:	Yes <input type="checkbox"/> No <input type="checkbox"/>
Reported challenges:	



NEW MEXICO
WIC & SENIOR
FARMERS' MARKET PROGRAMS

Monitoring Form for Farmers, Farmers' Markets, and Roadside Stands

Section 4: Compliance Assessment	
1. Compliance Issues	
Are there any compliance issues identified?	Yes <input type="checkbox"/> No <input type="checkbox"/>
If yes, specify:	
Nature of issue:	
Required corrective actions:	
2. Overall Risk Assessment	
Does this farmer/market/stand present a high risk?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Justification for risk level assigned:	
Section 5: Monitoring Summary and Recommendations	
Summary of Findings:	
Recommendations:	
Follow-up action required:	Yes <input type="checkbox"/> No <input type="checkbox"/>
Describe recommended actions:	
Timeline for completion:	
Reviewed By:	
Name:	
Title:	
Signature:	



NEW MEXICO
WIC & SENIOR
FARMERS' MARKET PROGRAMS

Monitoring Form for Farmers, Farmers' Markets, and Roadside Stands

Section 6: Follow-Up Documentation (if applicable)	
Date of Follow-Up:	
Follow-Up Actions Taken:	
Resolution Status:	
Instructions for Use:	This form must be completed for all farmers, farmers' markets, and roadside stands identified as high-risk based on the indicators outlined above. Ensure that at least 10% of each category, including those identified as highest risk, are monitored annually.

Farmers' Market Selection Criteria

New Mexico Department of Health (NMDOH)

Five-Sandoval Indian Pueblo (FSIP)

WIC Farmers' Market Nutrition Program (FMNP)

Senior Farmers' Market Nutrition Program (SFMNP)

For purposes of the WIC Farmers' Market Nutrition Program (FMNP), the Senior Farmers' Market Nutrition Program (SFMNP), and any additional State funded electronic benefits a Farmers' Market is defined as: **an association of local farmers who assemble at a defined location for the purpose of selling their produce directly to consumers.**

The New Mexico Department of Health Farmers' Market Program establishes criteria for the selection of Farmers' Markets to be authorized to participate in the electronic WIC Farmers' Market Nutrition Program (FMNP), Senior Farmers' Market Nutrition Program (SFMNP) and any other State funded electronic benefits issued through the WIC & Senior Farmers Market Program.

The Farmers' Market must comply with the selection criteria to be authorized.

The Department may reassess the Farmers' Market at any time using the selection criteria. Farmers' Markets not complying with the selection criteria will be ineligible to participate in WIC FMNP, SFMNP and any other State funded electronic benefits issued through the WIC & Senior Farmers Market Program, for a period of time to be determined by the Department.

Farmers' Market Selection Criteria:

1. The Farmers' Market shall ensure Farmers/growers are posting their "We accept" signs who are accepting the electronic benefits from the WIC & Senior Farmers Market.
2. The Farmers' Market must have and maintain a current Market Manager and/or Market Representative who is available at all times during market operations. If Market Management changes, a new Agreement must be signed and approved by the Department.
3. The Farmers' Market must be an established market that has been in operation at its current permanent site for one (1) or more years with consistent, regular hours.
4. The Farmers' Market is responsible for applying and maintaining all required business licenses or rental agreements for the Farmers' Market site.
5. The Farmers' Market must ensure that the produce offered for sale is locally grown within the borders of New Mexico and/or within an 80-mile radius of the market if outside of the New Mexico border, but must be within the U.S.

The Market Manager must ensure that individuals who exclusively sell produce grown by someone else, such as wholesale distributors, cannot be authorized to participate in the electronic SFMNP, FMNP programs or any other State funded electronic benefit programs issued by WIC & Senior Farmers Market Program, except individuals employed by a farmer otherwise qualified under these regulations, or individuals hired by a nonprofit organization to sell produce at roadside stands on behalf of local farmers.

The Market shall:

1. Acknowledges an obligation to become familiar with the NMDOH and FSIP WIC & Senior FMNP programs requirements, regulations and policies, and understands that violations of such requirements may be grounds for sanctions, including disqualification from the program. Allow and ensure authorized farmers/growers can demonstrate and sell produce grown locally within the borders of New Mexico and/or within an 80-mile radius of the Market if outside of the New Mexico border, but must be within the USA, to participate in the NMDOH and FSIP WIC & Senior FMNP programs.
2. Ensure farmers/growers are not selling wholesale produce to WIC & Senior Farmers market nutrition program participants. If market rules allow for the reselling of wholesale produce, the farmer/grower must separate the produce from their locally grown produce. Produce must be labeled (non-local) and (local), as reselling of wholesale produce is not allowed. However, a farmer/grower may sell another farmers NM local produce, as long as it is not no more than 30% of their own product.
3. Ensure farmers/growers provide eligible foods at the current price or less than the current price charged to other customers.
4. Notify the NM NMDOH and FSIP WIC & Senior FMNP programs of any changes or additions as they occur, including change of Market Manager.

Market Responsibilities:

According to § 249.10(b)(1)(i and xii) § 248.10(b)(1)(i-xii), the farmer, farmers' market, and roadside stand shall:

1. Provide information as required for State agency periodic reports to FNS.
2. Assure that SFMNP/FMNP food instruments are redeemed only for eligible foods. Provide eligible foods at a fair price or less than the price charged to other customers.
3. Accept SFMNP/FMNP food instruments within their validity dates and submit them for payment
4. within the allowable period.
5. Mark each transacted food instrument with a farmer identifier or farmers' market identifier as required.
6. Accept training on SFMNP/FMNP procedures and ensure training of staff with program responsibilities.
7. Allow monitoring for compliance with SFMNP/FMNP requirements, including both overt and covert monitoring.
8. Be accountable for actions of farmers and employees regarding food provision and related activities.
9. Pay the State agency for any food instruments transacted in violation of this agreement. Offer SFMNP/FMNP recipients the same courtesies as other market customers.
10. Comply with USDA nondiscrimination regulations.
11. Notify the State agency if any operation ceases before the end of the authorization period and provide a regularly updated list of authorized farmers.

The Market shall not:

- i. Collect sales tax on SFMNP/FMNP food instrument purchases. Seek restitution from recipients for unpaid food instruments.
- ii. Issue cash change or credit (including rain checks) for purchases that are less than the food instrument value.

Other Requirements:

- i. The State agency or the market may terminate the agreement with advance written notice as stipulated by the State agency.
- ii. The State agency may deny payment for improperly redeemed food instruments or establish claims for overpaid amounts and may disqualify for program abuse.
- iii. Parties adversely affected by State agency actions may appeal under the procedure outlined in §249.16(a)(1)(iii), (b) and § 248.16(c)(1).
- iv. Farmers and/or farmers' market/roadside stand agreements are valid for up to 3 years.

Accountability and Compliance

- i. **Market Manager Responsibility:** The Market Manager is accountable for the actions of all authorized individuals related to NMDOH and FSIP WIC & Senior FMNP activities.
- ii. **Consequences for Fraud or Abuse:** Any manager or representative who commits fraud or abuse is liable to prosecution under federal, state, or local law, including fines and imprisonment.

Nondiscrimination Statement:

In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity. Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (e.g., Braille, large print, audiotope, American Sign Language), should contact the responsible state or local agency that administers the program or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339.

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1. mail: U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights 1400 Independence Avenue, SW Washington, D.C. 20250-9410; or
2. fax: (833)256-1665 or (202) 690-7442; or
3. email: Program.Intake@usda.gov

This institution is an equal opportunity provider.



Michelle Lujan Grisham
Governor

Gina DeBlassie
Interim Cabinet Secretary

New Mexico Department of Health

Farmers' Market Agreement

New Mexico Department of Health
(NMDOH) Five Sandoval Indian Pueblo
(FSIP)
WIC Farmers' Market Nutrition Program
(FMNP) Senior Farmers' Market Nutrition
Program (SFMNP)

This agreement is good for the following years: 2023, 2024, 2025

Market Number (5-digit ID code assigned by NM DOH):

Name of Farmers' Market: _____

Day/Times of Market: _____

Market Location: _____ Mailing Address: _____

City: _____ State: _____ Zip: _____

County: _____

Telephone: _____

Market Manager's Name: _____

Market Manager's Email address: _____

Market Manager's Telephone: _____

This Agreement is made by and between the NMDOH, FSIP WIC & Senior Farmers market nutrition program and Farmers' Market Manager or board:

(hereinafter "Market"), and the New Mexico Department of Health, Five Sandoval Indian Pueblo WIC & Senior Farmers' Market Nutrition Program Office (hereinafter "the NMDOH and FSIP WIC & Senior FMNP programs") This agreement shall become effective on the date set forth below, and shall remain in force for three years, unless otherwise terminated pursuant to law or regulation, or by mutual agreement.

CHANGE IN OWNERSHIP OR CESSATION OF OPERATION AUTOMATICALLY RENDERS THIS AGREEMENT NULL AND VOID. Neither the NMDOH and FSIP WIC & Senior FMNP programs nor the undersigned Market has an obligation to renew this Agreement. Either the NMDOH and FSIP WIC & Senior FMNP programs or the Market may terminate this Agreement after providing 15 days advance written notification.

The undersigned represent that they are either the sole owner of the above-named Market, or that they have full authority to enter into this Agreement for and on behalf of the Market, and to accept and agree to all of the provisions.

Farmers' Market Manager Signature
and/or Farmers' Market Representative Signature

Date

Print Name, Title or Farmers' Market Manager and/or Farmers' Market Representative

NMDOH FMNP Program Signature

Date

Five Sandoval Indian Pueblo Approval -needed only if farmer (s) are selling within the FSIP area

FSIP WIC & Senior Program Manager Signature

Date

Please Complete and Return to:

Farmers' Market Nutrition Program, NMDOH
PHD WIC 2040 S. Pacheco St. Suite # 123B
Santa Fe, NM 87505

Email: DOH.FMNP@doh.nm.gov

Phone: (505) 469-0548

Fax: (505) 476-8900

For more information on Five Sandoval Indian Pueblos:

FSIP WIC Farmers' Market Nutrition Program

Karen Griego-Kite, WIC Director

Director

1043 Highway 313

Bernalillo, NM 87004

Phone: (505) 771-5386

FSIP WIC Senior FMNP

Joshua Madalena, acting Senior

4321-B Fulcrum Way NE

Rio Rancho, NM 87144

Phone: (505) 867-3351

Nondiscrimination Statement:

In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity. Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (e.g., Braille, large print, audiotape, American Sign Language), should contact the responsible state or local agency that administers the program or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339.

To file a program discrimination complaint, a Complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form which can be obtained online at: <https://www.usda.gov/sites/default/files/documents/ad-3027.pdf>, from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to USDA. The letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted to USDA by:

1. mail: U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights 1400 Independence Avenue, SW Washington, D.C. 20250-9410; or

2. fax: (833)256-1665 or (202) 690-7442; or

3. email: Program.Intake@usda.gov

This institution is an equal opportunity provider.

Farmer Selection **Criteria**

New Mexico Department of Health (NMDOH)

Five-Sandoval Indian Pueblo (FSIP)

WIC Farmers' Market Nutrition Program (FMNP)

Senior Farmers' Market Nutrition Program (SFMNP)

Please read and keep for your records

Introduction

To participate in the NMDOH and FSIP Farmers Market Nutrition Programs, each farmer must comply with the following criteria. Non-compliance may result in loss of eligibility.

Authorization Process

- Farmers are assigned a unique Farmer ID Code by New Mexico Dept. of Health Farmers Market Program upon selection.
- The Market Manager will submit all signed Farmer Agreements to:
 - NMDOH Farmers Market Nutrition Program
2040 S. Pacheco St., Suite #123B
Santa Fe, NM 87505
 - Email: doh.fmnp@doh.nm.gov
- Farmers must complete training on the electronic Mobile App before accepting benefits, either in person or via teleconference.

Participation Requirements

Farmer Responsibilities

1. Produce Requirements

- Grow at least 70% of the produce offered for sale, either within New Mexico or within a 100-mile radius of New Mexico county line.
- Up to 30% of produce may come from other NM farmers.

2. Display Requirements

- Clearly display a "WIC & Senior benefits accepted here" sign at your market stand.

3. Sales and Licensing

- Do not sell wholesale produce to WIC or Seniors Farmers Market Nutrition Program participants. If market rules allow wholesale items, label them as "non-local" and keep them separate from local produce.
- Apply for and maintain all required business licenses.

Farmer Limitations

- Do not collect sales tax on SFMNP/FMNP benefit purchases.
- Do not issue cash change or credit (including rain checks) for purchases that are less than the food benefit purchase.
- Do not seek restitution from recipients for unpaid food benefits. Call the SFMNP/FMNP program immediately.

Compliance Requirements

Farmers, farmers' markets, and roadside stands must:

- Provide information as required for State agency reports to the Food and Nutrition Service (FNS).
- Process SFMNP/FMNP Transactions: Use the electronic mobile app to scan the participant's QR code and process transactions immediately. Payments will be deducted from the participant's shopper card or app and held in the farmer's account until the vendor completes payment processing.
- All transactions are automatically recorded with the required farmer or market identifier via the mobile app, eliminating the need for manual marking.
- Ensure all staff involved in the program receive necessary training.
- Allow monitoring by the State agency for compliance with SFMNP/FMNP requirements.
- Be accountable for actions by farmers and employees regarding food provision.
- Offer SFMNP/FMNP recipients the same courtesies as other market customers.
- Comply with USDA nondiscrimination regulations.

Consequences for Fraud or Abuse

Any manager or representative who commits fraud or abuse is subject to prosecution under federal, state, or local law, which may include fines or imprisonment.

Termination and Appeals

- The State agency or the market may terminate the agreement with advance written notice.
- The State agency may deny payment for improperly redeemed food instruments, establish claims for overpaid amounts, and may disqualify for program abuse.
- Parties affected by State agency actions may appeal under the procedure outlined in §249.16(a)(1)(iii), (b) and § 248.16(c)(1).

Contact Information

NMDOH Farmers Market Nutrition Program
2040 South Pacheco St.
Santa Fe, New Mexico 87505
Phone: (505) 469-0548
Website: www.nmwic.org

Nondiscrimination Statement:

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Michelle Lujan Grisham
Governor

Gina DeBlassie
Interim Cabinet Secretary

New Mexico Department of Health

Farmer Agreement

New Mexico Department of Health (NMDOH) Five
Sandoval Indian Pueblo (FSIP)
WIC Farmers' Market Nutrition Program (FMNP) Senior
Farmers' Market Nutrition Program (SFMNP)

This agreement is good for the following years: 2023, 2024, 2025

Name of Contact Person: _____

Telephone Number: _____ Email Address: (required): _____

Name of Farm: _____

Mailing Address (if different from farm): _____

City: _____

State: NEW MEXICO Zip: _____

Farm Address: _____

Farmer Identification Code Number: _____

(4 Digit Permanent ID Code Number will be assigned by NMDOH)

Main Market where Farmer will sell produce: _____

(4 Digit Permanent ID Code Number will be assigned by NMDOH)

Please list all AUTHORIZED Markets you will sell at. Your Permanent ID number will work only at Farmers' Markets authorized by NMDOH and FSIP WIC & Senior Farmers Market Programs

Market Name: _____

Market Name: _____

Market Name: _____

Market Name: _____

Market Name: _____

I intend to offer the following eligible fresh, unprepared fruits and/or vegetables, herbs and Honey (seniors only) for purchase with WIC & Senior Farmers Market electronic benefits issued but NMDOH & FSIP Farmers Market Nutrition Programs.

By signing below, the Farmer has read over and understands the Farmer selection criteria

Farmer Signature

Date

Farmers' Market Manager Signature

Date

NMDOH FMNP Program Signature

Date

Five Sandoval Indian Pueblo Approval -needed only if farmer (s) are selling within the FSIP area

FSIP WIC & Senior Program Manager Signature

Date

Please Complete and Return to:
Farmers' Market Nutrition Program, NMDOH PHD WIC 2040 S.
Pacheco St. Suite # 123B Santa Fe, NM 87505
Email: DOH.FMNP@doh.nm.gov
Phone: (505) 469-0548
Fax: (505) 476-8900

For more information on Five Sandoval Indian Pueblos:

FSIP WIC Farmers' Market Nutrition Program
Karen Griego-Kite, WIC Director
1043 Highway 313
Bernalillo, NM 87004
Phone: (505) 771-5386

FSIP WIC Senior FMNP
Joshua Madalena, acting Senior Director
4321-B Fulcrum Way NE
Rio Rancho, NM 87144
Phone: (505) 867-3351

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Farm / Roadside Stand Selection Criteria

New Mexico Department of Health (NMDOH)

Five-Sandoval Indian Pueblo (FSIP)

WIC Farmers' Market Nutrition Program (FMNP)

Senior Farmers' Market Nutrition Program (SFMNP)

For purposes of the WIC Farmers' Market Nutrition Program (FMNP), the Senior Farmers' Market Nutrition Program (SFMNP), and any additional State funded electronic benefits a Farmers' Market is defined as:

an association of local farmers who assemble at a defined location for the purpose of selling their produce directly to consumers.

The New Mexico Department of Health Farmers' Market Program establishes criteria for the selection of Farmers' Markets to be authorized to participate in the electronic WIC Farmers' Market Nutrition Program (FMNP), Senior Farmers' Market Nutrition Program (SFMNP) and any other State funded electronic benefits issued through the WIC & Senior Farmers Market Program.

It is the purpose of this Agreement to ensure vendors are providing locally grown, fresh, unprepared, unprocessed fruits, vegetables, herbs and (Honey-seniors only) to:

- a) Women, Infants, and Children (WIC) participating in electronic Farmers Market Nutrition Programs,
- a) Seniors (60 years and older-Non-Native American) or (55 years and older Native American) participating in Senior Farmers Market Nutrition Programs, to expand customer utilization of farmers' markets where consumers may buy directly from the farmer/grower.

In consideration of acceptance and participation in the NMDOH and FSIP WIC & Senior FMNP programs as an authorized Farm/Roadside stand, hereby covenants and agrees to perform and abide by the following program requirements and conditions:

The NMDOH and FSIP WIC & Senior programs shall:

1. Monitor authorized Farm/Roadside stand and farmers for compliance with applicable laws, rules and regulations, policies, and procedures.
2. Provide training for authorized Farm/Roadside stand personnel on WIC & Senior FMNP programs.
3. Provide Farm/Roadside stand Managers with ("WIC & Senior signs) to post on their stands or social media accounts

4. Act against violators who do not abide by all laws, regulations, policies and procedures.

The Farm/Roadside Stand shall:

1. Allow and ensure authorized farmers/growers can demonstrate and sell produce grown locally within the borders of New Mexico and/or within an 80-mile radius of the Market if outside of the New Mexico border, but must be within the USA, to participate in the WIC & Senior FMNP programs.
2. Ensure Farm/Roadside Stand is not selling wholesale produce to WIC & Senior Farmers market nutrition program participants. If Farm/Roadside Stand rules allow for the reselling of wholesale produce, the farmer/grower must separate the produce from their locally grown produce. Produce must be labeled (non-local) and (local), as reselling of wholesale produce is not allowed. However, Farm/Roadside Stand may sell another farmers NM local produce, as long as it is not no more than 20% of their own product.
3. Notify the WIC & Senior FMNP programs of any changes or additions as they occur, including change of ownership or address.

The Farm/Roadstand shall:

- Acknowledges an obligation to become familiar with the NMDOH and FSIP WIC & Senior FMNP programs requirements, regulations and policies, and understands that violations of such requirements may be grounds for sanctions, including disqualification from the program. Allow and ensure authorized farmers/growers can demonstrate and sell produce grown locally within the borders of New Mexico and/or within an 80-mile radius of the Market if outside of the New Mexico border, but must be within the USA, to participate in the NMDOH and FSIP WIC & Senior FMNP programs.
- Ensure farmers/growers are not selling wholesale produce to WIC & Senior Farmers market nutrition program participants. If market rules allow for the reselling of wholesale produce, the farmer/grower must separate the produce from their locally grown produce. Produce must be labeled (non-local) and (local), as reselling of wholesale produce is not allowed. However, a farmer/grower may sell another farmers NM local produce, as long as it is not no more than 20% of their own product.
- Ensure farmers/growers provide eligible foods at the current price or less than the current price charged to other customers.
- Notify the NM NMDOH and FSIP WIC & Senior FMNP programs of any changes or additions as they occur, including change of Market Manager.

Farm/Roadstand Responsibilities:

- i. According to § 249.10(b)(1)(i and xii) § 248.10(b)(1)(i-xii), the farmer, farmers' market, and roadside stand shall:
- ii. Provide information as required for State agency periodic reports to FNS.
- iii. Assure that SFMNP/FMNP food instruments are redeemed only for eligible foods. Provide eligible foods at a fair price or less than the price charged to other customers.

- iv. Accept SFMNP/FMNP food instruments within their validity dates and submit them for payment
- v. within the allowable period.
- vi. Mark each transacted food instrument with a farmer identifier or farmers' market identifier as required.
- vii. Accept training on SFMNP/FMNP procedures and ensure training of staff with program responsibilities.
- viii. Allow monitoring for compliance with SFMNP/FMNP requirements, including both overt and covert monitoring.
- ix. Be accountable for actions of farmers and employees regarding food provision and related activities.
- x. Pay the State agency for any food instruments transacted in violation of this agreement. Offer SFMNP/FMNP recipients the same courtesies as other market customers.
- xi. Comply with USDA nondiscrimination regulations.
- xii. Notify the State agency if any operation ceases before the end of the authorization period and provide a regularly updated list of authorized farmers.

The Farm/Roadstand shall not:

- i. Collect sales tax on SFMNP/FMNP food instrument purchases. Seek restitution from recipients for unpaid food instruments.
- ii. Issue cash change or credit (including rain checks) for purchases that are less than the food instrument value.

Other Requirements:

- i. The State agency or the market may terminate the agreement with advance written notice as stipulated by the State agency.
- ii. The State agency may deny payment for improperly redeemed food instruments or establish claims for overpaid amounts and may disqualify for program abuse.
- iii. Parties adversely affected by State agency actions may appeal under the procedure outlined in §249.16(a)(1)(iii),(b) and § 248.16(c)(1).
- iv. Farmers and/or farmers' market/roadside stand agreements are valid for up to 3 years.

Accountability and Compliance

- i. Market Manager Responsibility: The Market Manager is accountable for the actions of all authorized individuals related to NMDOH and FSIP WIC & Senior FMNP activities.
- ii. Consequences for Fraud or Abuse: Any manager or representative who commits fraud or abuse is liable to prosecution under federal, state, or local law, including fines and imprisonment.

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<https://www.usda.gov/sites/default/files/documents/ad-3027.pdf>, from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to USDA. The letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted to USDA by:

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Michelle Lujan Grisham
Governor

Gina DeBlassie
Interim Cabinet Secretary

New Mexico Department of Health

Farm/Roadside Stand Agreement

New Mexico Department of Health (NMDOH)
Five-Sandoval Indian Pueblo (FSIP)
WIC Farmers' Market Nutrition Program (FMNP)
Senior Farmers' Market Nutrition Program (SFMNP)
This agreement is good for the following years:
2023, 2024, 2025

Farm/Roadside Stand ID: 5-digit ID code assigned by NMDOH	
Name of Farm Stand Market:	
Days/Times of Market:	
Farm Stand Address:	
Farm Stand City:	
Farm Stand State:	
Farm Stand Zip:	
Owner/Operator's Name:	
Owner/Operator's Telephone:	
Owner/Operator's Email Address:	
Owner/Operator's Fax:	
Owner/Operator's Mailing Address:	
City:	
State:	
Zip:	
NM Tax Identification Number: (if available)	

Federal Tax Identification Number: (if available)	
EBT Authorization Number: (if available)	

For the purposes of the (DOH) Department of Health Farmers Market Nutrition Program and the (FSIP) Five-Sandoval Indian Pueblos a Farm/Roadside Stand is defined as:

A permanent retail structure that sells directly to the public, fresh produce grown primarily by the operator of the farm stand facility during seasonal production periods.

This Agreement is made by and between the owner, (Hereinafter "Farm/Roadside Stand"), and the New Mexico Department of Health and Five Sandoval Indian Pueblos Farmers' Market Nutrition Programs. This Agreement shall become effective on the date set forth below, and shall remain in force for three years, unless otherwise terminated pursuant to law or regulation, or by mutual agreement. CHANGE IN OWNERSHIP OR CESSATION OF OPERATION AUTOMATICALLY RENDERS THIS AGREEMENT NULL AND VOID. Neither the State Office nor the undersigned market has an obligation to renew this Agreement. Either the (DOH) Department of Health Farmers Market Nutrition Program or the owner may terminate this Agreement after providing 15 days' advance written notification.

The undersigned represent that they are either the sole owner of the above-named Farm/Roadside stand, or that they have full authority to enter into this Agreement for and on behalf of the Farm/Roadside stand, and to accept and agree to all of the provisions.

(Owner and/or Representative Signature)

Date

Print Name

If Management or address changes, please fill out and sign a new contract and mail/fax to NMDOH at address below.

(DOH Farmers' Market Nutrition Program Manager Signature)

Date

Five Sandoval Indian Pueblo Approval

FSIP WIC & Senior Program Manager Signature

Date

Please Complete and Return to :

Farmers' Market Nutrition Program, NMDOH PHD WIC
2040 S. Pacheco St. Suite # 123B Santa Fe, NM 87505

Email: DOH.FMNP@doh.nm.gov

Phone: (505) 469-0548

Fax: (505) 476-8900

For more information on Five Sandoval Indian Pueblos:

FSIP WIC Farmers' Market Nutrition Program
Karen Griego-Kite, WIC Director
1043 Highway 313
Bernalillo, NM 87004
Phone: (505) 771-5386

FSIP WIC Senior FMNP
Vacant-Senior Program Director
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Rio Rancho, NM 87144
Phone: (505) 867-3351