

# **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](mailto: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](http://www.nmwic.org)

**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](mailto:Program.Intake@usda.gov)

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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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