

Montana WIC Program
Farm Direct
Annual Training Documentation and Handout 2024

Farmer Name (First & Last) – please print	Farm Direct Number	Telephone Number:
		Fax Number:
Mailing Address:		County:
City:		Zip Code:
Farm:		
E-mail:		

Training is required before you can accept WIC benefits for the upcoming season and this needs to be completed by June 15 to remain on the program. List the date & location of your 2024 training session.

Please list all markets & locations, days, and months you plan to sell your produce.

	Check the days of the week that you normally sell.	YOUR Start Date	YOUR End Date
Name & Location	<input type="checkbox"/> Sun <input type="checkbox"/> M <input type="checkbox"/> T <input type="checkbox"/> W <input type="checkbox"/> TH <input type="checkbox"/> F <input type="checkbox"/> Sat	____/____ <small>Month Day</small>	____/____ <small>Month Day</small>
Name & Location	<input type="checkbox"/> Sun <input type="checkbox"/> M <input type="checkbox"/> T <input type="checkbox"/> W <input type="checkbox"/> TH <input type="checkbox"/> F <input type="checkbox"/> Sat	____/____ <small>Month Day</small>	____/____ <small>Month Day</small>
Name & Location	<input type="checkbox"/> Sun <input type="checkbox"/> M <input type="checkbox"/> T <input type="checkbox"/> W <input type="checkbox"/> TH <input type="checkbox"/> F <input type="checkbox"/> Sat	____/____ <small>Month Day</small>	____/____ <small>Month Day</small>
Name & Location	<input type="checkbox"/> Sun <input type="checkbox"/> M <input type="checkbox"/> T <input type="checkbox"/> W <input type="checkbox"/> TH <input type="checkbox"/> F <input type="checkbox"/> Sat	____/____ <small>Month Day</small>	____/____ <small>Month Day</small>

Training Topics Covered

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| <ul style="list-style-type: none"> Farm Direct Program Overview Ongoing selection criteria Post WIC Sign Eligible produce & approved food list Non- Discrimination Transaction & Redemption Policies | <ul style="list-style-type: none"> Depositing & Storage of FMNP benefits Violation & Sanctions Fair Hearing Rights Contact Information |
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I understand that I am responsible for the above-listed information. I understand that I must ensure other people who work in my booth/stall/table are educated in these matters. I understand that failure to follow WIC Farm Direct policies and procedures may result in my disqualification from participating in the WIC Farm Direct Program in Montana.

Signature of Farmer

Date

Signature of Trainer & Name of Local WIC Agency

Date

Please return this form to your local WIC agency, located at _____

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Please review each training topic.

Farm Direct Program overview – The Farm Direct Program directly authorizes your farm to redeem WIC Farmers Market Nutrition Program (FMNP) Benefits at farmer’s markets, farm locations, and/or roadside stands in exchange for locally grown produce. Participating in the Farm Direct Program provides your farm with additional sales opportunities and promotes the production of locally grown fresh fruits and vegetables. A Farm Direct Agreement is not transferrable to another farmer.

Selection criteria for a farmer – A number of criteria need to be continually met in order for your farm to become authorized and maintain that status. Annual training is required every year of the three-year agreement for your farm. Your farm must grow Farm Direct approved fruits and vegetables and your farm may sell only locally grown, eligible produce in exchange for FMNP benefits. At least sixty (60) percent of the produce offered for sale in exchange for FMNP benefits must be self-grown which means your farm may not be a wholesaler. Your farm must comply with civil rights requirements and must maintain a positive compliance history with any and all USDA Food and Nutrition Services programs.

Post the Montana Farmers’ Market Nutrition Programs laminated sign received upon authorization - WIC customers look for this sign when redeeming benefits and your farm is required to display it at your point of sale. Please ensure that this sign is placed in a highly visible location (table, awning, truck, etc.). Posting this sign is a program requirement (per the farmer agreement) and not displaying it is a program violation.

Locally grown produce - Fresh fruits & vegetables that have been grown in Montana or in the counties adjacent to Montana borders where the farmer is selling the produce may be exchanged for FMNP benefits. Produce not locally grown, may not be sold in exchange for FMNP benefits.

Eligible produce food list – (Please refer to the FY24 Farm Direct Food List) WIC participants may purchase locally grown, fresh, unprepared fruits and vegetables as listed on the Food List. No processed produce, such as: sauerkraut, jam, jelly, pie, or non-produce items such as: honey, bread or eggs. Keep a copy of the Food List at your stand/stall/booth for quick reference.

Produce purchased with WIC benefits must be of the same quality and cost as available to other customers - Prices must be clearly marked or posted. If your farm sells items not locally grown or not eligible for purchase with FMNP benefits, these must be identified & separated from WIC eligible produce.

Non-discrimination of WIC participants (may not discriminate based on race, color, national origin, sex, age or disability) - WIC customers must be treated the same as non-WIC customers.

Transaction Policies & Procedures - Please refer to page 11-13 of the Farm Direct Handbook and review the transaction procedures. Remember: No cash may be exchanged, and no change may be given for FMNP benefits. The total amount of the sale may not exceed maximum value printed on the benefit. However, WIC customers may purchase more than the value of the benefit and pay the difference. If the cost of the items purchased exceeds the maximum value of the benefit you will need to enter the

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maximum value of the benefit and the participant may pay the difference in a separate transaction. Never write the amount of the overage on the benefit. If the WIC customer does not wish to pay the overage, they may put something back to be at or below the benefit amount. Non-locally grown produce must be displayed separately. You &/or your employees need to be physically present to operate your own booth/table/stall.

How to redeem FMNP benefits – For 2024 the value of the WIC FMNP benefit is \$5.00 and the color will be blue. Last year the benefit was green. Be sure not to accept any green FMNP benefits this year! Please refer to the redemption procedures illustrated in the Handbook on page 11-13. Please pay careful attention to the steps in a WIC transaction. If these steps are not strictly followed, you may not be reimbursed for the redeemed benefit. A WIC customer needs to confirm that the date of cashing is within the valid dates printed on the FMNP benefit. Total the purchase and enter actual amount of sale without exceeding the maximum value of the benefit. The WIC customer does not need to sign the benefit. Be sure to stamp the benefit with your Farm Direct ID stamp before deposit.

Safe storage of the FMNP benefits - keep the redeemed FMNP benefits in a safe place, lost or stolen FMNP benefits will not be replaced

Depositing FMNP benefits – FMNP benefits must be deposited with your bank by Oct. 31, 2024.

Sending in rejected FMNP benefits for Review – FMNP benefits that are rejected by the bank (missing stamp, ineligible stamp, etc.) may be sent into the State office for review, as long as they are received no later than Oct. 31, 2024.

Violations & Sanctions for participating in the program listed in the Farm Direct Handbook – Be sure to review these (pages 14, 15, and 16 in the Handbook).

Review the fair hearing rights and process and Civil Rights – (page 17 -19 in the handbook).

State WIC Office phone number is 1-800-433-4298 – use option 2 for WIC FMNP benefit redemption & rejection questions.

For added convenience all training topics referred to in the Farm Direct handbook are included with this handout as a quick reference.

TRANSACTION POLICIES AND PROCEDURES (Pages 11-13)

It is important that the Farmer understands and follows the correct FMNP benefit cashing procedures. The following guidelines must be observed when handling FMNP benefits:

1. **Check the dates.** FMNP Benefits cannot be used before the “First Day To Use” or after the “Last Day To Use.” Enter the date of use. *Remember: You will not be reimbursed for benefits*

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accepted outside of the use dates.

2. Make sure the fruits & vegetables being purchased are listed on the Eligible Fresh Fruits & Fresh Vegetables Food List.
3. **Total the purchase. Enter the Actual Amount of the Sale.**
If the benefit total is written over or entered incorrectly, put one line through the amount and write the correct amount in the correction box and have the participant initial the change.
4. If the cost of the fruits & vegetables selected for purchase exceeds the maximum value written on the benefit, enter the maximum benefit value and the participant may pay the difference in a separate transaction. Do not write the amount of the overage on the benefit.
5. **Review the benefit for accuracy, valid date range, and correct dollar amount.**
Stamp the benefit with the Farm Direct ID stamp using a black ink pad. The stamp image must be legible.

Check the purchase price to ensure the total is accurate and legible.

Correcting Benefit Errors before Deposit

It is recommended that the FMNP benefits be reviewed for redemption errors prior to submission to your bank.

The following errors can be corrected before deposit:

- If the purchase price is **unclear or not legible**, use a black pen to correct the price. To make a correction that is equal to or less than the original amount, place a single line through the price and write the corrected price in the correction box and initial the change. Deposit to the bank.
- If a mistake is made or a food item is added during the transaction and the **adjusted price is higher** than the original price, submit the benefit and a copy of the transaction receipt to the State WIC Office for review and approval **before** depositing the benefit to the bank.
- Check to be sure the stamp has been placed legibly in the stamp box.
- Benefits redeemed before the “First Day to Use” or after the “Last Day to Use”, or with the purchase price missing will be rejected from the bank and are not eligible for State review or redeposit.
- Deposit all benefits by the deposit date printed on the benefit. Call the State WIC Office at (406) 444-

4746, with any questions regarding benefit redemption.

- Due to the FMNP Grant cycle end dates, all FMNP benefits redeemed in September, must be deposited to the bank by October 31th. Benefits deposited past this date will not be processed, due to the closure of the bank account.

Rejected Benefits & Reduced Payment

Where do WIC benefits go after they are cashed and deposited with your bank? The benefit is processed through the Federal Reserve System and is presented to WIC's financial intermediary.

Because of federal Check 21 regulations, banks have the option of returning a legal electronic copy of the WIC benefit, called an IRD, rather than the original when returning a rejected FMNP benefit. This legal copy is about 2/3 the original size and may be used the same as the original. The bank will stamp the reason for the rejection on the front of the FMNP benefit.

The financial intermediary performs a "pre-edit" on each FMNP benefit to determine whether or not it meets WIC's requirements for payment. If a benefit does not pass this "pre-edit" test it will not be paid. It will be returned to your depository bank with a stamp indicating why it was not paid. Your bank will return the benefit to you and may charge you a fee.

The bank evaluates the benefits for various items. For example:

- Whether the food benefit has a valid Farm Direct stamp with a legible Farmer number and date of transaction;
- Whether the date of transaction is between the first and last days to use;
- Whether the benefit has a total amount written in the "Amount of Sale" box; and
- Whether the total exceeds the maximum reimbursable amount.

The Farmer CANNOT contact the WIC participant either to correct a FMNP benefit problem or require payment from the WIC participant because a FMNP benefit has been or will be rejected.

FMNP benefits redeemed prior to the "First Day to Use" or after the "Last Day to Use" or missing the total amount in the "Amount of Sale" box will not be paid or accepted for review and validation.

If the FMNP benefit was rejected because of a "Missing Retailer Stamp" ONLY, the Farmer may stamp the front of the FMNP benefit, or the legal copy of the FMNP benefit, and resubmit it to the bank without sending it to the State office for validation.

Farmers are not allowed to make any alterations to the original printing on the FMNP benefit. Doing so is a violation and may cause a sanction to be assigned to the farmer.

Farmers have the option to send in rejected benefits for review by the WIC State office. However, these need to be received no later than October 31 of the farmers' market season.

VIOLATIONS AND SANCTIONS (pages 14-16)

Violation of WIC Farm Direct policies and procedures by an authorized Farmer will be identified as class I, II, or III violation. The Montana WIC Program will issue sanctions to the Farmer who violates the Federal Regulations or the terms of this contract by doing any of the following:

Class I Violations

- ◆ Failing to post or display the Farm Direct sign.
- ◆ Accepting FMNP benefits outside the valid dates.
- ◆ Accepting FMNP benefits for produce which is not grown in Montana.
- ◆ Accepting FMNP benefits for unauthorized food items.
- ◆ Failing to clearly identify and separate produce which is not eligible to be paid for with FMNP benefits.
- ◆ Charging a sales tax or fee for produce purchased with FMNP benefits.
- ◆ Seeking restitution from a WIC participant or proxy for a FMNP benefit not reimbursed.

Class II Violations

- ◆ Giving or accepting change or issuing a rain check to a WIC customer.
- ◆ Exchanging FMNP benefits for cash, either for a customer or any unauthorized source, including FMNP benefits that were accepted by an unauthorized, suspended or disqualified Farmer.
- ◆ Accepting FMNP benefits or indicating a willingness to accept FMNP benefits by posting a Farm Direct sign, when the Farmer is not currently authorized to participate.
- ◆ Discriminating against WIC customers either by treatment, service or price charged for produce.
- ◆ Failure to abide by the minimum required amount of self-grown produce.

Class III Violations

- ◆ Discriminating against a WIC customer based on race, color, national origin, sex, age, disability (Federal Civil Rights);
- ◆ Not allowing the WIC Farm Direct liaison or another WIC designated official to perform monitoring for compliance with Farm Direct requirements.
- ◆ Knowingly providing false information or claiming a false status (actually a wholesaler or not a grower of locally grown produce) to the Montana WIC Program to obtain a Farm Direct Agreement.

The first offense of a

- Class I Violation will result in a written warning;
- Class II Violation will result in a 15-day suspension from the postmark date of the written warning; and

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- Class III Violation will result in disqualification beginning 15 days from date of receipt of written notice and which will remain in effect for the remainder of the current market season and the following season.

The second offense of a

- Class I Violation will result in a 15-day suspension from the postmark date of the written warning;
 - Class II Violation will result in a disqualification beginning 15 days from date of receipt of written notice and which will remain in effect for the remainder of the current market season and the following season; and
 - Class III Violation will result in permanent disqualification from the Montana WIC Farm Direct Program beginning 15 days from date of receipt of written notice.
1. The Farmer may be prosecuted for fraud or abuse under applicable federal, state, or local laws. The penalty or fine for misuse or illegal use of program funds, property or assets of a value equal to or greater than \$100 shall not exceed \$25,000 or imprisonment for not more than five years, or both. If the value of FMNP funds, property or assets which is misused or illegally used is of less than \$100, the penalty or fine shall not exceed more than \$1,000 or imprisonment for not more than one year, or both.
 2. Neither the Montana WIC Program nor the Farmer has an obligation to renew this Agreement. Either the Montana WIC Program or the Farmer may terminate this Agreement for cause after providing the other party 15 (fifteen) days advance written notification. The Montana WIC Program may terminate this Agreement if the Farmer does not comply with this Agreement or the Farm Direct abuse and sanction policy, FNS Interim Regulations, or any other applicable federal, state or local civil or criminal laws, including state and federal nondiscrimination law.
 3. The Farmer may appeal through the fair hearing process any denial of application, sanctioning or disqualification. The Farmer may not appeal a termination due to expiration of the contract or claims actions under section 248.20 of the Federal Regulation.
 4. This Agreement is not assignable or transferable.
 5. Signing of this Agreement signifies training has been completed and the Farmer, Local WIC Agency and the Montana WIC Program are aware of all responsibilities required to participate in the Farm Direct Program.
 6. The Farmer is accountable for the actions of employees and volunteers in the provision of foods and activities.

FAIR HEARINGS AND CIVIL RIGHTS (pages 17-19)

A Farmer may request a Fair Hearing to appeal a denial of application, sanctioning or disqualification. All requested fair hearings will be conducted by Montana WIC within three weeks of the date the Program receives the request for a hearing. The following procedure will be followed:

1. The Farmer has sixty (60) days from the date of the denial of application, sanctioning or disqualification to request a fair hearing. The request may be made through the WIC Farm Direct Liaison or the Montana WIC State Office. The request for a fair hearing may be written or verbal.
2. The Montana WIC Program will set the hearing date within three weeks of the receipt of the request.
3. The Farmer will be notified in writing within a minimum of ten days in advance of the time and place of the hearing.
4. The fair hearing will be held in the county of residence of the Farmer.
5. The fair hearing will be conducted by a fair and impartial official according to 248.16 and applicable portions of Title 2, Chapter 4 Montana Code Annotated, whose decision will rest solely on the evidence presented at the hearing and statutory and regulatory provisions governing the Farm Direct Program in Montana.
6. The Farmer will have the opportunity to:
 - a. review the case file;
 - b. representation by legal counsel;
 - c. confront and cross-examine any witnesses;
 - d. present his/her case; and
 - e. reschedule the hearing date once upon request.
7. The Farmer will be notified of the decision in writing within forty-five (45) days of the original request.
8. The Farmer may appeal the fair hearing decision in District Court in the First Judicial District of the State of Montana, in and for the County of Lewis and Clark within thirty (30) days of receiving the written decision.
9. Expiration of an agreement with a Farmer and claims actions under Section 248.20 are not subject to appeal.
10. An adverse action may, at the State Agency's option, be postponed until a decision in the appeal is rendered.

Civil Rights

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, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may 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 complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at: http://www.ascr.usda.gov/complaint_filing_cust.html, 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.

This institution is an equal opportunity provider.

As stated above, all protected bases do not apply to all programs, “the first six protected bases of race, color, national origin, age, disability and sex are the six protected bases for applicants and recipients of the Child Nutrition Programs.”

Discrimination of a WIC participant is a serious violation of the Montana WIC Farm Direct Agreement and may result in a sanction or disqualification. Authorized WIC farmers must comply with 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, and Department of Agriculture regulations on nondiscrimination contained in Parts 15, 15a and 15b and FNS instructions as outlined in Part 249.7 of Title 7 Code of Federal Regulations, as of May 26, 2005.

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In order to provide reasonable accommodation to WIC participants please ensure that the front of your Point of Sale (POS) (booth, road-side stand, etc.) is clear and accessible for everyone. Also, please ensure that there is a hard surface available for participants who may have trouble signing the FMNP benefits.

All Civil Rights complaints are handled by the U.S. Department of Agriculture, not the Montana State WIC Agency. If a farmer is found in violation of Federal Civil Rights discrimination, the farmer will be disqualified.