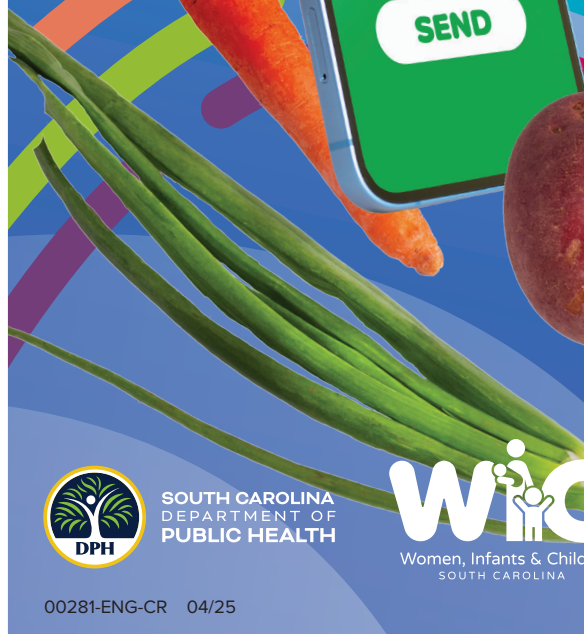


South Carolina WIC (Women, Infants & Children)

Farmers' Market Nutrition Program

2025 Farmer Guidebook



SOUTH CAROLINA
DEPARTMENT OF
PUBLIC HEALTH



Women, Infants & Children
SOUTH CAROLINA

General Administrative Requirements	1
Farmers' Market Nutrition Program Overview	
The WIC Program	2
The WIC Farmers' Market Nutrition Program	2
Farmer Authorization	
Requirements for Obtaining Authorization	2
Authorized Markets/Farm Stands/Mobile Markets	4
FMNP Authorized/Unauthorized Foods	5
FMNP Operational Rules	
Farmers' Market Nutrition Program Benefits	6
When Accepting the WIC Farmers' Market Nutrition Program Benefits	7
Program Rule Violations	
Program Monitoring	8
Program Sanctions	9
How to Handle Complaints	
Civil Rights Complaints	11
Program Complaints	13
Appeals Process	13
Agency Contacts	14

GENERAL ADMINISTRATIVE REQUIREMENTS

The Authorized Farmer must:

- ❖ Be a farmer who grows **at least 50%** of the items offered for sale to WIC FMNP participants each time at the market.
- ❖ Be authorized with a farmer identification number prior to accepting and or redeeming WIC FMNP benefits.
- ❖ Receive training from FMNP staff.
- ❖ Train all persons selling the authorized farmer's produce on WIC FMNP Regulations and procedures.
- ❖ Assume legal responsibility for the actions of their employees who violate the terms of this agreement.
- ❖ Accept WIC FMNP benefits only at WIC FMNP authorized Farmers' Markets/farm stands/mobile markets.
- ❖ Accept WIC FMNP benefits only from May 1 until September 30.
- ❖ Accept WIC FMNP benefits only for the purchase of authorized fruits, vegetables, and cooking herbs.
- ❖ Understand that the SC WIC FMNP will not be accountable for FMNP benefits received or redeemed in violation of these policies.
- ❖ Provide access and cooperate with WIC FMNP representatives when they are monitoring or requesting information.
- ❖ Display the Authorized Farmer stall sign whenever they are open for business.
- ❖ Understand that they can be disqualified from the WIC FMNP if rules are not followed.

The Authorized Farmer must NEVER:

- Pre-sell food items or give credit to participants.
- Accept WIC FMNP benefits for non-food items or unauthorized foods.
- Exchange WIC FMNP benefits for cash.
- Discriminate against WIC FMNP participants in price, quality of produce, or service.

THE WIC PROGRAM

The Supplemental Nutrition Program for Women, Infants and Children (WIC) is a federally funded health and nutrition program for women, infants, and children. WIC helps families by providing food assistance benefits to buy nutritious supplemental foods from WIC-authorized vendors. WIC also provides nutrition education to participants. To qualify for the program, participants must meet the federal income guidelines, be nutritionally at-risk, and be pregnant, new mothers, infants, or children under age five (5).

WIC FARMERS' MARKET NUTRITION PROGRAM (FMNP)

The WIC Farmers' Market Nutrition Program is associated with the WIC Program and is a seasonal USDA food assistance program created by Congress in 1992 to:

- Provide resources to WIC participants in the form of fresh, nutritious, unprepared foods (fruits, vegetables, and cooking herbs) from local farmers' markets.
- Expand the awareness, use of, and sales at local farmers' markets.

Women must fall into one of the following categories: pregnant, breastfeeding, or post-partum. Infants must be between ages 6 – 11 months, and children between the ages of 1-5. Due to limited funding, the WIC Farmers' Market Nutrition Program is not statewide. All eligible participants must receive benefits from a site where the SC WIC FMNP is available.

The South Carolina Department of Public Health (SCDPH) is responsible for the effective and efficient administration of the WIC FMNP in accordance with 7 CFR 248

REQUIREMENTS FOR OBTAINING FARMER AUTHORIZATION

There are three basic farmer requirements to be considered for authorization:

- You must be a farmer who grows crops for resale
- You must attend a training session
- You must submit a Farmer Participation Agreement

1. You must be a farmer who grows crops for resale

WIC Farmers' Market benefits may be accepted only by farmers who grow at least 50% of the SC fresh fruits, vegetables, and cooking herbs they offer for sale at participating farmers' markets, farm stands, or mobile markets. Farmers, who do not grow fresh fruits, vegetables, or cooking herbs as well as non-farmer vendors, will not be authorized to accept program WIC FMNP benefits. If market rules allow a farmer to purchase produce for resale to supplement what they grow, this produce may be sold to FMNP participants, if they are authorized foods and are grown in S.C.

NOTE

The "50% rule" means that each time you offer produce for sale to a FMNP participant, at least half of what you have available for purchase must have been grown by you.

NOTE: ACCORDING TO FEDERAL REGULATION 7 CFR Ch. II §248.10(a)(2), "INDIVIDUALS WHO EXCLUSIVELY SELL PRODUCE GROWN BY SOMEONE ELSE...CANNOT BE AUTHORIZED TO PARTICIPATE IN THE FMNP..."

2. You must attend a training session

Authorized farmers play a vital role in the FMNP. Therefore, it is very important for each farmer to maintain a current knowledge of how the program operates. To ensure that each farmer receives accurate information, all farmers are required to receive training before they are authorized to participate in the SC WIC FMNP.

To satisfy this requirement, each farmer must attend a training session. The training session(s) will be scheduled and announced annually. The training sessions are designed to provide new or updated Program information and will provide the opportunity for all issues to be clarified. After the training session, eligible farmers will receive a *Farmer Participation Agreement*.

Farmers will be held accountable, through the training session and agreement entered with the Department(s), for understanding all rules and procedures of the FMNP. **The farmer is also responsible for training all other persons who will be acting on behalf of the authorized farmer during the authorization period.**

Farmers who receive a program violation will be required to attend a WIC FMNP training session prior to the upcoming season. Farmers who do not attend this training will be disqualified from the program.

3. You must submit a Farmer Participation Agreement.

To be authorized to participate in the WIC Farmers' Market Nutrition Program, eligible farmers must abide by the rules of the program, submit a signed copy of a "Farmer Participation Agreement", and a signed crop plan listing crops intended to be grown for sale. In addition to a crop plan, each farmer must provide a list of produce to be purchased by the farmer for resale to FMNP participants. Farmers must also include the address of their farm. If you operate an authorized farm stand, then the Farm Stand Agreement must be submitted with your Farmer Participation Agreement. The farmer must include all information to become authorized.

The farmer must also receive and read this "Farmer Training Guide", which includes all the rules, regulations, and procedures for the Program.

If ownership of a farm changes during the agreement period, the Farmer Agreement becomes void on the date of ownership change. The new owner must complete an agreement and be approved prior to accepting WIC FMNP benefits. Failure to notify the Program of ownership change may result in the repayment of FMNP funds issued to the unauthorized farmer.

Farmer authorization expires at the end of each program year, and farmers must be re-authorized each year. A new agreement will be required each Program year. Farmers are not authorized to accept FMNP benefits until they have received notification from the Department that they have been approved to participate in the Program.

Farmer Stall Sign

The Farmer Stall Sign must be posted at the stall in a visible location whenever the farmer is open for business. To ensure good visibility, the stall sign shall be posted at a height of three to five feet from ground level, facing the customer traffic-side of the stall. This sign is used to identify those farmers who can accept the SC WIC FMNP benefits. **If the stall sign is lost or severely damaged, the South Carolina Department of Public Health should be notified so that a replacement sign may be issued.**

AUTHORIZED MARKETS/FARM STANDS/MOBILE MARKETS

Farmers are authorized to accept SC WIC FMNP benefits at markets, farm stands, and mobile markets that have prior approval of the Program. The FMNP defines a ***farmers' market*** as a "location that consistently operates principally as a common marketplace for a group of farmers to sell locally grown fresh produce directly to consumers". The FMNP defines a ***farm stand*** as a "location in which a single individual farmer sells their produce directly to consumers". ***Mobile markets*** may travel to multiple locations to sell locally grown, fresh fruits, vegetables, and cooking herbs, operating on a set schedule so participants know when and where they can shop. The locations must be approved by the South Carolina Department of Public Health.

Criteria for authorized farmers markets include but is not limited to; at least two farmers set up at the location, set hours and a set location must be established and adhered to, and the market must allow monitoring by the SC WIC FMNP.

The goal of the FMNP is to encourage use of community-based markets. To this end, farm stands located within 15 miles of an established, approved FMNP market are not eligible to become an approved location to accept WIC FMNP benefits. Other criteria for approval include these: must be operated from a permanent building that is primarily used for the sale of eligible foods; is not moveable and remains in the same location year-round; must be inspected by the SC WIC FMNP. Mobile markets located within 15 miles of an established approved FMNP market are not eligible to become an approved location.

Farm stands that operate as a self-service/honor system are not authorized to accept FMNP benefits. U-Picks are not authorized due to liability.

It is the expectation of the FMNP that all authorized farmers will diligently work to preserve the highest standards of cleanliness surrounding the harvesting, transportation, display, and packaging of foods sold to participants. Every attempt should be made to prevent food-borne illnesses from occurring. This includes properly washing the produce in clean water used solely for that purpose, maintaining storage and retail facilities that are free of vermin and birds, ensuring that those who handle the food wash their hands frequently and ensuring that display and packaging materials are stored in a sanitary environment. Food should not be displayed in a manner or location that could cause contamination.

Produce Origin Requirements

All markets have different rules, RULES can be stricter according to your market rules but may not be more lenient when accepting WIC FMNP benefits. If market rules permit the display or sale of any fruits, vegetables, and cooking herbs not personally grown by the farmer, doing so will not prohibit a farmer from being authorized to participate in the Program. **However, the farmer must have personally grown at least 50% of the produce offered for sale to SC WIC FMNP participants each time at the market. Additionally, all produce offered for sale to FMNP participants must have been grown in South Carolina.**

AUTHORIZED/UNAUTHORIZED FOODS

1. Authorized Foods

Only South Carolina-grown, fresh fruits, vegetables, and cooking herbs may be purchased with the Farmers' Market Nutrition Program benefits. The list of authorized fruits and vegetables follows. **Eligible foods may not be processed or prepared beyond their natural state, except for the usual harvesting and cleaning process.** If you have grown produce that does not appear on the list or if you question the eligibility of an item, please contact the South Carolina Department of Public Health.

Fresh Vegetables

**This list is not inclusive, other locally grown items may also be approved.*

Beans	Cooking Herbs	Okra	Rutabagas
Beets	Corn	Onions	Spinach
Broccoli	Cucumbers	Peas	Squash
Cabbage	Eggplant	Peppers	Swiss Chard
Carrots	Kale	Potatoes	Tender Greens
Cauliflower	Kohlrabi	Pumpkins	Tomatoes
Chinese Cabbage	Lettuce	Radishes	Turnips
Collard Greens	Mustard Greens	Rhubarb	Watercress

Fresh Fruits

Apples	Casa Melons	Kiwi	Persimmons
Blackberries	Figs	Nectarines	Plums
Blueberries	Grapes	Peaches	Raspberries
Cantaloupe	Honey Dew Melons	Pears	Strawberries
			Watermelons

Cooking Herbs

Basil	Lemongrass	Oregano	Sage
Chives	Marjoram	Parsley	Thyme
Cilantro	Mint	Rosemary	

2. Unauthorized Foods

FMNP benefits may **NOT** be accepted for any processed or canned fruit or vegetable products. This includes, but is not limited to:

Baked goods of any kind	Honey	Painted pumpkins
Cane syrup	Jams	Peanuts of any kind
Ciders	Jellies	Popcorn
Dried beans/peas	Juices	Potted herbs
Eggs	Molasses	Potted plants
Flowers	Ornamental Gourds/Corn	

Participants must purchase unauthorized foods with another form of payment.

FARMERS' MARKET NUTRITION PROGRAM BENEFITS

Each eligible WIC participant receives \$30.00 with a maximum of \$60 per household. FMNP benefits may be redeemed via a QR code on a mobile app or a shopper card.



WHEN ACCEPTING THE WIC FMNP BENEFITS:**DO NOT**

- give change, cash or credit
- charge higher prices
- charge sales tax
- exchange money for benefits
- ask program participants for ID
- accept benefits at unauthorized locations
- treat eligible participants differently from other customers
- seek restitution from WIC participants for benefits not paid by SCDPH
- commit fraud or engage in other illegal activity
- **sell produce that you purchased only from other farmers (follow the 50% rule)**

**DO**

- provide eligible foods- current price or less than what is charged to other customers
- offer eligible foods of the same quality as offered to other customers
- ensure benefits are redeemed only for eligible, locally grown foods
- treat participants the same as your other customers



PROGRAM MONITORING

1. Routine Monitoring Visits

The State Agency regularly monitors authorized farmers' who participate in the SC WIC FMNP to verify compliance with the requirements of the program. On-site monitoring visits will be conducted of authorized farmers/farmers' markets throughout the market season. If non-compliance of Program rules are discovered, violators will be notified in writing by the South Carolina Department of Public Health. In addition, if fresh fruits, vegetables, and cooking herbs are displayed and/or offered for sale in a Program authorized farmer stall where the point-of-origin is in question (whether it is South Carolina grown or not), an on-site inspection of the production area may be conducted by WIC FMNP staff. When a farmer declares that they produced an item in question, they shall provide directions to the production site and grant permission for WIC FMNP staff to conduct an inspection of the production site within 72 hours of notification by the Department that an inspection will take place.

2. Compliance Buys

Monitoring visits may also consist of conducting "compliance buys", in which an attempt may be made to purchase unauthorized foods or check on the authorized farmers' compliance with any of the Program rules. SC WIC FMNP benefits may also be used to purchase items from non-authorized farmers as follow-up to reported cases of an authorized farmer redeeming benefits for a non-authorized farmer.

3. High Risk Farmers and Farmers' Markets

On-site monitoring of farmers shall include those farmers and markets/farm stands identified as being high risk based on the following indicators:

- A high volume of WIC FMNP benefits redeemed by a farmer, as compared to other farmers within the same market.
- Participant and/or other farmer complaints.
- Farmers and markets/farm stands participating in the programs for the first time.
- Previous year's program violations.

PROGRAM SANCTIONS

An authorized farmer who commits fraud or abuse is subject to program sanctions and may result in disqualification from the program, including repayment, penalty, or both. Violations are classified into two levels of non-compliance: **Class I** and **Class II**. If a violation is found to be valid, the below sanctions will be imposed. Authorized farmers who do not comply with Program rules will receive written notification by the South Carolina Department of Public Health.

1. Class Violations and Sanctions

The following **Class I violations** will result in a **warning letter** from the Department to the violating farmer. In addition, the Farmer will be required to attend a special training to resolve the violation.

Violation Type	Description	Sanction
Class I	<ul style="list-style-type: none"> a. Selling unauthorized foods to SC WIC FMNP participants. b. Selling non-South Carolina grown fresh fruits, vegetables or cooking herbs to SC WIC FMNP participants. c. Accepting FMNP benefits at an unauthorized location. d. Failure to appropriately display farmer SC WIC FMNP stall sign. e. Noncompliance with FMNP rules and procedures outlined in this <i>Guidebook</i> or on the <i>Farmer Participation Agreement</i>, which are not specifically identified as Class II. f. Failure to permit or comply with procedures regarding inspection of evidence when local production is in question. g. Abusive treatment of SC WIC FMNP participants or Program staff, or non-compliance with market regulations. h. Overcharging SC WIC FMNP participants more than the posted price for any item or participating in other discriminatory practices. 	<ul style="list-style-type: none"> -Violation will result in a warning letter -Mandatory attendance at Farmer training

The following **Class II violations** will result in a **suspension and possible disqualification** from the Program.

Violation Type	Description	Sanction
Class II	a. More than one (1) Class I violation during a monitoring visit and or season will constitute a Class II violation. b. Selling non-food items to participants. c. Second offense of accepting FMNP benefits for unauthorized foods.	Violation will result in suspension and possible disqualification

Farmers who receive a program violation that does not result in suspension or disqualification, will be required to attend an FMNP training session prior to the upcoming season. Farmers who do not attend this training will be disqualified from the program.

1. Farmer Disqualification

The disqualified farmer will be deactivated in the SoliMarket portal and will not be paid. **A farmer who has been disqualified at any point in the season will be disqualified from Program participation for the remainder of that season and the following full season.** At the conclusion of any disqualification period, the farmer must reapply for authorization. Upon re-authorization, the farmer will serve in a probationary status for one full Program season. Any single substantiated Class I or Class II violation obtained during the probationary period will serve as grounds for automatic disqualification.

A farmer that commits fraud or abuse is liable to prosecution under applicable Federal, State, or local laws.

FMNP farmers may be subject to penalties in the case of deliberate fraud. According to federal regulations 7 CFR, Section 248. If farmers are required to repay the agency due to fraud the following process will be followed:

- 1) An invoice is created by the program
- 2) Farmers have 3 options to repay the agency:
 - a) Credit/debit card - call 803-898-3460 (give PC invoice # to receptionist) they will process the payment
 - b) Credit/debit card - pay online <https://web.sc.gov/dhecinvoiceapp/#/invoicetopay>
 - c) Mailing in a money order to the agency

If payments are not received, the farmer may be disqualified from the program.

CIVIL RIGHTS COMPLAINTS

1. What Is Considered Discrimination?

All FMNP participants must be treated with the same courtesy as any other market customer. In accordance with Federal law and, the WIC Farmers' Market Nutrition Program are prohibited from discriminating on the basis of race, color, national origin, sex (including gender identity and sexual orientation), age, or disability.

2. How Should Civil Rights Complaints be handled?

Authorized farmers participating in the SC WIC FMNP shall not refuse to accept properly presented SC WIC FMNP benefits in exchange for South Carolina grown fresh fruits, vegetables, or cooking herbs. Authorized farmers shall also establish and maintain non-discriminatory sales transaction procedures, including but not limited to acceptance of SC WIC FMNP benefits in the same manner as regular paying customers.

Farmers must not discriminate against WIC FMNP participants in price, quality, or service. Any person presenting-WIC FMNP benefits should be presumed to have obtained them legitimately and must be offered the same courtesies as other market customers.

Civil Rights complaints may appear to be the same as a Program complaint: slow service, rudeness, and excessive requirements; but as soon as someone alleges it is because they fall under one of the protected classes (race, color, national origin, age, sex, disability), it becomes a Civil Rights complaint.

Any potential or current SC WIC FMNP participant or farmer who feels they have been discriminated against because of race, color, national origin, sex (including gender identity and sexual orientation), age, or disability may file a complaint within 180 days of the alleged discriminatory action.

If a participant feels that he/she has been discriminated against while visiting your stall and wishes to file a Civil Rights complaint, farmers must refer them to the South Carolina Department of Public Health.

If a farmer feels that they have been discriminated against and wishes to file a Civil Rights complaint you may also contact the South Carolina Department of Public Health.

USDA NON-DISCRIMINATION 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.

PROGRAM COMPLAINTS

How Should Program Complaints be Handled?

FMNP participants are not permitted to cause a disturbance, abuse your employees, or violate the procedures for redeeming WIC FMNP benefits.

Complaints and unusual incidents related to the WIC FMNP shall be directed to the SC Department of Public Health. Should any authorized farmer have a complaint against another authorized farmer or their market they should first contact the manager of the market at which they sell. If a resolution is not found, or in absence of a market manager, the farmer should contact the SC Department of Public Health.

All complaints will be investigated, and the appropriate action taken. For reasons of confidentiality, we may not disclose actions taken.

APPEALS PROCESS

A farmer/farmers' market may appeal an action of South Carolina Department of Public Health denying its application to participate, imposing a sanction, or disqualifying it from participating in the WIC FMNP. Expiration of a contract or agreement shall not be subject to appeal.

Within fifteen days of the effective date of the action, South Carolina Department of Public Health shall provide the farmer with written notification of an adverse action.

Below are the steps to request an appeal:

(Step 1)

- The farmer must provide the State Agency (SC WIC FMNP) with a written request for a fair hearing within fifteen (15) days of the receipt of the notice of the adverse action.
- The written request must list the actions with which the farmer disagrees as well as reasons the farmer disagrees with these actions.
- If the farmer does not request a hearing within the 15-day notification period, the State agency's decision becomes final.

(Step 2)

- The State agency will contact the farmer within fourteen (14) days of receipt of the fair hearing request to conduct a preliminary conference.
- The conference will be used to resolve the complaint and to explain SC WIC FMNP policies and procedures.
- If resolved, the matter is documented by a follow-up letter to the farmer.
- If the matter cannot be resolved and the farmer wishes to continue with the request for a hearing, the State agency will continue with the fair hearing process.

- Appealing an action does not relieve the farmer from the responsibility of continued compliance with the terms of any written agreement with the State agency.

(Step 3)

- If the farmer is not satisfied with the outcome of the preliminary conference, the farmer may submit a request for final review to the South Carolina Department of Public Health within 15 days after the conference.
- The SC WIC FMNP will provide additional information regarding the review process following the preliminary conference.

If a farmer wishes to appeal an adverse action, please contact in writing:

South Carolina Department of Public Health
SC WIC FMNP
Attn: Michelle Yates
PO Box 2046
West Columbia, SC 29171

SC WIC FMNP Contacts

Michelle Yates
WIC FMNP Coordinator
803-898-0451
yatesmp@dph.sc.gov

Nakell Matthews
WIC FMNP Team Lead
803-898-0679
matthewn@dph.sc.gov

Krizia Gonzalez
WIC FMNP Nutrition Consultant
803-898-0809
gonzalk@dph.sc.gov