



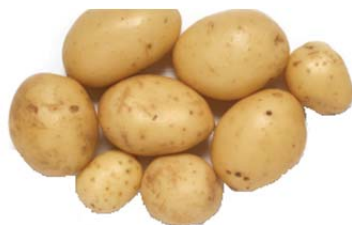
Paul R. LePage, Governor

Mary C. Mayhew, Commissioner



Maine WIC Nutrition Program

# FARMER TRAINING GUIDE



MAINE DEPARTMENT OF HEALTH AND HUMAN SERVICES  
MAINE CENTER FOR DISEASE CONTROL & PREVENTION  
OFFICE OF HEALTH EQUITY

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## Preface

The WIC Farmer Training Guide is intended to give farmers an overview of the Maine WIC Program as well as provide information needed to maintain compliance with Program rules, policies, and procedures. Please be sure that it is reviewed. You may reproduce it as needed, or contact our office if you need additional copies.

Once an application has been approved for a three year period authorization, at least one representative is required to participate in a WIC farmer training session.

We thank you for your interest in providing nutritious foods to women, infants, and children in Maine. Your courtesy and helpfulness in assisting WIC customers is greatly appreciated.

If you have questions or comments please contact the Vendor Specialist and Support Unit at the numbers listed below. Please do not contact the local WIC agency.

**Write:**   
Maine WIC Program  
SHS 11, 286 Water St. 6<sup>th</sup> FL  
Augusta, ME 04333

**E-mail:**   
[wic.maine@Maine.gov](mailto:wic.maine@Maine.gov)

**Call:**   
207-287-3991  
**Instate Toll Free:**  
1-800-437-9300  
**TTY:** MAINE RELAY 711  
**Fax:** 207-287-3993

## **What is WIC?**

WIC is a supplemental nutrition program for women, infants, and children up to 5 years of age. Our mission is to provide healthy food, nutrition education, breastfeeding education and support, and referrals to health and social service programs for women who are pregnant, breastfeeding or have recently had a baby and their children. Eligibility for the Program is based on a financial **and** medical or nutritional need.

The WIC Program helps to prevent health problems and to improve the health status of participants through better nutrition. WIC does not provide all of the food women and children need, but designs specific food benefits to include key nutrients needed during growth and development.

Nutrition education, which makes WIC unique among food programs, accompanies the receipt of food benefits and has a practical relationship to the participant's nutritional needs, lifestyle, and cultural preferences.

Infants whose moms participate in the WIC program weigh more when they are born and have fewer health problems than infants whose mom's did not participate. Recent studies of children participating in WIC also show lower obesity levels and higher standardized test scores when they are older, compared to siblings who did not participate in WIC.

WIC is federally funded and regulated under the United States Department of Agriculture (USDA). The Maine Department of Health & Human Services, Maine Center for Disease Control and Prevention houses the Maine WIC Nutrition Program in the Office of Health Equity.

WIC vendors play an important role assisting clients to obtain appropriate WIC foods. We value your input and/or suggestions.

## **How WIC Works**

### **Responsibilities of WIC State Agency**

Among other duties, the State Agency:

- Selects, funds, and monitors the Local Agencies that provide client services at the local level.
- Authorizes, trains, and monitors Vendors who provide WIC foods to our clients.
- Selects the items to be included in the Approved Foods List
- Provides technical assistance and other resources to Local Agencies and Vendors.
- Administer the Farmers Market Nutrition Program for women and children.

## **What is FMNP?**

The Farmers Market Nutrition Program is a program of USDA's Food and Nutrition Services WIC program. The focus of the program is to increase the use of fresh, unprocessed, locally grown fruits and vegetables by WIC participants.

The second purpose of the program is to expand the awareness of Farmers Markets by participants in the support of local foods production.

## **Responsibilities of WIC Local Agency**

The Local Agency serves the area where the client resides. There are currently 8 Local Agencies, located throughout the State, that work directly with WIC participants to:

- Determine eligibility
- Conduct health and nutrition assessments
- Provide checks for food based on client's identified nutrition or medical needs
- Provide client with a copy of the WIC Approved Foods List
- Provide nutrition and Program education and guidance
- Provide breastfeeding support

## **Responsibilities of a WIC Authorized Farmer**

When a farmer is authorized as a WIC Vendor, among other responsibilities, the Vendor agrees:

- Participate in an interactive WIC Farmer training session at least once every agreement period
- To provide WIC Authorized fruits and vegetables at least 75% grown by the farmer/ 100% from Maine
- Display a sign stating authorized WIC vendor
- Have clearly defined hours of operation
- Full-time attendant during hours of operation
- Provide handicap accessible location
- Provide roofed structure with roof farm stand (tent)
- To adhere to WIC Program rules
- To offer WIC customer the same courtesy as other customers
- Uphold WIC transactions correctly. No change may be given
- Inform Maine WIC Nutrition Program of any schedule or location change

## **Application Process**

The State Agency will consider farmer applications on an annual basis December 1<sup>st</sup> –March 1<sup>st</sup>. The Vendor applicant is required to submit a completed application to the State Agency by March 1<sup>st</sup>. Uncompleted applications will not be considered. Applicants will be notified of missing, incomplete or unsigned documents. Those applications will be returned to the applicant and may delay authorization. Applications received after deadline will not be considered.

1. The State Agency will notify applicant within thirty- (30) days from the date Farmer application was received of any incomplete information.
2. Once notified of an incomplete application, the vendor applicant must submit the missing information to the Maine WIC Nutrition Program by March 1<sup>st</sup>. Applicants who fail to return the missing information by March 1<sup>st</sup> will not be considered and may re-apply December 1<sup>st</sup> –March 1<sup>st</sup> for the following season.
3. If all required information meets the selection criteria and the application is accepted, the State Agency will notify the vendor of training sessions within thirty (30) days from the date the completed Vendor Application was received.



# Maine WIC Farmers' Market Nutrition Program

## WIC Farmers' Market Checks Transaction

These procedures MUST be followed when accepting a WIC Farmers Market Checks:



**Do not give cash back to the WIC customer  
if the difference is less than the maximum cash-value amount.**

1. Ask WIC customer for WIC Participant Booklet and checks
2. Be sure check is from Maine WIC Nutrition Program
3. Make sure check is valid: is today's date within "First Day to Use" and "Last Day to Use"?
4. Group fruits & vegetables consult your Farmer Market Approved Foods List and ring up sale
5. Purchase price pre-printed – customer must pay difference if sale is more than value of check
6. Ask customer to sign check on signature line on front
7. Match signature on check to a signature on the back of WIC Participant Booklet
8. Offer the customer receipt and return WIC booklet

Please Note: WIC Farmers' Market checks must be stamped with your vendor stamp before depositing. If checks are not stamped prior to being deposited they will be rejected and returned to the Farmer.

**All WIC Farmers' Market Checks must be deposited no later than Nov. 30<sup>th</sup>.**



## WIC Farmers Market Approved Food List.

### Examples of Authorized Unprocessed Fresh Fruits and Vegetables

Apples	Cabbage	Herbs-fresh only	Pears	Scallions
Artichokes	Carrots	Kohlrabi	Peppers	Shallots
Asparagus	Cauliflower	Leeks	Plums	Spinach
Beans Green or Yellow	Celery	Lettuce	Potatoes	Strawberries
Beets	Corn	Melons	Pumpkins	Squash
Blackberries	Cucumbers	Mushrooms	Radishes	Tomatoes
Blueberries	Eggplant	Onions	Raspberries	Turnips
Broccoli	Grapes	Parsnips	Rhubarb	Zucchini
Brussels Sprouts	Greens	Peas	Rutabaga	

### Examples of items NOT AUTHORIZED for purchase with WIC Farmers' Market check

\*Other non-local produce/processed foods/ animal products

Baked Goods	Cheese	Eggs	Lemons/Limes	Oranges
Bananas	Cider	Frozen/Canned	Maple Syrup	Pickles
Bedding Plants	Dried Beans	Honey	Meats	Plants/ Seedling
Candied Apples	Dried Herbs	Jams/Jellies	Nuts	Seafood



## Maine WIC Fruit and Vegetable Check

WIC FMNP authorized farmers are also allowed to redeem the regular Maine WIC Program Fruit and Vegetable Check, also known as a Cash Value Voucher (CVV). These checks are currently distributed to WIC participants year round.

### The Fruit and Vegetable Check Transaction

These procedures MUST be followed when accepting a WIC fruit & vegetable check:

The image shows a 'MAINE WIC NUTRITION PROGRAM' check form. It includes fields for participant information, dates of use, and a purchase amount. Annotations 2 through 7 point to specific areas: 2 points to the program name, 3 points to the 'LAST DAY TO USE' date, 4 points to the purchase description, 6 points to the amount field, and 7 points to the signature line.

<b>MAINE WIC NUTRITION PROGRAM</b> <small>Department of Health and Human Services          11 SHS, Augusta, Maine 04333 - 1-800-437-9300 - www.WICforME.com</small>					
NAME OF PARTICIPANT			FIRST DAY TO USE	LAST DAY TO USE	CHECK NUMBER
SAMPLE CHECK			3/23/2016	4/22/2016	03356297
PARTICIPANT I.D.	AGENCY	CLINIC	FOOD PACKAGE	FI TYPE	
10043571					
FOR PURCHASE OF APPROVED WIC FOODS ONLY (NO SUBSTITUTIONS ALLOWED):			AMOUNT		STAMP BELOW  <b>VENDOR STAMP</b>
\$11.00 For Fresh, Frozen or Canned Fruits &/or Vegetables XXX END OF ORDER XXX			\$ 10.57		
			DEPOSIT WITHIN 60 DAYS OF FIRST DAY TO USE PAY TO THE ORDER OF MAINE WIC VENDOR X <i>WIC Customer</i> SIGNATURE OF AUTHORIZED REPRESENTATIVE OR PROXY		

**Do not give cash back to the WIC customer  
if the difference is less than the maximum cash-value amount.**

1. Ask WIC customer for WIC Participant Booklet and checks
2. Be sure check is from Maine WIC Nutrition Program
3. Make sure check is valid: is today's date within "First Day to Use" and "Last Day to Use"?
4. Ask customer if they want to stay within check value or if it's okay if sale amount is higher
5. Group fruits & vegetables consult your WIC Approved fruits and vegetables list and ring up sale.
6. Have customer write in amount of sale up to check value – customer must pay difference if sale is more than value of check
  - o If wrong amount is written on WIC check ask customer to draw one line across the error. Have customer put in correct amount and initial next to it.
7. Ask customer to sign check in signature box on front
8. Make sure correct amount is written on WIC check
9. Match signature on check to a signature on the back of WIC Participant Booklet
10. Offer the customer receipt and return WIC booklet

This close-up shows the 'AMOUNT' field where the original amount of \$11.00 has been crossed out with a single line. The corrected amount, \$10.57, is written next to it, followed by the initials 'LL'.

**Please Note:** Prior to depositing WIC check they must be stamped with your Vendor Stamp. If a check is not stamped prior to being deposited it will be rejected and returned.

# WIC Fruit and Vegetable Check Approved Food List

## Allowed:

- Any variety of fresh fruits and vegetables, including all varieties of potatoes

## Not Allowed:

- Fruit baskets or cut vegetables with dip
- Decorative or dried fruits or vegetables or mixed fruit and nuts
- Herbs and spices like basil, parsley, or chives
- Garlic on a string

## WIC Check Transaction Documents Procedures

The WIC Participant Booklet is the WIC participant's identification card. The participant or the person shopping for the participant (proxy) must show it to the cashier. This is the only form of identification a vendor may require.

The cashier should never accept WIC checks or FMNP checks from a shopper who does not have a WIC Participant Booklet, even if the cashier knows the customer. ***The signature on the WIC check or FMNP check must match one of the signatures on the WIC Participant Booklet.***

MAINE WIC NUTRITION PROGRAM  
NAME OF PARTICIPANT: SAMPLE CHECK  
FIRST DAY TO USE: 3/23/2016 LAST DAY TO USE: 4/22/2016 CHECK NUMBER: 03356297  
PARTICIPANT ID: 10043571 AGENCY: CLINIC: FOOD PACKAGE: FI TYPE:  
FOR PURCHASE OF APPROVED WIC FOODS ONLY (NO SUBSTITUTIONS ALLOWED):  
\$11.00 For Fresh, Frozen or Canned Fruits &/or Vegetables  
XXX 800 OF ORDER XXX  
AMOUNT: \$ 10.57  
DEPOSIT WITHIN 60 DAYS OF FIRST DAY TO USE  
PAY TO THE ORDER OF MAINE WIC VENDOR  
X WIC Customer  
SIGNATURE OF AUTHORIZED REPRESENTATIVE OR PROXY

Fruit & Vegetable Check (green)

Maine CDC WIC Farmers Market Nutrition Program Checks  
Good for Maine Grown Fresh Fruits and Vegetables Only  
XXXXXX  
For use by Maine CDC WIC Authorized Farmers Only  
Not for use in Grocery Stores  
Farmer must deposit by Nov 30, 2015  
Payable to Maine CDC WIC Authorized Farmer Five Dollars \$5.00  
Payable Through: Citizens Alliance Bank - Howard Lake, MN 55349  
VOID  
WIC Customer  
SIGNATURE OF PARTICIPANT, AUTHORIZED REPRESENTATIVE

FMNP Check (purple)

CONTACT YOUR LOCAL WIC AGENCY  
LOCAL AGENCY CONTACT INFORMATION HERE  
WIC Customer (Participant, Parent or Guardian (Proxy)) Signature  
Proxy 1 Name (Proxy #1 (Proxy)) Signature  
Proxy 2 Name (Proxy #2 (Proxy)) Signature

Back of WIC Participant Booklet

## Verify:

- Dates
- Quantity, Units, & Description
- Actual Purchase Price\*
- Participant or Proxy Signature

## Lost and Found WIC Participant Booklet and/or FMNP Check/ WIC Check:

Promptly send lost and found WIC Participant Booklet and/or checks to the WIC office addressed on the identification section of the WIC Participant Booklet.

## **Refusing A WIC Transaction**

A WIC transaction ***MUST*** be refused when any of the following six conditions exist:

1. The WIC participant does not have a WIC Participant Booklet.
2. The signature of the person presenting the check is not already on the WIC Participant Booklet. Cashiers must compare the signature on the check to a signature on the WIC Participant Booklet.
3. The check is presented outside of the authorized use dates.
4. The check is not signed in the presence of the cashier and the sale amount is not on the fruit & vegetable check before it is signed.
5. The check or WIC Participant Booklet has been obviously altered in any manner.
6. The check is issued by a WIC Program from another State.

Unless one of the above conditions exists, an authorized WIC Farmer must accept the WIC Transaction. REMEMBER – the WIC Participant Booklet is the only identification that can (and must) be requested to process a WIC transaction.

***For identification Cashiers are only to compare the signature on the front bottom right hand corner of check to signatures on the WIC Participant Booklet. No other form of ID is acceptable or required.***

## **Report a Participant Issue**

Our Program would like to know about any problems, concerns, questions, and/or suggestions that you may have. Please inform us if you are having problems with WIC participants, or are experiencing difficulty in processing transactions. The problem is the result of a misunderstanding. Some participants may be new to the Program or simply do not understand the Approved Food List or Transaction Procedures. Our Program appreciates the efforts that Vendors and their staff make to assist participants with their transactions.

However, sometimes a WIC customer, as with any other customer, can be difficult to deal with. If the customer is a regular customer and usually is not a problem, try to work with them, in a discreet manner to resolve the conflict. You may report WIC issues using form on page 21 or visit [www.WICforME.com](http://www.WICforME.com) to submit online form; if:

- you were unable to resolve the problem or question
- it is a WIC Customer with whom you have repeated problems
- an incident occurs that causes concern for you or your staff

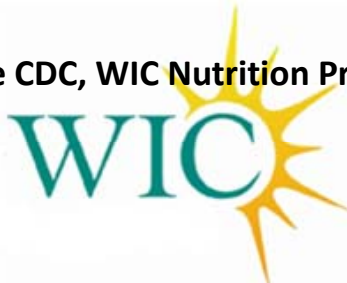
If participant issues arise, our office works with the local agency that serves the participant in resolving the problem. It is important that you give us as much information as possible so that we may better assist you. Please provide us with the following information:

- The participant name / ID number.
- Check number
- The name of the shopper if available to you – it may be a participant, a representative, a proxy, or an unauthorized individual attempting to use the checks.
- A description of the incident or problem and a description of the shopper.
- Date and time of the incident.

**Contact main office at 1-800-437-9300 or [wic.maine@maine.gov](mailto:wic.maine@maine.gov)**

286 Water Street  
# 11 State House Station  
Augusta, Maine 04333-0011

## Maine CDC, WIC Nutrition Program



Phone: (207) 287-3991  
Fax: (207) 287-3993  
E-mail: WIC.Maine@Maine.Gov

### Vendor Report of Participant Issue

This form is for reporting issues involving a WIC participant. Please check all boxes that apply, and help us by providing information that will let us follow up appropriately.

#### WIC Participant Information

Participant ID: \_\_\_\_\_ WIC Check Number: \_\_\_\_\_

Name on WIC Check: \_\_\_\_\_ Customer Name: \_\_\_\_\_

#### Food

☐ Wrong size / amount

☐ Wrong food brand

☐ Canned Beans

☐ Juice

☐ Cheese

☐ Milk

☐ Dry Beans or Peas or Lentils

☐ Peanut Butter

☐ Eggs

☐ Soy Beverage

☐ Fruits and vegetables

☐ Tofu

☐ Infant Cereal

☐ Tuna or Salmon or Sardines

☐ Infant Foods

☐ Whole Grains

#### WIC Check

☐ Used another person's check without authorization

☐ Used an altered check

☐ Used a check before or after valid dates

☐ Pre-signed a check

#### Transactions

☐ Signature did not match WIC authorization folder

☐ Did not have WIC authorization folder

☐ Attempted to claim cash back from purchase

☐ Attempted to trade WIC food for other food, cash or credit

☐ Did not separate WIC food from other food

#### Participant:

☐ Was the alternate buyer

☐ Needs more training on WIC foods

☐ Was rude and/or argued

☐ Was cooperative when given an explanation of WIC program rules

#### Details of incident:

Date of incident

/ /

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

#### WIC Vendor Information

Vendor no. \_\_\_\_\_

Business Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Physical Location Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP Code: \_\_\_\_\_

Store Manager/WIC Contact \_\_\_\_\_ E-mail address: \_\_\_\_\_

Name of person filing this report \_\_\_\_\_ Date: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

The Department of Health and Human Services (DHHS) does not discriminate on the basis of disability, race, color, creed, gender, age, or national origin, in admission to, access to or operations of its programs, services, or activities or its hiring or employment practices. This notice is provided as required by Title II of the Americans with Disabilities Act of 1990 and in accordance with the Civil Rights Acts of 1964 as amended, Section 504 of the Rehabilitation Act of 1973 as amended, the Age Discrimination Act of 1975, Title IX of the Education Amendments of 1972 and the Maine Human Rights Act. Questions, concerns, complaints, or requests for additional information regarding the ADA may be forwarded to the DHHS' ADA Compliance/EEO Coordinator, State House Station #11, Augusta, Maine 04333, 207-287-4289 (V) or 207-287 3488 (V), TTY: 800-606-0215. Individuals who need auxiliary aids for effective communication in programs and services of DHHS are invited to make their needs and preferences known to the ADA Compliance/EEO Coordinator. This notice is available in alternate formats, upon request.

# Farmers Market Check/ F&V Check Management

## WIC Stamp

The WIC Program will provide each farmer with an identification stamp at authorization free of charge. The stamp will read “Maine WIC Program Authorized Vendor” and will include the farmer’s WIC ID Number. Each farmer has their own ID Number and may use it only for FMNP check/ FV check redeemed by their farm.

- All FMNP Check/ FV Checks must be stamped clearly prior to deposit. FMNP check/ FV checks not stamped will be returned to the farmer.
- The same vendor stamp will be used for both FMNP check and FV check.
- Ensure a clear impression. Clean, re-ink the pad or replace the ink pad cartridge.
- Keep your stamp in a secure place. Report lost or stolen stamps to Vendor Relations (1-800-437-9300) immediately. A Farmer may NOT duplicate stamps.



It is the responsibility of each vendor to regularly clean and ink the vendor stamps to ensure they are imprinting a clear and easily readable vendor number.

## Vendor Payment

The Department will make payment to the Vendor upon receipt of validly transacted and redeemed FMNP check/ FV check for food costs incurred in providing WIC approved foods to WIC customers.

The Department shall deny payment, either partially or fully, to a farmer for improperly transacted or redeemed FMNP check/ FV check; or may establish a claim for payments already made on improperly transacted FMNP check/ FV check; or may offset future payments for the claim.

The Department has the right to demand refunds for charges of more than the farmer’s actual selling price and shall deny payment to the farmer for more than the price limitations of the FMNP check/ FV check.

## Timeframe:

By signing the WIC Farmer Agreement, the Vendor agrees to submit FMNP check/ FV check for payment within thirty (30) days from the “LAST-DAY-TO-USE”. The Department shall have no obligation to pay any FMNP check/ FV check submitted outside of this timeframe.

## Policy

Prior to deposit, Vendors must review ALL FMNP check/ FV check for possible errors before submitting them for payment. FMNP check/ FV check with errors will be rejected by the banking contractor. The Farmer may incur bank fees for these. The Department cannot reimburse the Farmers for such charges.

## Review

FMNP check/ WIC FV check should be reviewed for completeness, legibility, dates, the total sale amount and the WIC customer signature. The register receipt should also be reviewed to ensure that the correct foods have been provided.

## **Unreadable Vendor Number**

If a FMNP check/ FV check be returned to the farmer because the banking system could not read the Vendor's four (4) digit ID number, the farmer can re-stamp their Vendor ID number on the FMNP check/ FV check and redeposit to your bank.

## **Follow-up**

If FMNP check/ FV check is rejected it is critical that immediate follow-up training be completed with vendor personnel. Follow-up training with the cashier and/or other farmers market personnel involved in the transaction must be done to prevent future occurrences, thus saving the Vendor money and protecting the Vendor's record with the Department.

## **Payment Inquiry and Reconsideration Requests**

All payment inquiries regarding specific FMNP check/ FV check must be submitted in writing by mail. Telephone inquiries of this type will not be researched. Telephone requests for general information are welcomed.

## **FMNP check/ FV check Appeal**

For Vendors who believe a payment denial has been made incorrectly, or believe there is a justifiable reason why payment should be made, the Department may consider payment approval with valid justification. A Vendor must submit a written payment reconsideration request to the Department within sixty (60) days of the "LAST-DAY-TO-USE" printed on the check. Remember to always keep a photocopy of all items being mailed, including the front and back of the check (See enclosed **FMNP check/ WIC check Appeal Request form**).

### **Reconsideration requests must include**

1. One completed FMNP check/ FV check appeal form must be prepared for each rejected check appeal requested. A brief explanation on the form describing the circumstances, the reason why payment should be reconsidered, and what steps have been taken to prevent problem(s) in the future.
2. Vendor stamp number, date mailed, check number, complete store name with address, contact name and a phone number.
3. The check image with the denial/rejection stamp and receipt copy of the original receipt or journal transaction.
4. A corrective action plan demonstrating to the Department how the problem(s) will be prevented in the future.

Approval/Denial Consideration will be given to the documentation submitted.

Incomplete appeal forms or appeals that do not include the FMNP check/ FV check and the receipt will be denied.

- If the appeal is approved, the WIC program will process an ACH
- If the appeal is denied, the WIC program will inform vendor of denial.

## **Rejected WIC FMNP check/ FV check**

Where do FMNP checks & FV checks go after they are cashed and deposited with your bank? They are processed through the Federal Reserve System and are presented to WIC's financial intermediary.

Our fiscal intermediary performs a “pre-edit” on each checks/check to determine whether or not it meets WIC’s requirements for payment. If checks/check 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 FMNP check/ WIC check to you and most likely charge you a fee.

**FMNP check/ WIC FV check will be rejected for the following reasons:**

**Unauthorized Vendor Stamp or Invalid Vendor Number/ Void**

- The farmer’s vendor stamp is no longer active.
- The Maine WIC Nutrition Program will not authorize payment for FMNP check/ WIC FV check by unauthorized vendors.

**Missing/Unreadable Vendor Stamp**

The FMNP check/ WIC FV check was not stamped at all or not clearly stamped prior to deposit. Stamp the FMNP check/ WIC FV check clearly and redeposit within sixty (30) days from the “LAST DAY TO USE”. Do not send this FMNP check/ WIC FV check to the State Agency.

**Missing Signature/ Void**

No participant/authorized representative’s signature in the lower right hand corner of the FMNP check/ WIC FV check.

This means the WIC participant/authorized representative/proxy did not sign the FMNP check/ WIC FV check. The FMNP check/ WIC FV check must be signed at time of transaction procedure, after the purchase price has been entered on the FMNP check/ WIC FV check. The cashier is required to verify that the signature on the FMNP check/ WIC FV check matches the signature on the WIC Participant Booklet.

The Maine WIC Nutrition Program will **NEVER** reimburse the farmer for FMNP check/ WIC FV check taken without the participant’s signature.

**Early Cashing/ Void “Deposited Early”**

This means that the FMNP check/ WIC FV check was used before the “First Day To Use”.

The Maine WIC Nutrition Program will not authorize payment for FMNP check/ WIC FV check taken early.

**Late Cashing/ Void “Deposited Late”**

This means that the FMNP check/ WIC FV check was used after the “Last Day to Use”.

The Maine WIC Nutrition Program will not authorize payment for FMNP check/ WIC FV check taken late.

**Obvious Alterations/ Void**

The Maine WIC Nutrition Program will not authorize payment for FMNP check/ WIC FV check that display obvious alterations.

**Encoding Error**

The WIC FMNP check/ WIC FV check was processed with incorrect information.

**Unreasonable Dollar/ Void**

The WIC FMNP check/ WIC check was processed over the value of FMNP check/ WIC check.

**2 Present/Void Do not redeposit**

The FMNP check/ WIC FV check was previously processed and paid.

**Before requesting an appeal the vendor must**

Review the following:

- Depository bank statement reflecting WIC direct deposit credits
- WIC ACH statement detailing the direct deposit credit transaction under consideration
- Copy of the receipt verifying that the correct items in the correct amounts were sold



## FMNP check/ WIC check Appeal Procedures

A vendor may appeal the State Agency's decision to pay a FMNP check/ FV check in instances in which the original FMNP check/ WIC FV check was rejected due to:

- WIC Bank Error
- WIC program error
- Circumstances beyond the vendor's control

### Send the following to the State Agency

- ☐ **WIC check Appeal Request** form
- ☐ **FMNP check/ FV check** Legal FMNP check/ WIC check copy
- ☐ **Receipt** Copy of the original receipt or journal transaction report verifying the correct WIC transaction procedures

### Banking Fees

Many financial institutions charge their customers for items that are returned and charged back to the accounts. If your bank assesses a charge for this, it is between you and your bank. The WIC Vendor Agreement states that you will assure that each FMNP check/ WIC FV check:

1. Is signed.
2. Is redeemed in the proper timeframe.
3. Does not exceed the "MAXIMUM PURCHASE PRICE" printed on the check.

**The Maine CDC, WIC Nutrition Program is not responsible for any bank charges, returned checks or other fees charged to the vendor that result from the non-payment or partial payment of FMNP check/ FV check.** Vendors may not recover any bank charges from the WIC program, or from WIC participants or their proxies.

**Additional Vendor Information** Vendors may not seek reimbursement of money or return of food from WIC participants for any rejected check. The Vendor may not appeal disputes regarding FMNP check/ WIC check payments and vendor claims.

The Maine CDC, WIC Nutrition Program cannot pay for FMNP checks/ WIC checks from other states. The Maine CDC, WIC Nutrition Program has the right to modify payment, to assess a claim, or to charge a fine for FMNP checks/ WIC checks transacted for unauthorized foods, other items, or with sales tax charged.

The Maine CDC, WIC Nutrition Program may deny payment to the Vendor for improperly redeemed checks or may require refunds for payments already made on improperly redeemed checks.

## NOTES


286 Water Street  
# 11 State House Station  
Augusta, Maine 04333-0011

## Maine CDC, WIC Nutrition Program



Phone: (207) 287-3991  
Fax: (207) 287-3993  
E-mail: WIC.Maine@Maine.Gov

### WIC Check Appeal Request Form

All fields must be completed or check appeal will be denied. Mail completed form, check, and matching register receipt.  
**Remember to always keep a photocopy of all items being mailed, including the check.**

To: **WIC Nutrition Program, Vendor**  
**# 11 State House Station, 6<sup>th</sup> FL**  
**Augusta, Maine 04333-0011**

Send the following to the Maine CDC, WIC Nutrition Program:

- ☐ **WIC check Appeal Request** form
- ☐ **WIC check** Legal WIC check copy
- ☐ **Receipt** Copy of the original receipt or journal transaction report verifying the correct WIC transaction procedures

The Maine CDC, WIC Nutrition Program is not responsible for any bank charges, returned checks or other fees charged to the vendor that result from the non-payment of WIC checks. Vendors may not recover any bank charges from the WIC program, or from WIC participants or their proxies.

**Vendor Stamp  
Number Below**

#### WIC Vendor Information

Business Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP Code: \_\_\_\_\_  
Store Manager/WIC Contact \_\_\_\_\_ E-mail address: \_\_\_\_\_  
Name of person filing this form: \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

#### WIC check Information

WIC Check Number: \_\_\_\_\_ Bank Rejection Reason: \_\_\_\_\_

#### Justification

**Attach Receipt Here**


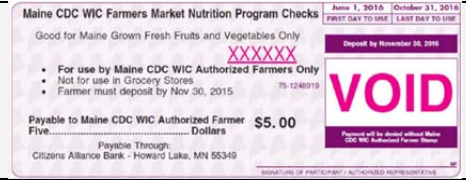
#### WIC USE ONLY

☐ Approved ACH Record#: \_\_\_\_\_ Letter Sent ☐ Denied ☐  
Payment Justification: \_\_\_\_\_  
Processor: \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

The Department of Health and Human Services (DHHS) does not discriminate on the basis of disability, race, color, creed, gender, sexual orientation, age, or national origin, in admission to, access to, or operations of its programs, services, or activities, or its hiring or employment practices. This notice is provided as required by Title II of the Americans with Disabilities Act of 1990 and in accordance with the Civil Rights Act of 1964 as amended, Section 504 of the Rehabilitation Act of 1973, as amended, the Age Discrimination Act of 1975, Title IX of the Education Amendments of 1972 and the Maine Human Rights Act and Executive Order Regarding State of Maine Contracts for Services. Questions, concerns, complaints or requests for additional information regarding the ADA may be forwarded to DHHS' ADA Compliance/EEO Coordinators, 11 State House Station – 221 State Street, Augusta, Maine 04333, 207-287-4289 (V), 207-287-3488 (V), TTY users call Maine relay 711. Individuals who need auxiliary aids for effective communication in program and services of DHHS are invited to make their needs and preferences known to the ADA Compliance/EEO Coordinators. This notice is available in alternate formats, upon request.

## Comparison Chart

Between WIC Fruit & Vegetable Checks and Farmers' Market Nutrition Program (FMNP)

Common Questions	WIC Fruit & Vegetable Checks	Farmers' Market Nutrition Program Checks
	 <p>A sample WIC Fruit &amp; Vegetable Check from the Maine WIC Nutrition Program. It includes fields for participant ID, agency, clinic, food package, and amount. The amount is \$10.57. It also features a vendor stamp and a signature line for the WIC customer.</p>	 <p>A sample Maine CDC WIC Farmers Market Nutrition Program Check. It is good for Maine grown fresh fruits and vegetables only. The amount is \$5.00. It includes a void stamp and a signature line for the authorized representative.</p>
What are the values of the WIC checks & FMNP check?	\$4 - \$15	\$5
Can the participant receive the change if the purchase price is less than the value of the checks?	No	No
Can the participant purchase non-locally grown produce?	Yes	No
Can the participant buy herbs?	No	Yes
What is the period of time that checks can be used by the participant?	There are specific dates listed on the Check	Between June 1 <sup>st</sup> and October 31 <sup>st</sup>
Does the authorized representative/proxy need to show the WIC ID during the transaction?	Yes	Yes
Does the farmer need to stamp the checks with a state issued vendor stamp?	Yes	Yes
How long does the farmer have to deposit the checks and checks in the bank?	30 days from the "Last Day To Use" date on the check	Until November 30th
Are white potatoes allowed for purchase?	Yes	Yes

## **General Farmer Requirements**

1. Maintain compliance with the WIC Farmer Selection criteria throughout the Agreement period, including any changes to the criteria;
2. Cooperate with Federal, State, and Local WIC Program personnel during announced and unannounced on-site farmer reviews and audits; these may include reviews of all WIC Fruit and Vegetable Checks/FMNP Checks and all program-related records at the site of the farmer;
3. The Farmer Agreement is null and void if ownership changes;
4. Keep all information of authorized WIC shoppers confidential;
5. Never call unnecessary attention to a WIC shopper;
6. The farmer must appropriately redeem valid WIC Fruit and Vegetable Checks/FMNP Checks issued by a local agency for the types and quantities of food specified on the Fruit and Vegetable Checks/FMNP Checks. In addition, the prices charged for WIC foods must be less than or equal to prices charged to non-WIC customers;
7. The farmer may never request nor accept cash payment for the quantities of foods specified on the WIC Fruit and Vegetable Checks/FMNP Checks;
8. The farmer may never attempt to seek restitution from participants/authorized representatives for redeemed WIC Fruit and Vegetable Checks/FMNP Checks that were rejected by the program's bank and/or for cash refunds requested by the State Agency;
9. The farmer may allow WIC participants/authorized representatives to purchase less than the value of the check;
10. The farmer may only accept Fruit and Vegetable Checks/FMNP Checks at the time of the actual purchase and may never issue "rain checks" or credit slips to WIC participants/authorized representatives for WIC approved foods;
11. The farmer may allow exchanges of an identical item only when the original item is defective, spoiled, or has exceeded its expiration date;
12. The farmer may not publicly identify a person as a WIC participant/authorized representative or allow discourteous treatment of a WIC customer;
13. The farmer must accept valid WIC Fruit and Vegetable Checks/FMNP Checks from all WIC participants/authorized representatives without exception;
14. The farmer may never demand identification other than the WIC Participant Booklet from an authorized WIC shopper;
15. The farmer must direct questions concerning payment to the State Agency. Customers are not to be contacted concerning this or any other problem area;
16. The farmer must report to the State Agency any irregularities in the use of Fruit and vegetable checks/farmer's market checks by authorized WIC shoppers;
17. The farmer must report to the State Agency if an authorized WIC shopper requests cash or credit in exchange for returned WIC products.

## **Additional Information**

1. It is important that the WIC customer be afforded the same courtesy given to other store customers. Publicly identifying a person as a WIC customer is not allowed.
2. If problems or questions arise during a WIC transaction that is unable to resolve, contact our office immediately - do not contact the local WIC agency.

If this occurs during the evening, or on a holiday or weekend when our office is closed, make the best decision possible using our Program materials. Contact our office as soon as possible on the next available working day to notify us of the problem or question and the way you resolved it. If the way in which you resolved it is incorrect, we can give you guidance on the appropriate way to proceed with the transaction, should the problem or question arise again. If the customer threatens your or your staff, contact the proper authorities.

3. If the customer makes an error when writing the amount of the sale, it must be corrected by having the customer: a) place a single line through the incorrect amount, b) write the corrected amount above the incorrect amount, and c) initial the corrected amount.
4. WIC participants are not required to buy full amount of FMNP check and/or WIC fruit & vegetable check.
5. *Sales tax cannot be applied to WIC food purchases.*

## NOTES


## **Farmer Violations & Sanctions**

### **Maine Center for Disease Control and Prevention WIC Nutrition Program**

#### **Department of Health and Human Services**

Effective: October 1, 2011

Revised: August 1, 2014

Policy No. FMNP-5

## **Farmer Sanction System**

### **Authority**

7 CFR §248.4(a)(10)(v);

22 MRSA §255 and §1951

## **Policy**

- The Maine WIC Nutrition Program may initiate administrative action to disqualify or assess a fine against a farmer for non-compliance on the basis of one incidence of a violation or a pattern of violations. An incidence is defined as one isolated event in a single point in time or any single occurrence of a violation. A pattern is defined as two or more incidences of a violation. All of the incidences of a violation occurring during the first compliance buy visit shall constitute only one incidence of that violation for the purpose of establishing a pattern of incidences.
- Mandatory sanctions are federal penalties as defined in 7 CFR §246.12 (l) and shall constitute grounds for disqualification from the WIC Program for a minimum of one (1) year and up to permanent disqualification.
- State violations shall constitute grounds for one or more of the following: disqualification from the WIC Program; mandated training, and the submission of corrective action plans. State sanctions will not be added to a mandatory sanction within the same investigation unless a mandatory sanction from the same investigation is not upheld on appeal.
- Notwithstanding the imposition of any mandatory or state sanctions, a farmer who violates any WIC rules, or Program requirements as set forth in the vendor policies and procedures, shall also be subject to potential reciprocal Supplemental Nutrition Assistance Program (SNAP) sanctions.

Class I and II violations shall be subject to mandatory federal sanctions as defined in 7 CFR §246.12 and shall constitute grounds for disqualification from the WIC Program for a minimum of one (1) year and up to permanent disqualification.

## 1. CLASS I VIOLATIONS

These violations require one incidence and shall constitute grounds for disqualification from the WIC Program for a minimum of three (3) years and up to permanent disqualification:

- 1.1 A conviction for trafficking (buying or selling FMNP Checks/CVV's); conviction for selling firearms, ammunition, explosives, or controlled substances in exchange for FMNP Checks/CVV's.  
**Length of disqualification – permanent.**
- 1.2 One incidence of trafficking (buying or selling FMNP Checks/CVV's), selling firearms, ammunition, explosives, or controlled substances in exchange for FMNP Checks/CVV's.  
**Length of disqualification – six (6) years.**
- 1.3 One incidence of the sale of alcohol, alcoholic beverages or tobacco products in exchange for FMNP Checks/CVV's.  
**Length of disqualification – three (3) years.**
- 1.4 When a farmer violates 1.2. or 1.3. above after having previously received a sanction for violation of either provision, the length of disqualification shall be doubled. Civil money penalties in lieu of disqualification shall also be doubled, up to the maximum penalty allowed under 7 CFR §246.12(l)(1)(x)(C).
- 1.5 When a farmer violates 1.2. or 1.3. above after having previously received two (2) or more sanctions for violation of either provision, the length of disqualification shall be doubled for that violation and all subsequent violations. Civil money penalties shall not be imposed in lieu of disqualification for third and subsequent sanctions.

## 2. CLASS II VIOLATIONS

Class II violations require a pattern of violations be documented before a sanction can be imposed. Unless otherwise noted, “pattern” shall be defined as two or more Class II violations that occur during the period the farmer is under contract. For a single Class II violation the farmer shall be given written notice of the violation and be required to establish a corrective action plan that includes the farmer’s attendance at a mandatory training.

- 2.1 Claiming reimbursement for the sale of any WIC item that exceeds the farm’s documented inventory of that food item for a specific period of time.  
**Length of disqualification – three (3) years.**

- 2.2 Charging WIC customers more for WIC approved foods than non-WIC customers or charging more than the posted shelf price (overcharges).  
**Length of Disqualification – three (3) years.**
- 2.3 Receiving, transacting, and/or redeeming FMNP Checks/CVV's outside of authorized channels, including the use of an unauthorized retailer or farmer and/or an unauthorized person.  
**Length of disqualification – three (3) years.**
- 2.4 Charging the WIC Program for WIC foods not received by the WIC customer. **Length of disqualification – three (3) years.**
- 2.5 Providing credit or non-food items, other than alcohol, alcoholic beverages, tobacco products, cash, firearms, ammunition, explosives, or controlled substances, in exchange for FMNP Checks/CVV's. **Length of disqualification – three (3) years.**
- 2.6 Providing unauthorized food items in exchange for FMNP Checks/CVV's, including charging for supplemental foods provided in excess of those listed on the FMNP Check/CVV.  
**Length of disqualification – one (1) year.**
- 2.7 When a farmer receives a second disqualification sanction for any violation of provisions 2.1. through 2.6. above, the length of disqualification shall be doubled. Civil money penalties in lieu of disqualification shall also be doubled, up to the maximum penalty allowed under 7 CFR §246.12(l)(1)(x)(C).
- 2.8 When a farmer receives a third or subsequent disqualification sanction for violation of any of provisions 2.1. through 2.6. above, the length of disqualification shall be doubled for that violation and all subsequent violations. Civil money penalties shall not be imposed in lieu of disqualification for third and subsequent sanctions.

### 3. CLASS III VIOLATIONS

A Class III sanction shall not be added to a mandatory sanction within the same investigation, but all violations shall be included in the notice of violation. The WIC Program may impose a Class III sanction if a mandatory sanction from the same investigation is not upheld on appeal. These violations constitute grounds for the following sanctions:

First occurrence – The farmer will be given a written warning letter that includes a notice of violation and a requirement to attend training.

Second occurrence – (within one year of first violation) Farmer will receive a written notice of violation that includes a requirement to establish a corrective action plan to be approved by the State Agency. Failure to submit a corrective action plan will result in disqualification for the next season.

Third occurrence – (within one year of the first violation) Farmer will be disqualified for the next season.



- 3.1 Contacting a WIC customer in an attempt to recover funds for an FMNP Check/CVV not reimbursed or for which overcharges were requested.
  - 3.2 Failure to allow monitoring of the farm stand/farmers' market booth/farm by WIC staff;
  - 3.3 Failure to provide FMNP Check/CVV records for review when requested.
  - 3.4 Refusing to accept a valid FMNP Check/CVV from a WIC customer.
  - 3.5 During a WIC transaction, providing WIC-approved food that would present a clear health problem
  - 3.6 Accepting or requiring a signature before the actual amount of sale is entered on the CVV by the customer.
  - 3.7 Failure to enter the purchase price on the CVV at the time of the transaction.
  - 3.8 Failing to train all employees who handle WIC transactions and ensuring their knowledge regarding WIC Program procedures set forth in training materials and manuals provided by the State Agency.
  - 3.9 Failure to request the WIC Participant Booklet and to verify the participant's signature.
  - 3.10 Charging sales tax on a WIC purchase.
4. Other disqualifications include:
- 4.1 The State Agency shall disqualify a farmer who has been disqualified from SNAP. The WIC disqualification shall be for the same length of time as the SNAP disqualification, and the WIC disqualification may begin at a later date than the SNAP disqualification. This disqualification shall not be subject to appeal.
  - 4.2 The State Agency shall disqualify a farmer who has been assessed a civil money penalty for hardship in SNAP under 7 CFR 278.6. The length of disqualification shall correspond to the period for which the farmer would otherwise have been disqualified in SNAP. Class III violations constitute grounds for disqualification from the WIC Program for one (1) year. At the end of the disqualification period a new application for authorization shall be required. In all cases the farmer's new application shall be subject to the State Agency's farmer selection criteria in effect at that time.

5. Termination for cause:
  - 5.1 Failure to stock any WIC approved items.
  - 5.2 Failure to redeem a minimum average of fifty dollars (\$50) of FMNP Checks/CVV's per season or an average of at least ten (10) FMNP Checks/CVV's per season.
  - 5.3 Failure to attend mandatory farmer training.
  - 5.4 Non-payment of a claim for documented overcharges to the WIC Program.
  - 5.5 Intentionally providing false information on the farmer application.
6. A farmer committing fraud or abuse of the WIC Program shall be liable to prosecution under applicable federal, state or local laws.

### **Procedures**

1. For all violations for which action shall be taken by the State Agency, written notices of violation shall be issued that include a description of the violation, the action to be taken, and the right to appeal.
2. When an investigation reveals an initial incidence of a violation for which a pattern of incidences must be established in order to impose a sanction, the State Agency shall notify the vendor in writing before another such incidence is documented, unless it determines, in its discretion, on a case-by-case basis, that notifying the vendor would compromise an investigation. Such a determination shall be documented in the vendor's file.

## Prosecution and Fines

A Farmer committing fraud or abuse of the WIC Program is liable to prosecution under applicable federal, state or local laws.

## Warning Letters

The Maine WIC Program must notify a farmer in writing when an investigation reveals an initial violation for which a pattern of violations must be established, unless the State Agency determines that notifying the farmer would compromise its investigation.

## Appeals & Notice

A farmer may appeal a denial of authorization. The farmer may also appeal action taken during the course of a contract where the farmer is disqualified or any other adverse action is taken. If a WIC farmer is disqualified from the WIC program after being disqualified from the SNAP (Food Stamp) program, no appeal is available per 7 CFR 246.12 (i)(1)(vii). If a WIC farmer is disqualified from the WIC Program it may result in a disqualification from the SNAP (Food Stamp) program with no appeal available. The exception is that the farmer cannot appeal the expiration of the contract and the State Agency's participant access determination for a mandatory or State Agency violation. A farmer may not voluntarily withdraw from the WIC program in order to avoid a disqualification.

A farmer or farmer applicant can request a hearing in writing or verbally by contacting:

### Maine WIC Nutrition Program

**Write:**



Maine WIC Program  
SHS 11, 286 Water St. 6<sup>th</sup> FL  
Augusta, ME 04333

**E-mail:**



[wic.maine@Maine.gov](mailto:wic.maine@Maine.gov)  
**TTY:** MAINE RELAY 711  
**Fax:** 207-287-3993

**Call:**



207-287-3991  
**In-state Toll Free:**  
1-800-437-9300

Requests for hearings must occur within sixty (60) days from the date of the adverse action. The Office of Administrative Hearings shall have jurisdiction over the hearings.



Maine Department of Health & Health & Human Services  
Maine Center for Disease Control and Prevention  
Maine WIC Nutrition Program  
11 State House Station,  
Augusta, Maine 04333-0011  
Voice: (207) 287-3991 OR 1-800-437-9300  
TTY Users: Dial 711(Main Relay)

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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;
- (2) fax: (202) 690-7442; or
- (3) email: [program.intake@usda.gov](mailto:program.intake@usda.gov).

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