WIC Farmers' Market Nutrition Program

Fiscal Year (FY) 2025
Complete State Plan Information for
Vermont

WIC Farmers' Market Nutrition Program (FMNP)
Fiscal Year 2025
State Plan Guidance

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WIC FARMERS' MARKET NUTRITION PROGRAM
State Plan of Operations
Fiscal Year 2025

Please clearly identify any attachments/addenda according to the numbering/lettering system described in the "Appendices" section of this document.

State Agency: Vermont

I. Goals

A. Describe the State agency's plans to achieve the dual purposes of the FMNP (§ 248.1) as follows:

1. To provide resources in the form of fresh, nutritious, unprepared foods (fruits and vegetables, and herbs) from farmers' markets to women, infants, and children who are nutritionally at risk and who are participating in the WIC Program or who are on a waiting list for the WIC Program; and

   The Vermont WIC Farmers Market Nutrition Program (FMNP), called Farm to Family, has two equally weighted goals: to increase the consumption of locally grown foods by nutritionally at-risk Vermonters and to increase the use of farmers markets and roadside stands. Farm to Family achieves both by giving low-income families coupons that can be redeemed for fresh, nutritious fruits and vegetables sold at farmers' markets and roadside stands. Coupon recipients learn about the selection and use of fresh produce, seasonal fluctuations in the availability of certain types of produce, and how to shop effectively at local farmers markets and roadside stands.

2. To expand the awareness, use of, and sales at farmers' markets.

   As described above, the Vermont WIC Farmers Market Nutrition Program (FMNP), called Farm to Family, has two equally weighted goals: to increase the consumption of locally grown foods by nutritionally at-risk Vermonters and to increase the use of farmers markets and roadside stands. Farm to Family achieves both by giving low-income families coupons that can be redeemed for fresh, nutritious fruits and vegetables sold at farmers' markets and roadside stands. Coupon recipients learn about the selection and use of fresh produce, seasonal fluctuations in the availability of certain types of produce, and how to shop effectively at local farmers markets and roadside stands.

B. Describe how the State agency plans to target the Program to areas with high concentrations of eligible persons with the greatest access to farmers' markets. Be sure to include any special features, such as the use of volunteers and community resources or specialized management information systems, which the State agency plans to implement to enhance its operation and administration of the FMNP (§ 248.4(a)(9)(i)).

FMNP coupons are issued to WIC participants by district offices of the Vermont Department of Health (VDH) in community-based settings scattered throughout the state, including participating farmers markets and roadside stands. This face-to-face contact between coupon recipients and VDH nutritionists enhances the efficacy of the program's participant instruction and nutrition education process. In prior years, recipient surveys have confirmed that the coupons support FMNP goals. Prior findings found that significant numbers of participants surveyed had never gone to a farmer’s market before taking part in the program, returned to shop at the markets after they ran out of coupons, learned new ways to prepare or store fresh fruits or vegetables, or bought a type of produce they had never tried before. Most said they plan to eat more fresh produce year-round because of taking part in the coupon program.

The Farm to Family coupon database system allows ESD and VDH to compare coupon redemption rates among VDH districts and determine how coupons flow from them to specific farmers markets and roadside stands. The data is used in allocating coupons to local offices and in staff, market, and roadside training. VDH also collects WIC identification numbers for recipients which enables Vermont to track who redeemed none of their coupons; some districts contact those participants to identify participation barriers or other issues to improve program efficacy.

The determination of coupon distribution is furthermore determined by assessing the WIC participation totals for each office as well as the amount of undistributed coupons for that office from the prior year.

C. For a State agency submitting an initial application for funding (i.e., a State agency that did not operate the FMNP in FY 2024), please summarize any prior experience with similar farmers' market projects or programs. The summary should describe:

1. The number and category (women, infants, children) of participants served;
2. The scope of the program (e.g., limited to a city, a county, or was it a State agency-wide program?); and
3. The source(s) of funding for the program.

Please include any data that was collected concerning the benefits or impact of the program(s).

Not applicable.

II. General Administration

A. This section of the FMNP State Plan Guidance is to report on general operations.

1. Number of FMNP recipients in FY 2024 (if applicable): 2310 anticipated

2. Estimated number of FMNP recipients for FY 2025: 2310

3. Proposed months of FMNP operations (i.e., months of benefit usage by participants): July through October

4. Proposed months of FMNP coupon or food instrument issuance: July through September

5. Proposed months of coupon or food instrument redemption by recipients: July through October

6. Proposed months of submission for payment by farmers/farmers' markets/roadside stands: July through November

7. Is the State agency aware of any FMNP authorized outlets also authorized to accept WIC Cash Value Vouchers/Benefits (CVVs/CVBs)?

   ☐ Yes ☒ No

8. Are any markets currently/planning to offer incentives (for example, Double Bucks)?

   ☒ Yes ☐ No

   If yes, for which programs? ☐ WIC ☒ SNAP ☐ FMNP ☐ SFMNP ☐ Other: _____

   a. How much is the incentive? Double benefits up to $10 per day.
   b. How does the market determine who receives the incentive? By customer's using their EBT card to access their SNAP benefits.
   c. How is the incentive funded? Through Northeast Organic Farming Association of Vermont funded through a FINI grant.

9. Do any farmers allow participants to order eligible foods by phone or online for pick-up and payment at the market?

   ☐ Yes ☒ No

   If yes, please list the farmers or markets or provide a map detailing which offer online ordering and cite appendix reference.

   Not applicable.

10. Briefly describe the coupon/food instrument system used (e.g., paper coupons, eSolution, other): All Farm to Family benefits are issued in the form of a paper coupon.

    If applicable, please reference and attach the appendix/amendment for the State agency's eSolution as required under Appendix B of the WIC FMNP and SFMNP FY 2022 Guidance Package | Food and Nutrition Service (usda.gov).

    N/A

B. Staffing

1. List all FMNP staff positions below, including both full and part-time positions. Attach job descriptions for each position. An organizational chart identifying levels of responsibility can be provided with this list.

Paid through Federal FMNP Administrative funds

Position	Full Time	Part Time
Food and Nutrition Assistant Administrator	☐	☒
Food and Nutrition Administrator	☐	☒
Farm to Family Intern	☐	☒

Paid through State agency FMNP funds/sources (specify source) State general funds

Position	Full Time	Part Time
Same positions as noted above.	☐	☒

Paid through other funding source(s) – specify source(s) Not applicable.

Position	Full Time	Part Time
none	☐	☐

C. Will any other State or local government agency(ies), non-profit or for-profit organizations, or the Cooperative Extension Service provide services for the FMNP State agency?

    ☒ Yes ☐ No

    If yes, list the State or local government agency(ies) and/or other organizations.

    Vermont Department of Health WIC Offices. ESD and VDH have a memorandum of understanding. See *Appendix C* for delineation of responsibilities.

Include a copy of the signed agreement between the FMNP State agency and the other agencies and/or non-profit or for-profit organizations, delineating the services to be performed.

D. Indicate in the space provided the **State agency** that will be responsible for performing (or overseeing the local agency or other entity/organization that will perform) each function listed below (e.g., State Department of Agriculture, State Department of Health, State Agency on Aging, etc.):

ESD Lead State agency

VDH Certify recipients for the FMNP

VDH Issue FMNP food instruments to local agencies/clinics

VDH Issue FMNP food instruments to participants

VDH Instruct recipients on proper use of food instruments

VDH Provide nutrition education for the FMNP

ESD Reconcile FMNP food instruments

ESD Conduct FMNP reviews of authorized sites

ESD Authorize farmers/farmers' markets/roadside stands

ESD Train farmers/farmers' markets/roadside stands

ESD Monitor farmers/farmers' markets/roadside stands

VDH Manage WIC Cash Value Vouchers/Benefits (WIC CVVs/CVBs) issued to FMNP participants, except that CVV's may not be used at Vermont farmers markets and therefore relate only to WIC, not to the FMNP.VDH staff members (nutritionists, public health nurses, health outreach specialists) involved with WIC perform certain FMNP functions. Except for nutrition education services, the materials used in the functions conducted by VDH staff are created and supplied by ESD. The above duties are performed by VDH and/or ESD in accordance with the interagency agreement *(Appendix C)*.

If the FMNP State agency and the partnering agency(ies) are different, include as an attachment a copy of the signed agreement between the agency(ies) (if different), clearly stating the functions to be performed as indicated above. The written agreement should delineate the responsibilities of and specific work activities to be performed by each agency, and should identify the responsible designated representative of each agency. See Appendix C.

E. Indicate the basis on which program benefits will be issued to recipients:

☒ Individuals ☐ Households

The lowest federal benefit amount that any FMNP recipient will receive is $ 30.00 and the highest is $30.00. If the State agency uses varying benefit amounts, please list all of the new benefit levels, indicating the recipient categories affected. Not applicable. Vermont issues one $30 booklet of coupons to each participating WIC recipient.

III. Funding

A. Describe in detail the State agency's financial management system that will provide for accurate, current and complete disclosure of the financial status of the FMNP. At a minimum, include the following elements:

1. Procedures to ensure prompt and accurate payment of allowable and allocable costs, and ensure that costs claimed are in accordance with 2 CFR 225 (Cost Principles Applicable to Grants and Contracts with State agency and Local Governments) and FNS guidelines and instructions (see § 248.12 of the federal FMNP regulations and FMNP Policy Memorandum 2002-1, WIC and WIC FMNP Cost Allocation);

   FMNP financial transactions are accounted for separately from other program transactions. Only allowable expenses specific to the program are supported with federal FMNP funds. Accounting procedures for program funds adhere to policies and practices established by the State Department of Finance and Management. The state's financial management information system (VISION/Peoplesoft) provides a uniform automated accounting system for state departments and agencies. A unique account identifier code is assigned to each division or program to allow separate financial accounting by program. The Finance Department assigns a vendor number to each farmers market and roadside stand authorized to receive payments. No payments are made directly to individual farmers participating in the FMNP. All funds that support the program are deposited into the State Treasury. Payment requests are entered into the VISION/Peoplesoft system by the ESD business office upon receipt of redeemed coupons from a market that were processed and approved for payment. The State Treasurer then issues payment directly to the farmers market or roadside stand. FMNP program funds are expended in accordance with A-87 (Cost Principles Applicable to Grants and Contracts with State and Local Governments) and USDA Food & Nutrition Services guidelines and instructions.
2. Procedures for obligating funds, including drawing down and disbursing funds from the Letter of Credit;

   Federal and state funds to administer the FMNP are included in the ESD budget that is subject to approval by the State Legislature. Once approved, the funds are allocated to the proper department identifier for payment and tracking of expenditures. On a quarterly basis, expenditures are reported to the state Agency of

Human Services (AHS), which includes ESD and the WIC state agency. AHS then draws down funds against the Letter of Credit, to the State treasury.

3. Descriptions of how farmers are paid;

Individual farmers at farmers markets are not paid directly through ESD. ESD as well as farmers markets enroll individual farmers as authorized market vendors. The farmers then put their assigned vendor number on their coupons and must redeem those coupons at the farmers market where the coupon transaction occurred. When this occurs, the farmers market then reimburses the farmer for those coupons and submits the request to payment as noted in section 1 above.

4. Claims procedures for overpayments to farmers, farmers' markets, roadside stands, and recipients; and

If ESD determines that an overpayment was made to a market or roadside stand due to an error in counting reimbursable coupons, ESD would bill the market for the overpayment or deduct the amount of the overpayment from the next coupon reimbursement if the redemption period is still underway. If it is determined that an overpayment is related to sanctionable program violations, ESD would bill the market or roadside stand in the amount of the overpayment as part of the written documentation of the violation.

If ESD finds that a WIC participant receives more than $30 in federal coupon benefits, it first determines whether it entailed a coupon replacement action by VDH. If not, the district VDH office would attempt to recover the excess coupons issued. If they are no longer available, and if the participant received them in good faith rather than intent to abuse the program, the participant would not be penalized for having received additional coupons. If administrative negligence resulted in a WIC participant receiving and redeeming more than $30 in federal coupons, ESD would use non-FMNP funds to pay any excess redemption cost.

5. A description of the time reporting system used to distribute employee salaries and related costs, and procedures and forms for conducting time studies.

The only personnel costs charged to the FMNP budget relate to FMNP work hours of ESD employees. Each employee keeps time logs that document work hours by program area and reports the resulting data to the business office on a bi-weekly basis. The employee's supervisor then reviews and approves the allocated time.

B. Describe the funding source(s) and amounts the State agency intends to use to meet the minimum **30 percent State agency match requirement** for the FMNP, which will be $6,085.68 for your State agency in FY **2025** based on the Federal Funds Request and State agency Matching Funds Estimation Worksheet on pages 14-15, per § 248.14(a)(i-ii).

(Please note that the 30 percent minimum match requirement only applies to the total FMNP administrative cost, although the State agency may meet this match requirement with State agency funds provided for food in addition to administrative costs.)

Type	Source	Amount
State agency and local funds	N/A	0
Private funds	N/A	$0
In-kind contributions	N/A	$0
Similar programs	See Clarification Below	$26,000
Program income	N/A	$0
	Total:	$26,000

State agency and local funds:

ESD does not use any municipal funds to meet the minimum match requirement. State general funds appropriated to ESD support both program administration costs and the distribution of non-federal benefits through a "similar program" described below.

Similar programs:

Vermont's farmers market coupon program was named Farm to Family because it began as a state-funded coupon program in 1987. The five Community Action Agencies (CAAs) continue to distribute state-funded produce coupons to households with incomes below 185% of federal poverty thresholds, focusing on those that are ineligible for the federal FMNP or SFMNP coupons. Some of these "similar program" coupons go to WIC participants or seniors unable to get federal FMNP benefits because those coupon supplies had been exhausted. All Farm to Family coupons –nonfederal and federal – are identical in terms of denomination, eligible foods, authorized sites, the prohibition on vendors giving cash change for a coupon, and recipient/market/farmer rights and responsibilities. The only differences are that: (1) the coupons are printed on different color paper to readily identify redemption cost funding sources if a computer failure temporarily disables the electronic coupon data management system; and (2) non-WIC households tend to receive lower benefits – $30 per household rather than $30 per individual WIC recipient – because there are proportionately fewer coupons available to distribute to the population of eligible non-WIC households. ESD expects up to $24,000 in non-federal coupons to be redeemed for its FY 2025 Farm to Family Program, whose value can be applied to the minimum state match requirement if needed for that purpose. ESD also receives $2000 in administrative funding for the State Farm to Family Program.

Program income: Describe type(s) and amount(s). (More specific information can be found in [WIC Policy Memorandum #2005-3 Price Adjustments, Collections, Fines, and Program Income])

Not applicable.

C. Is the State agency seeking approval to use **up to** 2 percent of its total Program funds for market development or technical assistance to farmers' markets in FY 2025?

☐ Yes ☒ No

D. Describe in detail the State agency's record keeping system (per § 248.23) for the FMNP, addressing **at a minimum** the following areas:

1) Financial operations: Financial record keeping procedures are described earlier in further detail. All FMNP coupons, illustrated in *Appendix I,* bear unique and sequential serial numbers. The data management system enables ESD to track a coupon from its point of origin to a distributing agency, to a specific recipient, and to a specific authorized farmer at a specific authorized market or roadside stand. This ensures that program funds are expended only for valid coupons. Redeemed coupons sent to ESD for payment are batched for storage by market or roadside stand, tally number and redemption date to support the reported market or roadside stand and vendor redemption totals.

2) Food instrument issuance and redemption: The printer binds the coupons in books of sequentially numbered coupons ($30 total value per book) that are barcoded and ships them to ESD in bundles of sequentially numbered books. Each bundle has a tag identifying the coupon number series. After receiving, ESD inventories the coupons and transfers them to VDH for allocation, ESD does the data entry to identify those coupons as WIC coupons, and then generates a set of coupon issuance logs. Recipients sign the issuance log for the specific coupons they receive. Before issuing coupons, local VDH staff verify each applicant against a WIC participant checklist. This is to confirm that the participant is active in WIC and did not already receive coupons. As coupons are issued, the checklist is marked to identify the participant as having received the maximum benefit. Completed logs are sent to the VDH central office, where they are checked for completeness before being forwarded to ESD. The ESD log review identifies errors or omissions that may have been overlooked by the district or central VDH office, in which case, ESD would communicate with VDH to resolve any such finding. After September 30, any undistributed coupons are returned to the VDH central office with the log page for those coupons. VDH central office would mark those coupons on the logs as returned and shredded, then would immediately destroy the coupons and forward the log to ESD. ESD manages a record keeping system that lets ESD track a coupon from its point of origin to a local distributing office, to a recipient, and if redeemed, to a specific farmers market or roadside stand. Each participating vendor is assigned a unique vendor number and puts that number on each coupon accepted before giving the coupon to the market

manager for payment. The market manager verifies that each coupon is numbered, tallies the coupon value by vendor, and transmits them to ESD. Roadside stands are also assigned a vendor number and submit coupons using their vendor number. ESD authorizes payment to the market or roadside stand in the amount of the verified total of valid redeemed coupons in that batch. ESD first adds any new vendor agreement to the database and screens each tally to determine if it includes coupons submitted for vendors for whom no agreement is on file. Any such coupons are considered invalid and returned to the market with an explanation but without payment. Each coupon is imprinted with a serialized bar code to scan into a database that contains the coupon serial numbers valid for that year, as well as data on the market, vendor, recipient and local agency applicable to each coupon. After the initial tally screening, ESD enters the market, tally and vendor data into the database, and scans each coupon bar code into the database with a hand-held scanner. The system automatically rejects any coupon whose serial number is not valid that year, or that was already redeemed or was submitted for an unauthorized market or vendor.

FMNP participation reporting: VDH sends completed issuance logs to ESD where, after issuance data is validated and added to the database, they are stored for audit purposes. ESD maintains a central filing system for market, roadside stand, and vendor participation data, e.g., participation agreements and vendor number assignments. These files hold records of any program complaints, monitoring reports, participation data and reports, coupon submission and payment records, and other correspondence specific to a market.

Tracking staff time and other administrative expenses to ensure that federal FMNP funds are only used for costs which are allowable and allocable for FMNP: The program coordinator reports the distribution of staff hours by program area to the ESD business office on a bi-weekly basis, orders any program materials, maintains copies of invoices for FMNP expenses, and approves payment of any FMNP-related invoices received by the business office. FMNP operating expenses are direct billed whenever possible. Where that is not feasible, they would be allocated based on the percentage of FMNP coordinator hours worked on the FMNP in relation to total hours worked.

E. As required under § 248.14(a)(i), there is a matching requirement for State agency and/or local funds equal to or not less than 30 percent of the total administrative costs of the State agency's FMNP. Detailed below is the FMNP Federal Funds Allocation Process and how the State agency match is calculated. Please provide the calculations in the attached Worksheet III.

   1. Total Federal funds requested ($83,528.92) X 17% (or 19% if requesting a maximum of 2% for market development or technical assistance) = $14,199.92 federal administrative funds.

2. $14,199.92 Federal administrative funds ÷ 70% = $20,285.59 Estimated total administrative cost.

3. $20,285.59 Estimated total administrative cost x 30% = $6,085.68 State agency match amount.

4. Total federal funds requested ($83,528.92) + $6,085.68 State agency match amount = $89,614.59 Estimated total Program cost.

F. Federal Funds Request and Budget Worksheets

§ 248.4(a)(4) of the federal FMNP regulations require that the State Plan include a detailed budget, including a description of the federal and non-federal funds that will be used to operate the Program. The types of worksheets used to calculate your federal funds are described below.

FMNP FY 2025 Budget Summary:

If using the excel worksheet provided to assist with calculations, please attach a copy of the worksheet to this section or cite appendix reference. APPENDIX # Optional 8

I. FY 2025 FMNP ESTIMATED FEDERAL BUDGET SUMMARY
This worksheet summarizes the federal food and administrative funds requested. **All State agencies must complete this worksheet.**

II. ADMINISTRATIVE BUDGET ESTIMATE
This worksheet summarizes administrative activities and related funding. **All State agencies must complete this worksheet.**

III. FEDERAL FUNDS REQUEST *AND* STATE AGENCY MATCHING FUNDS ESTIMATION
This worksheet estimates either the amount of federal funds based on the State agency match amount available, or for estimating the State agency match amount and total Program funds based on the amount of federal food funds requested. **All State agencies must complete either Part A or Part B of this worksheet as applicable.**

IV. FEDERAL FOOD FUNDS REQUEST BASED ON A UNIFORM BENEFIT LEVEL
This worksheet estimates the number of recipients that can be supported with the federal funds requested, when each category of recipient (i.e., women, infants, and children) will receive the same benefit level. **All State agencies must complete either this worksheet or worksheet V, below.**

V. FEDERAL FOOD FUNDS REQUEST BASED ON VARYING BENEFIT LEVELS
This worksheet estimates the number of recipients that can be supported with the federal funds requested, when one or more of the recipient categories (women, infants, and children) will

receive a benefit level different from the other categories. **All State agencies must complete either this worksheet or worksheet IV, above.**

State Agency: Vermont Universal Identifier 80-937-6155

WORKSHEET I. FY 2025 FMNP ESTIMATED FEDERAL BUDGET SUMMARY

1. Total Federal Funds Requested *(Prior Year's Total Federal Grant or Less):*	$83,529	$ N/A
2. Plus: Expansion Funds requested (if any): *(Include expansion funds in calculation of requested funds)*	$ 0	$ 0
3. Less: Federal Administrative Funds at 17% of total:	$ 14,199.93	
4. Less: Market Development/Technical Assistance Funds *(up to 2% of total):*		$ 0
5. Federal Foods Funds: a. 83% *(total without market development funds request):*	$ 69,329 .07	
OR		
b. 81% (*total with market development funds request):*		$ N/A

WORKSHEET II. FY 2025 FMNP ADMINISTRATIVE BUDGET ESTIMATE

Table A.

Food Instrument Management	Market Management	Nutrition Education	Financial Management	Total @ 17%
$ 7,099.97	$ 3,975.98	$ 284.00	$ 2,839.99	$14,199.93
50 %	28 %	2 %	20 %	100%

Food Instrument Management: Pricing and reconciling/issuing food instruments to recipients and instructing recipients on the purpose of the program and their proper use.

Market Management: Authorizing, training, technical assistance, marketing, and monitoring of farmers/ farmers' markets/roadside stands.

Nutrition Education: Instructing recipients on the nutritional benefits of fresh, nutritious, unprepared foods such as fruits and vegetables.

Financial Management: Preparing financial and recipient reports, issuing payments to farmers/farmers' markets and costs associated with FMNP audits.

WORKSHEET III. FY 2025 FMNP FEDERAL FUNDS REQUEST AND STATE AGENCY MATCHING FUNDS ESTIMATION

B. To estimate the matching and administrative amounts based on the federal food funds requested:

17% rate:

1. Prior Year's Food Grant:	$ 69,329.00	**/.83 =**	$83,528.92	Total Federal Funds Requested, Food and Administrative
2. Total Federal Funds Requested:	$83,528.92	**x.17 =**	$14,199.92	Federal Administrative Funds
3. Federal Administrative Funds:	$14,199.92	**/.70 =**	$20,285.59	Estimated Total Administrative Funds, Federal and State

4. Estimated Total Administrative Funds: $20,285.59 - Federal Administrative Funds: $14,199.92

= 6,086 State Agency's Match for New Fiscal Year.

5. State agency Matching Funds: $6,085.68 + Total Federal Funds $ 83,528.92 = $89,614.59 Estimated Total Program Funds

WORKSHEET IV. FY 2025 FMNP FEDERAL FOOD FUND REQUEST BASED ON A UNIFORM BENEFIT LEVEL

Note: State agencies that received an American Rescue Plan Act (ARPA) grant should not include ARPA funds in these calculations. Reporting requirements for ARPA grants are specified in the grants' terms and conditions.

This worksheet estimates the number of recipients that can be supported with the federal funds requested, when each category of recipient (i.e., women, infants, and children) will receive the same benefit level:

1. Total Federal Funds Requested (Prior Year's Total Federal Grant or Less): $ 83,529.00

2. Percent of Total Federal Funds Available for Food:	**x .83**	**or**	**x. 81**
3. Available Food Funds:	$ **69,329.07**		$
	Divided by		Divided by
4. Proposed Federal Food Benefit Level Minimum $10; Maximum $30	$ 30.00		$
5. Total Projected Federal Caseload:	2310		

IV. Certification

1. As required under § 248.4(a)(9), describe the State agency's plans to target areas with a high concentration of eligible persons and access to farmers' markets within the broadest possible geographic area. For example, will the State agency concentrate on serving only a few areas where there are large numbers of WIC recipients who have access to farmers' markets, or will it provide State agency-wide coverage?

The program operates statewide. Coupon allocations consider the location of participating farmers markets and roadside stands, the number of potential coupon recipients in each local distributing agency service area, and to the extent feasible, the anticipated coupon demand and redemption rates. Coupon distribution is done through the twelve Vermont Department of Health (VDH) districts that have offices or clinic sites in cities and towns throughout Vermont. WIC participants are not assigned to a specific clinic and may attend any clinic in the service area for the district VDH office serving their town of residence.

   a. Provide a detailed description of the service area(s), including the number and addresses of participating markets, roadside stands, and WIC local agencies.

The detailed description of the service area, number and address of participating markets can be found as *Appendix J*. The detailed description of the service area, number and addresses of the WIC clinics can be found as *Appendix J*. The map outlining the service area and proximity of markets to clinics can be found as *Appendix J.*

   b. Attach a map outlining the service area(s) and proximity of markets and roadside stands to local agencies in Appendix J.

   c. Estimated number of WIC recipients per local agency:

Local Agency	# of Recipients
Burlington	2112
Rutland	1195
Springfield	572
Newport	863
St Johnsbury	777
Barre	973
Brattleboro	588
St Albans	1206

Bennington	722
White River Junction	647
Middlebury	706
Morrisville	747

2. Intended FMNP recipients:

(Excluding Expansion)		(Including Expansion)
2310	WIC recipients only	_____
N/A	WIC applicants on waiting lists only	_____
2310	Both	_____

3. Will all WIC recipients in an FMNP service delivery area be issued FMNP food instruments, or only certain categories/groups?

☒ All eligible recipients
☐ Specified categories/groups: (check all that apply)

(Excluding Expansion)		(Including Expansion)
☐	Pregnant women	☐
☐	Breastfeeding women	☐
☐	Postpartum women	☐
☐	Infants (over 4 months of age)	☐
☐	Children (if sub-categories of children, e.g., ages 1-2 years old and 3-4 years old, are defined by the State agency, please indicate accordingly)	☐
☐	Other designation (e.g. only Priority I pregnant or breastfeeding women)	☐

4. Participant and Applicant Confidentiality

a. Does the State agency share information obtained from applicants for and/or recipients of FMNP with any other programs, agencies, law enforcement officials, or any other organizations or persons?

☐ Yes ☒ No

b. Per § 248.24 of the federal FMNP regulations, the State agency restricts the use or disclosure of information obtained from applicants/recipients to:

1. Persons directly connected with the administration or enforcement of FMNP, including investigation and prosecution of FMNP violations by any public authority;

   ☒ Yes ☐ No

2. Representatives of public organizations under written agreements for eligibility/outreach purposes regarding other programs, without third party access or disclosure;

   ☐ Yes ☒ No

3. The Comptroller General of the United States, General Accounting Office (GAO).

   ☒ Yes ☐ No

c. Does the State agency permit an applicant and/or recipient access to the information that the applicant and/or recipient provided to the Program?

☒ Yes ☐ No

d. Does the State agency permit an FMNP applicant or recipient to sign a release or similar document allowing the information provided by the applicant and/or recipient to be shared with other organizations or persons?

☒ Yes ☐ No

5. Dual Participation

Does the State agency have policies and procedures in place to prevent and detect dual participation (participation of program recipients in more than one service delivery area at the same time) in FMNP?

☒ Yes (please describe)
The coupon issuance system is designed to prevent dual participation by a WIC participant. If a multigenerational family with a WIC participant who receives FMNP

benefits includes low-income elderly relative, that senior may receive SFMNP coupons because FMNP and SFMNP benefits are intended for eligible individuals.

Recipients sign the issuance log for the specific coupons they receive. Before issuing coupons, local VDH staff verify each applicant against a WIC participant checklist. This is to confirm that the participant is eligible and did not already receive coupons. As coupons are issued, the checklist is marked to identify the participant as having received the maximum benefit.

6. Nondiscrimination

State agencies are required to comply with all applicable and pertinent laws and regulations regarding the assurance of nondiscrimination on the basis of race, color, national origin, age, sex, or disability (§ 248.7). Describe the State agency's system or procedures for:

a. Public notification of the nondiscrimination policy:

Any publication or media release promoting the FMNP includes USDA's nondiscrimination statement. FMNP applicants and participants are advised at the point of service delivery of their FMNP rights and responsibilities, including the right to file a discrimination complaint. USDA's "And Justice for All" poster is displayed at the local WIC offices.

b. Annual reviews of local agencies/clinics to assure nondiscrimination against any of the protected classes.

FMNP management is a standard part of the WIC Program Management Review conducted annually at six of the twelve VDH district offices. The standard review process includes ensuring that the current Civil Rights "And Justice for All" poster is clearly displayed and visible. That the Civil Rights complaint notice is posted next to the "And Justice for All" poster and that all complaint forms are available at every clinic. All WIC staff must complete the annual civil rights training. Supervisors ensure that the training is completed, and documentation is held on file to track the compliance. The management review includes checking to see if the clinic space is handicapped accessible and if not, that the office has a plan for accommodating handicapped participants.

7. Per § 248.7 of the federal FMNP regulations, the State agency ensures that no person will be denied benefits, or otherwise discriminated against on the grounds of race, color, national origin, age, sex, or disability.

☒ Yes ☐ No

8. Per § 248.7 of the federal FMNP regulations, the State agency:

☒ Notifies the public, participants, and potential participants of the nondiscrimination policy.

☒ Notifies participants and potential participants of complaint procedures regarding alleged unlawful discrimination (See Section VIII below regarding the complaint process).

☒ Reviews and monitors program activities to ensure compliance with nondiscrimination policies and procedures.

V. Food Instrument and Market Management (§ 248.10)

A. Issuing FMNP food instruments (coupons, checks, eSolution benefits) to recipients.

1. Describe the State agency's procedures for ensuring the secure transportation and storage of food instruments or the eSolution implemented. Include the method used to transport food instruments from the contractor who produces them to the State agency, and from the State agency to the local agencies. Include a description of how unissued FMNP food instruments are stored, or how secure handling of food instrument stock and electronic food instrument numbers is ensured, at the State agency, local agency, and/or local issuing sites. Also include any type of reporting form used to gather data.

    A commercial printer ships the coupons to the program coordinator at ESD. Coupons are immediately inventoried and spot-checked to verify that they were printed and bundled as ordered. ESD holds the coupons in secure storage until they are hand-delivered or shipped to the VDH central office, where authorized personnel allocate and ship them to the district WIC offices by the courier service used by the WIC program. Each district office inventories their coupons to verify the quantity and number series of the coupons received for distribution.

    The Coupon Acceptance Agreement then signed by the district VDH office includes provisions relating to storage and handling of coupons, as do the instructions provided to each district. At all times, undistributed coupons are stored in a locked place, an issue reviewed in local agency monitoring. Coupons are handled and transported only by personnel authorized to do so on behalf of the applicable state or local agency. Any coupons still undistributed after September 30 are returned to the VDH central office, where they are documented by serial number and destroyed.

    Participating farmers and roadside stands are instructed to put their vendor number promptly on any coupons they accept to identify the coupon as redeemed and void the coupon. The market or roadside stand mails redeemed coupons to ESD in business reply Farm to Family Program envelopes. After processing the redeemed coupons for payment, ESD stores them and their associated records for at least three years after program closeout.

2. Describe the food instrument issuance system for recipients. Include any reporting forms used to gather data. This description should include the automated processes as well as the manual processes used for issuance of food instruments to recipients.

    The printer binds the coupons in books of sequentially numbered coupons ($30 total value per book) and ships them to ESD in bundles of sequentially numbered books. Each bundle has a tag identifying the coupon number series. After ESD inventories the coupons and transfers them to VDH for allocation, ESD does the data entry to identify those coupons as WIC coupons, and then generates a set of coupon issuance logs. Each log page matches a specific bundle of coupons.

Recipients sign the issuance log for the specific coupons they receive. Before issuing coupons, local VDH staff verify each applicant against a WIC participant checklist. This is to confirm that the participant has not already received coupons. As coupons are issued, the checklist is marked to identify the participant as having received the maximum benefit. The issuance process adheres to VDH guidelines for completing the log and its associated Coupon Sign Out Sheet, as well as ESD guidelines for completing the log itself. Completed logs are sent to the VDH central office, where they are checked for completeness before being forwarded to ESD. The ESD log review and data entry process identifies any errors or omissions that may have been overlooked by VDH, in which case, ESD would communicate with VDH to resolve any such finding. After September 30, any undistributed coupons are returned to the VDH central office with the log page for those coupons; the central office would mark those coupons on the logs as returned and shredded, immediately destroy the coupons, and then forward the log to ESD.

Limited replacement of coupons reported by a recipient as lost, stolen, damaged or destroyed is permitted. District offices follow the Guidelines for Reporting and Replacing Lost or Destroyed Farmers Market Coupons. The recipient must report the loss within five working days and sign the first page of a Report of Lost or Destroyed Farmers Market Coupons form that identifies the missing or damaged coupons and explains how and when the problem happened. The recipient must certify that any coupons found after being replaced cannot be redeemed and must be turned over immediately to the local agency. Since coupons are in 5-coupon books and benefits cannot exceed a yearly cap, the second page of the form (Replacement of Farm to Family Coupon Issuance) is designed to allow VDH to indicate any individual replacement coupons issued. The completed form is attached to the issuance log for the replacement coupons, enabling ESD to confirm that an over-issuance is due to coupon replacement and monitor whether any coupons reported as lost or stolen are redeemed.

ESD checks each issuance log for completeness and accuracy before entering the data into the coupon database system. The database has a separate record for each coupon. As issuance and redemption data are entered, the database coupon table identifies the district that issued the coupon, as well as the farmer who accepted the coupon and market or roadside stand where it was accepted.

3. Describe the State agency's system for instructing recipients on the proper use of FMNP food instruments. If this function is performed by the WIC local agency on behalf of the FMNP State agency, indicate who issues the food instruments; what materials are provided during issuance; and who explains the use of the food instrument and

redemption procedures to the recipient. Please include materials provided to recipients instructing them on how to use FMNP food instruments and any list of authorized farmers' markets provided to recipients.

All coupon recipients get written and verbal instructions regarding coupon use, including the current Information for Coupon Shoppers brochure. The brochure identifies the eligible foods, states that the coupons may only be spent at the sites listed therein, that market vendors may not give cash change for coupons, and that the coupons expire on October 31. It also explains how recipients may file a complaint. Local agencies also point out that the coupon itself specifies the eligible foods and expiration date. They show each recipient the Farm to Family vendor display sign and instruct the recipient to look for that sign to identify participating vendors at the markets.

4. Describe the State agency's FMNP coupon replacement policy or include the statement that FMNP coupons will not be replaced.

Limited replacement of coupons reported by a recipient as lost, stolen, damaged or destroyed is permitted. District offices follow the Guidelines for Reporting and Replacing Lost or Destroyed Coupons. The recipient must report the loss within five working days and sign the first page of a Report of Lost or Destroyed Coupons form that identifies the missing or damaged coupons and explains how and when the problem happened. The recipient must certify that any coupons found after being replaced cannot be redeemed and must be turned over immediately to the local agency. Since coupons are in 5-coupon books and benefits cannot exceed a yearly cap, the second page of the form is designed to allow VDH to indicate any individual replacement coupons issued. The completed form is attached to the issuance log for the replacement coupons, enabling ESD to confirm that an over-issuance is due to coupon replacement and monitor whether any coupons reported as lost or stolen are redeemed.

5. Attach a copy of the log or other form used to record food instrument issuance to valid certified recipients (Appendix H). See coupon issuance log appendix H.

B. Authorization of farmers, farmers' markets, and roadside stands.

The State agency is responsible for the fiscal management of and accountability for FMNP-related activities by farmers, farmers' markets, and roadside stands. Each State agency may decide whether to authorize farmers individually, farmers' markets, or both farmers and farmers' markets, as well as roadside stands. Only farmers and/or farmers' markets and roadside stands authorized by the State agency, as set forth in § 248.10 in the federal FMNP regulations, may redeem FMNP food instruments.

1. Describe the State agency's general authorization procedures for farmers and/or farmers' markets and roadside stands.

All participating farmers markets and roadside stands are required to sign an agreement to comply with the Rules and Procedures for Participating Farmers Markets, Roadside Stands and Vendors, hereinafter referred to as the "Rules," and other provisions as required by Vermont's program design and federal FMNP policy.

In April, ESD sends enrollment instructions to all markets and roadside stands expected to participate that year. Each market and roadside stand are required to submit certain data (e.g., current address and FMNP manager, schedule). Markets and roadside stands whose agreements had expired would have to sign a new agreement. The market enrollment process is completed by early May to allow sufficient time for ESD to prepare and deliver program materials and to provide training before coupon distribution begins.

While ESD authorizes only markets to manage coupon transactions for the market, it also requires a signed one-year vendor agreement from every produce grower seeking to accept Farm to Family coupons. This document assigns a vendor number, certifies that the vendor has and agrees to follow the Rules, and provides a consistent method for ESD to annually confirm its roster of actively participating vendors. Market produce vendors are trained and enrolled. ESD eases this burden on market managers by sending an April mailing to all farmers who participated the previous year, urging them to pre-enroll for the new season by returning a signed Pre-enrollment Vendor Participation Agreement to ESD in May.

The pre-enrollment solicitation includes any changes to program Rules and Procedures for Participating Farmers Markets, Roadside Stands and Vendors from the previous year. Pre-enrolling vendors get a copy of the agreement signed by ESD and assigning them a vendor number valid at any participating farmers market, a list of those markets, and another display poster if needed.

In June, all market managers get a list of the pre-enrolled vendors, who usually comprise most participating vendors. The market manager must enroll any eligible and interested produce vendor who was not pre-enrolled by ESD – after assuring that the vendor has and understands the Rules, the manager has the vendor sign a Single-Market Vendor Participation Agreement for the manager to forward to ESD. Non-pre-enrolled vendors must repeat this procedure at each authorized market where they want to accept coupons. ESD only reimburses a market for coupons marked with a vendor number for whom ESD has a current vendor agreement on file.

Individuals who contact ESD about a new market or roadside stand interested in the program are sent the Rules and other program information. They are advised that authorization to participate is not automatic and that they will not be paid for any coupons accepted before ESD signs an agreement and provides interactive training for the manager.

2. List or attach the criteria used to authorize farmers' markets (Appendix K). Examples of authorization criteria include: 1) permanent market location; 2) sufficient number of growers who participate in the market; 3) a wide selection of products; or 4) community support from non-FMNP sales.

For this program, a farmers' market is defined as a self-governed association of area residents who assemble at a specific place and time to sell farm products and other goods they produce directly to consumers. Some market associations operate more than one market. Markets usually include vendors of non-food items and prepared foods ineligible for purchase with FMNP coupons. It is expected but not required that all or most items at the participating farmers markets would be Vermont agricultural products or goods made with such products.

Program participation requires that a market: (1) be located in Vermont and sell goods entirely or predominantly produced by its vendors; (2) have a federal Employer Identification Number; (3) be open for business at least three consecutive hours, at least one day a week, for at least eight consecutive weeks; (4) have at least three vendors who are local produce growers willing to participate in the program, at least two of whom would be selling coupon-eligible foods on a steady basis during most of the market season; (5) designate an individual to be the market's Farm To Family coordinator, referred to as "market manager" in this Plan; and (6) agree that this person will complete an interactive training session before any coupon activity occurs at the market. ESD may waive the third and fourth criteria if necessary to provide access to coupon-eligible foods for recipients living in an area unserved or under-served by a sizable or season-long farmer's market. As explained earlier, a condition of authorization will be written agreement to comply with the program rules and procedures.

A determination as to whether to authorize a new market is based on the organizational strength of the market, the anticipated volume of eligible foods it may offer, and ESD's capacity to manage another site effectively. Markets enrolled the previous year are re-enrolled unless the market closes, opts out, or is not renewed due to a budget reduction, the market's coupon redemption or management history or complaints about the market. ESD is not obliged to renew an expired market agreement and may terminate an agreement without cause after giving the market manager thirty days' advance notice.

3. List or attach the criteria used to authorize farmers (Appendix L). Examples of authorization criteria include (but are not necessarily limited to): 1) grows a minimum percentage of the produce to be sold (please specify); 2) owns land within the State agency where produce is grown; 3) certified by the State Agriculture Department, ITO Cooperative Extension Agent or by a Farmers' Market Association within the State agency; 4) authorized to redeem SFMNP food instruments; 5) offers locally grown produce; or 6) accessible to WIC service areas.

   Any person/business that grows fruits, vegetables or herbs on Vermont land or on U.S. land within 30 miles of the Vermont border and sells the produce fresh and unprocessed at a farmers market enrolled in the Vermont program qualifies to accept Farm to Family coupons for eligible foods sold at that market. However, they are not authorized to accept coupons until they sign a vendor participation agreement. As detailed in the Rules, farmers who only sell produce grown in the wild or by someone else do not qualify to accept coupons. However, authorized farmers may sell local produce grown in the wild or by someone else in addition to their own produce, provided that the market's own rules allow this. ESD does not limit the amount of such supplemental coupon-eligible produce a vendor may sell at the market because it is not in the interest of the FMNP or its recipients to impose such a limit, nor would ESD be able to enforce such a policy.

4. Per § 248.2, FNS defines "eligible foods" for the FMNP to mean fresh, nutritious, unprepared, locally grown fruits, vegetables and herbs. Does the State agency use a different or more restrictive definition for "eligible foods"?

☐ Yes ☒ No

List or attach a list of the fruits, vegetables, and/or fresh herbs that may be purchased using FMNP benefits (Appendix F).

In Vermont, eligible foods include but are not limited to these items in the table below. To be consistent with nutritional objectives and prevent confusion or inadvertent FMNP program violations, honey is not included among the SFMNP-eligible foods in Vermont. Produce types available in several varieties are identified with an asterisk (*).

apples	celery	lettuce*	plums
asparagus	chard	melons*	potatoes*
beans*	cilantro	mesclun	pumpkins for eating

beets	corn	mushrooms	radicchio
berries*	cucumber*	nectarines	radishes
bokchoy	eggplant	okra	rhubarb
broccoli	garlic	onions*	scallions
Brussels sprouts	greens*	parsnips	spinach
cabbage	herbs, fresh cut*	peaches	squash, summer*
carrots	kale	pears	squash, winter*
cauliflower	kohlrabi	peas*	tomatoes*
celeriac	leeks	peppers*	turnips

Eligible foods may not be processed or prepared beyond their natural state except for usual harvesting and cleaning processes. Honey, maple syrup, cider, nuts, seeds, eggs, meat, cheese and seafood are examples of ineligible foods for purposes of the FMNP. State agencies may also describe eligible foods as "all fruits, vegetables and herbs locally grown ***except***…":

Vermont utilizes the same definition as FNS.

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5. Per § 248.2, FNS defines "locally grown" for the FMNP to mean produce grown only within State agency borders but may be defined to include areas in neighboring State agencies adjacent to its borders. How does the State agency define "locally grown produce" in order to designate FMNP eligible foods?

   ☐ Within the State agency borders only

   ☐ Within the State agency borders and adjacent counties (e.g., one county into the next State)

   ☐ Within the county lines

   ☒ Other (specify)

   To define coupon-eligible foods, "locally grown" means grown on State of Vermont land, or where permitted by the rules of the farmers market, on U.S. land within 30 miles of the Vermont border.

6. Per § 248.10(a)(2), to what extent does the State agency permit or prohibit the participation of individuals who are selling produce grown by someone else, in addition to their own produce? Individuals who exclusively sell produce grown by someone else, such as wholesale distributors, cannot be authorized to participate in the FMNP.

The coupons may be accepted only by authorized vendors who grow coupon-eligible foods to sell at authorized farmers markets. Where permitted by the market, a participating vendor may accept coupons for eligible foods grown in the wild or produced by another farmer insofar as those foods are locally grown and sold in addition to eligible foods grown by the participating vendor.

7. Per § 248.10(b)(1), under what conditions, if any, does the State agency authorize roadside stands (Appendix M), i.e., a location in which a single, individual farmer sells

their own produce directly to consumers, in contrast to a farmers' market or a nonprofit organization that does not grow its own produce, but realizes a profit from such sales? Examples of authorization criteria include: 1) recipient access, or 2) lack of farmers' markets.

For this program, a roadside stand is defined as a temporary or semi-temporary structure that allows farmers to sell farm products and other goods they produce at a specific place and time directly to consumers. Some roadside stands operate as a vendor at markets as well. It is expected but not required that all or most items at the participating roadside stand would be Vermont agricultural products or goods made with such products.

Program participation requires that a roadside stand: (1) be located in Vermont or within 30-miles of the state border, excluding Canada and sell goods entirely or predominantly produced by them; (2) be selling coupon- eligible foods on a steady basis during most of the program season; (3) be staffed at all operational hours; (4) abide by the current year's Rules and Procedures.

A determination as to whether to authorize a new roadside stand is based on the location of the roadside stand, the anticipated volume of eligible foods it may offer, and ESD's capacity to manage another site effectively. Roadside stands enrolled the previous year are re-enrolled unless the stand closes, opts out, or is not renewed due to a budget reduction, the roadside stands coupon redemption or management history or complaints about the roadside stand. ESD is not obliged to renew an expired roadside stand agreement and may terminate an agreement without cause after giving the roadside stand thirty days advance notice.

8. Per § 248.10(a)(7), describe how the State agency will ensure that no conflict of interest exists between the State or local agency and any participating farmer, farmers' market or roadside stand.

Given the size and resources of Vermont markets, it is inevitable that a participating vendor may also be a market's FMNP manager. There are sufficient controls in place to prevent this dual role from resulting in program abuse. No individual holding state-level responsibilities for approving or carrying out FMNP financial transactions, or for compliance monitoring or authorizing the participation of markets or vendors, may be an officer or otherwise responsible for handling financial transactions at any currently participating farmer's market or roadside stand. A state or local agency employee may be a participating vendor, provided that their job duties do not involve vendor authorization, coupon distribution or processing coupons for payment.

9. Indicate the number and type of farmers, farmers' markets, and/or roadside stands that will be authorized in FY 2025:

177 Farmers
43 Farmers' markets
20 Roadside stands

10. Does the State agency require that the Market Manager be bonded?

☐ Yes ☒ No

C. Farmers and/or Farmers' Market Agreements
Each State agency shall enter into a written agreement with all participating farmers and /or farmers' markets, and roadside stands including sanctions for non-compliance with FMNP requirements. **Include the FMNP State agency-Farmers/Farmers' Market/Roadside Stand Agreement in the addendum.**

This agreement, as described in § 248.10, must contain at a minimum the following specifications:

1. The farmer and/or farmers' market and roadside stand shall (§ 248.10(b)(1)(i-xii)):

   i. Provide such information as the State agency shall require for its periodic reports to FNS;
   ii. Assure that FMNP food instrument benefits are redeemed only for eligible foods;
   iii. Provide eligible foods at the current price or less than the current price charged to other customers;
   iv. Accept FMNP food instruments within the dates of their validity and submit food instruments for payment within the allowable time period established by the State agency;
   v. In accordance with a procedure established by the State agency, mark each transacted food instruments with a farmer identifier. In those cases where the agreement is between the State agency and the farmer or roadside stand, each transacted FMNP food instrument shall contain a farmer identifier and shall be batched for reimbursement under that identifier. In those cases where the agreement is between the State agency and the farmers' markets, each transacted FMNP food instrument shall contain a farmer identifier and be batched for reimbursement under a farmers' market identifier;
   vi. Accept training on FMNP procedures and provide training to farmers and any employees with FMNP responsibilities on such procedures;
   vii. Agree to be monitored for compliance with FMNP requirements – including both overt and covert monitoring;
   viii. Be accountable for actions of farmers or employees in the provision of foods and related activities;
   ix. Pay the State agency for any food instrument benefits transacted in violation of this agreement;
   x. Offer FMNP recipients the same courtesies as other market customers;
   xi. Comply with the nondiscrimination provisions of USDA regulations;
   xii. Notify the State agency if any farmer or farmers' market or roadside stand ceases

operation prior to the end of the authorization period. Provide the State agency with a regularly updated list of all farmers at the authorized market who accept FMNP food instruments in exchange for their produce, and their effective dates of participation.

2. The farmer and/or farmers’ market and roadside stand shall not (§ 248.10(b)(2)(i-iii)):

    i. Collect sales tax on FMNP food instrument purchases;
    ii. Seek restitution from FMNP recipients for food instruments not paid by the State agency; and
    iii. Issue cash change or credit (including rain checks) in exchange for purchases that are in an amount less than the value of the FMNP food instrument(s).

3. Neither the State agency nor the farmer and/or farmers’ market or roadside stand have an obligation to renew the agreement. The State agency or the farmer and/or farmers’ market or roadside stand may terminate the agreement for cause after providing advance written notification. The period of time within which such advance notification must be provided is to be stipulated by the State agency as part of the standard agreement.

4. The State agency may deny payment to the farmer and/or farmers’ market or roadside stand for improperly redeemed FMNP food instruments or may establish a claim for payments already made on improperly redeemed food instruments. The State agency may disqualify a market and/or a farmer or roadside stand for program abuse with a minimum of 15 days’ advance written notification.

5. The State agency may disqualify a farmer and/or farmers’ market or roadside stand for FMNP abuse.

6. A farmer and/or farmers’ market or roadside stand that commits fraud or engages in other illegal activity is liable to prosecution under applicable federal, State agency or local laws.

7. A farmer and/or a farmer's market or roadside stand may appeal an action of the State agency denying its application to participate, imposing a sanction, or disqualifying it from participating in the FMNP. If a State agency has agreements with farmers' markets, then a farmer shall appeal such actions to the farmers' market. Expiration of a contract or agreement shall not be subject to appeal through the FMNP State agency.

8. Agreements may not exceed 3 years. The farmers and/or farmers' market and roadside stand agreements are valid for 1 or 3 years.

    The farmers and/or farmers' market and roadside stand agreements are valid for 1 or 3 years. Any new market or roadside stand (one did not enroll the previous year) will be given a 1-year agreement for their first season. Markets and roadside stands are tracked by ESD to verify a valid one- or three-year agreement is on file.

9. Describe or attach other cooperative arrangements that may have been negotiated, such as with Cooperative Extension Service programs, or with a State Agriculture Department or ITO, to authorize farmers/farmers' markets or roadside stands.

   ESD does not plan to have a cooperative arrangement.

D. Annual Training for Farmers, Farmers' Markets, Roadside Stands

   State agencies shall conduct annual training for farmers and/or farmers' market managers in the FMNP. The State agency must conduct a one-time, face-to-face training for all farmers and farmers' market managers who have never previously participated in the FMNP per § 248.10(d). Face-to-face training refers to an interactive format that includes an opportunity for questions and answers, which may include interactive video conferencing as well as actual face-to-face training sessions.

   After a farmer/farmers' market manager's first year of FMNP operation, State agencies have discretion in determining the method used for annual training purposes. At a minimum, annual training shall include instruction emphasizing:

   - Eligible food choices;
   - Proper FMNP food instrument redemption procedures, including deadlines for submission of food instruments for payment;
   - Equitable treatment of FMNP recipients, including the availability of eligible foods to FMNP recipients that are of the same quality and cost as those sold to other customers;
   - Civil rights compliance and guidelines;
   - Guidelines for storing FMNP food instruments safely; and
   - Guidelines for canceling FMNP food instruments, such as punching holes or rubber-stamping.

1. Describe the procedures the State agency has in place for the face-to-face training required for all farmers and farmers' market managers who have never previously participated in the FMNP. This description should also include the subsequent training methods made available to authorized farmers and farmers' market managers after the first year's face-to face training.

   During the March enrollment, each market and roadside stand is sent a link to an online training. These materials are the basis for the interactive training that is required for all newly participating roadside stands or market managers and available to any participating market or roadside stand requesting it. The interactive training is typically conducted via the Microsoft Teams and/or the phone after the enrollment materials are received. The training is administered individually with the market manager or roadside stand. An in person face-to-face training is scheduled only if requested. The training agenda includes a review of program and financial policies and procedures, eligible foods, the prohibition on cash change, coupon voiding and redemption procedures and deadlines, equitable treatment of coupon recipients, complaint and appeal rights and procedures, civil rights compliance, and guidelines for storing and handling coupons.

In its April pre-enrollment mailing, ESD notifies farmers who took part the previous year about any change in the Rules or FMNP operations. A vendor enrolling for the first time receives that information from the market manager. The market manager training emphasizes their obligation to train any vendors they enroll at the market, i.e., assure that their vendors have and understand the program rules and comply with those policies during the market season. On an ongoing basis, ESD is accessible to market and roadside stand managers and farmers to answer questions regarding FMNP policies and procedures.

E. Food Instrument Benefit Accountability

The food instrument reconciliation process as contained in § 248.10 is intended to assure accountability by enabling the State agency to reconstruct the "life history" of each food instrument benefit, from the time it is issued through its redemption. While State agencies are not required to extract and show, for each coupon, the participant and the farmer/market associated with the coupon and record the link (e.g., in the form of a spreadsheet or other document), State agencies must have the ability to trace redeemed coupons to a valid recipient and authorized farmer/market.

The State agency is responsible for reconciling validly redeemed food instruments, as well as lost, stolen, voided, expired, or FMNP food instrument transactions that do not match issuance records. The process for reconciling lost and/or stolen food instruments must ensure that farmers accepting such food instruments in good faith, and through approved procedures, are not unfairly penalized.

1. Describe or attach the State agency's system for identifying and reconciling FMNP food instrument transactions that were redeemed, voided, expired, or reported lost or stolen and not matching issuance records. Validly redeemed FMNP food instrument transactions are those that are issued to a valid FMNP recipient and redeemed by an authorized farmer or farmers' market or roadside stand within valid dates. They must, at a minimum:

   - Have a valid recipient identifier based on the issuance log;
   - Have a unique and sequential serial number;
   - Be transacted within valid dates; and
   - Be redeemed by an authorized farmers' market, an authorized farmer operating under the auspices of the authorized market, or operating an authorized roadside stand.

All coupons bear unique and sequential numbers matching a serialized bar code. They identify the coupon expiration and redemption deadlines and are managed with a record keeping system that lets ESD track a coupon from its point of origin to a local distributing office to a recipient, and if redeemed, to a specific vendor at a specific farmers market or roadside stand.

The coupon acceptance agreements and issuance logs identify the serial numbers of coupons received and require signatures certifying to that data. VDH sends completed logs to ESD steadily throughout the summer so that ESD can monitor issuance patterns and keep up with data entry work. Local offices periodically inventory available coupons and immediately report to ESD any apparent loss or theft of coupons. If coupons are stolen from a distributing agency or coupon recipient, the program does not penalize a farmer, market, or roadside stand for accepting or redeeming those coupons in good faith. ESD monitors coupon redemption data to determine if and where any of the lost or stolen coupons are redeemed.

Each participating vendor is assigned a unique vendor number and puts that number on each coupon accepted before giving the coupon to the market manager for payment. The market manager verifies that each coupon is numbered, tallies the coupon value by vendor, and transmits them to ESD in a postage-paid program envelope provided by ESD. The market encloses a completed Market Tally of Redeemed Coupons that itemizes redeemed coupons by vendor number. The market encloses any new Single-Market Vendor Participation Agreements the market has secured from its produce vendors.

ESD authorizes payment to the market in the amount of the verified total of valid redeemed coupons in that batch. ESD first adds any new vendor agreement to the database and screens each tally to determine if it includes coupons submitted for vendors for whom no agreement is on file or enclosed with the tally. Any such coupons are considered invalid and returned to the market with explanation but without payment. ESD also disallows payment for expired coupons submitted by a market or roadside stand outside the redemption deadline. ESD authorizes payments to the markets and roadside stands on a NET 30 basis.

Each coupon is imprinted with a serialized bar code to scan into a FMNP database that contains the coupon serial numbers valid for that year, as well as data on the market or roadside stand, vendor, recipient and local agency applicable to each coupon. After the initial tally screening, ESD enters the market or roadside stand, tally and vendor data into the database, and scans each coupon bar code into the database with a hand-held scanner. The system automatically rejects any coupon whose serial number is not valid that year, or that was already redeemed or was submitted for an unauthorized market, roadside stand or vendor. ESD advises the market or roadside stand of any errors in their manual count and sends them a copy of the corrected tally form. The State finance department initiates a payment in the authorized amount and transmits the payment.

ESD documents the serial numbers and disposition of any coupons that were printed but not issued, and of coupons that were expired, voided, lost or not matching issuance records. To facilitate timely reconciliation of coupons and monitor redemptions, ESD urges markets and roadside stands to submit coupons for payment weekly. Markets are expected to pay vendors promptly for coupons accepted, and it can take a month for a market to receive State reimbursement.

a. Describe the State agency's system for ensuring that food instrument benefits are redeemed only by authorized farmers, farmers' markets, or roadside stands for eligible foods.

The coupon management system assures that ESD only pays for coupons redeemed by authorized entities that had agreed in writing to redeem coupons only for eligible foods and under stated conditions. The Rules require market managers to monitor vendor behavior and report to ESD any vendor suspected of being in violation, and to require vendors to put their vendor number on each coupon. Markets, roadside stands, or vendors in violation are subject to disqualification or other sanction measures and informed of this when they sign participation agreements. ESD reviews the restriction of coupon sales to eligible foods sold by authorized vendors at authorized sites in the monitoring process, usually through unannounced visits. Recipients are instructed about the types of foods eligible for coupon purchases and given a list of the authorized market and roadside stand sites and their schedules. Recipients also are advised to look for the Farm to Family posters to identify participating vendors at the markets.

b. Describe the State agency's system for identifying and disallowing food instrument transactions that are redeemed or submitted for payment outside valid dates or by unauthorized farmers or farmers' markets or roadside stands.

The authorization and coupon reconciliation procedures described earlier assure that ESD does not make payments involving roadside stands, markets, or farmers that are not authorized to accept coupons, and that invalidly redeemed coupons are rejected for payment. The participation agreements and the coupon itself specify the dates for coupon expiration, for vendors to submit coupons to the market manager, and for the market and roadside stand to submit coupons to ESD for reimbursement. In the Financial Policies and trainings, ESD requires market managers to collect accepted coupons from vendors at the end of each market day. They also require markets to pay the vendors promptly upon verifying the value of coupons accepted, and to submit coupons for reimbursement frequently. The market manager is responsible for collecting any remaining coupons from participating vendors promptly after the market closes for the season or after the October 31 expiration date, whichever is sooner. To qualify for reimbursement, this final batch of coupons must be sent to ESD for payment by November 10, as stated on each coupon and in the Participation Agreements.

2. Food Instrument Timeframes

- Issuance to participants July 1 – September 30_
- Redemption by recipients: July 1 – October 31
- Submission for payment by farmers/farmers' markets: July – November 10
- Payment by the State agency: July – November 25

All of the functions described above must be completed within a timeframe that allows the State agency to reconcile food instruments, liquidate obligations, and submit its financial and program data report (FNS-683b) to FNS **no later than January 30 of each year.**

Provide a copy of the FMNP food instrument in Appendix I.

VI. Management Evaluations and Reviews

A. Describe or attach a description of the State agency's criteria for defining a high-risk farmer. Such criteria must include at a minimum:

1. Proportionately high volume of food instruments redeemed within a farmers’ market or roadside stand and within a State agency;
2. Recipient complaints; and
3. New farmers, farmers' markets, and roadside stands in their first year of operation.

   Criteria used to determine high risk includes:
   - Roadside stand or farmers markets (and their produce vendors) in their first year of program participation.
   - markets expected to redeem over $6,000 in coupons for the season.
   - vendors expected to redeem over $2,500 in coupons for the season.
   - participating markets, roadside stands, or vendors about whom ESD received two or more complaints over a consecutive two-year period; and
   - vendors redeeming a high volume of coupons compared to other vendors at the market, bearing in mind that this volume may be small at a market where few coupons are redeemed.
   - Roadside stand or farmers markets (and their produce vendors) that have not been reviewed in the previous five years.

B. Describe the State agency's plans (including any compliance purchase activities) for reviewing authorized farmers/farmers' markets/roadside stands (on-site) in FY 2025. § 248.17(c)(1)(i) requires that at least 10 percent of farmers, 10 percent of farmers' markets, and 10 percent of roadside stands be monitored.

Each spring, ESD does a desk assessment of markets, roadside stands and farmers participating in the previous year. This is done by reviewing the number of participating vendors at a market, coupon redemption records, monitoring reports and any other evidence of problem areas, such as having only one vendor who accepted coupons, complaints about the market or roadside stand, or a pattern of inaccurate coupon tallies. ESD tries to visit each participating market or roadside stand at least once every five years. Markets or roadside stands identified as having significant problems are a higher priority among those to be visited. Unannounced visits, documented on a monitoring report, enable ESD to observe FMNP activities at the location and give them an opportunity to discuss the program with State personnel or request more program materials. Additional training or materials may be provided if problems are chronic or common among roadside stands, markets, or among vendors at a given market. ESD also documents its reviews of participating vendors.

Vermont authorizes markets, not individual farmers, as the entities with which it conducts FMNP financial transactions. Regardless, ESD annually reviews at least 10% of authorized markets, roadside stands and farmers.

New Fiscal Year: 2025

12	Total # of Local Agencies
6	# of local agencies to be reviewed (This is the # of local agencies, not the # of participating local agencies.)
43	Total # of Farmers' Markets Authorized
5	# of markets to be reviewed (minimum of 10%)
177	Total # of Farmers authorized
18	# of farmers to be reviewed (minimum of 10%)
20	Total # of Roadside Stands authorized
2	# of Roadside Stands to be reviewed (minimum of 10%)

Previous Fiscal Year: 2024

12	Total # of Local Agencies
6	# of local agencies reviewed (This is the # of local agencies, not the # of participating local agencies.)
43	Total # of Farmers' Markets Authorized
6	# of markets reviewed
177	Total # Farmers authorized
24	# of farmers reviewed
20	Total # of Roadside stands authorized
2	# of Roadside stands reviewed

C. Describe or attach the State agency's policies and procedures for determining the type and level of sanctions to be applied against farmers, farmers' markets, and roadside stands which violate federal and/or State agency FMNP requirements based upon the severity and nature of the FMNP violations.

ESD may disqualify any roadside stand, market or vendor not offering FMNP-eligible foods or found to be violating FMNP requirements. Sanctions may be imposed for violations of their participation agreement, following an investigation. Sanction policies and procedures are detailed in the Rules (*Appendix O*) given to all roadside stands, markets and vendors prior to their signing participation agreements and are noted in the agreements themselves.

D. Describe the State agency's plans for reviewing FMNP practices at local agencies in FY 2025 (§ 248.17(c)(1)(ii)). All local agencies participating in the FMNP must be reviewed at least once every two years by WIC FMNP State agency staff or WIC State agency staff. **Please attach a copy of the State agency's FMNP monitoring tool to review local agencies (Appendix R).**

FMNP management is a standard part of the WIC Program Management Review conducted annually at six of the twelve VDH district offices. Staff from the VDH Central Office review security procedures, as well as observe coupon issuance and nutrition education sessions that occur during their visit. Those sessions provide opportunities for participants to learn about fresh produce and ways to prepare them. District offices include participating farmers markets and roadside stands among the sites where FMNP benefit issuance and nutrition education occurs. During FY24, a WIC Management Evaluation was conducted in the Barre, Bennington, Morrisville, Newport, Rutland, and St Albans local WIC offices. These reviews were conducted in person on site at the local offices and included assessing Farm to Family coupon security and WIC staff understanding of distribution procedures. In 2024, each local WIC office distributed coupons in person at markets and at their local district offices. Nutrition education activities were done at distributions and local WIC staff provided the Nutrition Matters material *Summer Berries* to families. During the onsite reviews, all areas met the standard and there were no corrective actions required.

E. Briefly summarize findings and corrective action taken from any reviews conducted in the previous year (FY **2024)**:

Vermont coupon management is administered through markets rather than individual farmers (vendors) as well as through farm stands (roadside stands). In 2024, documented site visits were conducted at two farm stands and six farmers' markets. There was a total of 24 vendors monitored at these six markets. All markets, vendors, and farm stands were found to be complying with program requirements, except for some vendors not displaying the Farm to Family sign. If needed, signs were made available at the time of review by the Farm to Family reviewer or by the Market Manager. No violations were observed during the reviews and no corrective actions were needed in 2024.

The markets monitored were Capital City Farmers Market, Waterbury Farmers Market, Bristol Farmers Market, Morrisville Farmers Market, Northfield Farmers Market and Jericho Farmers Market. These markets were considered high risk having not been reviewed in five years. Additionally, Bristol Farmers Market was deemed high risk for being new this season with a new manager. The Waterbury Market was high risk having a new manager.

The farm stands monitored were Adam's Berry Farm and Old Gates Farm. They were both deemed high risk for not being reviewed in five years. There were no violations observed.

Overall, markets and farm stands were well attended in 2024. Due to continuing weather occurrences affecting earlier crops, vendors reported the season ending relatively well. There was a good variety of produce. In general, the markets appeared welcoming, bringing communities and families together.

VII. Nutrition Education Requirements

A. Describe in detail, per § 248.9, the State agency's plan to provide nutrition education to FMNP recipients and the manner in which it is provided (e.g., in person, mailed materials, online). If the administering State agency for the FMNP is not the WIC State agency and has entered into an agreement for the WIC State agency to provide nutrition education, attach a copy of the WIC State agency's nutrition education plans for FMNP recipients.

Each coupon recipient gets a brochure that includes a Vermont harvest calendar and tips about shopping at farmers markets, the seasonality of fresh locally grown produce, and the health benefits of fruits and vegetables. In accordance with its ESD agreement, VDH issues coupons to WIC participants in conjunction with educational activities that include discussion of that brochure and other nutrition education activities and materials. As outlined in the VDH Nutrition Education Guidance, local VDH staff have the discretion to adapt the lesson and format to the setting and people expected to attend and have a variety of resource options. Activities may include games that require physical activity and providing recipes using fruits and vegetables. Many sessions are held at participating roadside stands or farmers markets, where participants can see the vegetables and fruits in season and learn how to select or prepare those foods from the farmers who grew them.

Guidelines:

1. **Responsibility**
   It is not mandatory that the FMNP State agency retain sole responsibility for providing nutrition education to Program recipients. Nor is it intended that the FMNP State agency duplicate the nutrition education that may be currently provided by the WIC local agency. The FMNP nutrition education requirement may be fulfilled directly by the farmers' markets or another branch of the State Department of Agriculture or ITO, or under agreement with the local WIC agency, area colleges and universities, the Expanded Food and Nutrition Education Program (EFNEP), the Cooperative Extension Service, and/or any number of other entities having the capability to address the particular nutritional benefits of fruits and vegetables that can be obtained at farmers' markets. Any costs associated with the provision of nutrition education by an entity other than the administering agency of the FMNP are allowable administrative expenses under FMNP funding (no more than 17 percent of the total grant). This aspect of the program responds directly to the Congressional intent in establishing the FMNP as a way to increase recipients' awareness and use of farmers' markets.

2. **Encourage Partnerships**
   FNS believes that the effectiveness of nutrition education can be greatly enhanced through collaboration with others interested in promoting health and nutrition in low-income populations. Therefore, FNS strongly encourages collaboration and coordination of efforts with State agency-wide public and private partners to enhance both the outreach and efficacy of the nutrition education efforts. FNS encourages such collaboration to facilitate development of long-term, coordinated nutrition education plans and sustainable infrastructures; foster an integrated approach to nutrition education

across programs in the State agency; capitalize on promotional opportunities; coordinate and pool resources for material development, duplication, and dissemination; and ensure development of science-based messages that are consistent with the U.S. Dietary Guidelines for Americans, *My Plate*, and other federal guidance**.**

3. **Promote the Dietary Guidelines for Americans (DGAs)**
FNS encourages State agencies to create consumer messages from the latest edition of the Dietary Guidelines for Americans, 2020-2025 into their nutrition education plans. It is expected that nutrition education messages will logically be tailored to address the most urgent nutrition education needs of constituents. The key guidelines from the 2020-2025 Dietary Guidelines for Americans are designed to promote food and physical activity choices for a healthy lifestyle, are as follows:

    1) **Follow a healthy dietary pattern at every life stage.** At every life stage—infancy, toddlerhood, childhood, adolescence, adulthood, pregnancy, lactation, and older adulthood—it is never too early or too late to eat healthfully.
    2) **Customize and enjoy nutrient-dense food and beverage choices to reflect personal preferences, cultural traditions, and budgetary considerations.** A healthy dietary pattern can benefit all individuals regardless of age, race, or ethnicity, or current health status. The Dietary Guidelines provides a framework intended to be customized to individual needs and preferences, as well as the foodways of the diverse cultures in the United States.
    3) **Focus on meeting food group needs with nutrient-dense foods and beverages and stay within calorie limits.** An underlying premise of the Dietary Guidelines is that nutritional needs should be met primarily from foods and beverages—specifically, nutrient-dense foods and beverages. Nutrient-dense foods provide vitamins, minerals, and other health-promoting components and have no or little added sugars, saturated fat, and sodium. A healthy dietary pattern consists of nutrient-dense forms of foods and beverages across all food groups, in recommended amounts, and within calorie limits.
    4) **Limit foods and beverages higher in added sugars, saturated fat, and sodium, and limit alcoholic beverages.** At every life stage, meeting food group recommendations—even with nutrient-dense choices—requires most of a person's daily calorie needs and sodium limits. A healthy dietary pattern doesn't have much room for extra added sugars, saturated fat, or sodium—or for alcoholic beverages. A small amount of added sugars, saturated fat, or sodium can be added to nutrient-dense foods and beverages to help meet food group recommendations, but foods and beverages high in these components should be limited.

These key guidelines–along with consumer resources available online through the My Plate url: www.myplate.gov website, such as MyPlate Plan, MyPlate App, MyPlate Quiz, and more are being consistently and prominently promoted in all of the FNS programs to advance an integrated, behavior- based, comprehensive nutrition education approach across FNS programs.

B. List or attach the locations or settings where nutrition education for FMNP is provided (e.g., WIC local agencies, farmers' markets, community centers, childcare facilities, or schools). If nutrition education is provided remotely (e.g., mailed materials, online), please write N/A.

In addition to VDH district offices and WIC clinic sites *(Appendix J),* FMNP nutrition education may occur in other community facilities, such as family centers. Many of the activities are conducted at participating farmers markets and roadside stands.

1. Does the State agency coordinate with other agencies around issues related to nutrition education and promotion?

☐ No
☒ Yes (If yes, check the applicable partnerships below):

☒ Supplemental Nutrition Assistance Program (SNAP)
☐ Team Nutrition
☒ Commodity Supplemental Food Program (CSFP)
☒ Children and Adult Care Food Program (CACFP)
☐ Food Distribution Program on Indian Reservations (FDPIR)
☒ WIC
☒ Other FNS programs (specify): Senior FMNP, SNAP-ED

☐ Temporary Assistance for Needy Families Program (TANF)
☐ Expanded Food and Nutrition Education Program (EFNEP) and/or Cooperative Extension Service
☐ Other government programs (e.g., Head Start, 5 A Day, etc., specify): _____

☒ Non-profit organizations (specify): Northeast Organic Farming Association, VT Foodbank, Community Action Agencies
☐ For-profit organizations (specify): _____
☐ Industry (specify): _____
☐ Professional organizations (specify): _____
☐ Educational Institutions (specify): _____
☐ Religious Institutions (specify): _____
☒ Other (specify): VT Dept. of Disabilities, Aging & Independent Living (DAIL), VDH obesity prevention, VDH You First

2. Describe how nutrition education for FMNP is coordinated with other nutrition education programs or services, such as WIC, SNAP, Extension Service, 5 A Day, or State agency initiatives.

In addition to their FMNP partnership, ESD and VDH are members of the public-private sector Vermont Nutrition Education Committee (VNEC). VNEC includes representatives from the Vermont Foodbank, Hunger Free Vermont, University of Vermont Extension, and state agencies that design and deliver WIC, EFNEP, child nutrition, CSFP, obesity prevention, and elderly nutrition services. VNEC meets periodically to share information on nutrition education gaps and resources and to identify ways to coordinate efforts and convey effective nutrition messages consistently to Vermonters. ESD is also Vermont's SNAP state agency. Its FMNP coordinators also write and manage the state plans for SNAP Outreach and SNAP-Ed and manages the outreach grants for Community Action Agencies (CAAs). ESD partners with VDH to plan and implement SNAP-Ed nutrition education services in Vermont and enlists other VNEC partners in that effort. ESD advises CAAs how to link nutrition education to their distribution of non-federal ("similar programs") and senior Farm to Family coupons.

3. Describe the nutrition education materials developed by the State agency, and how they are used. In addition, describe any new materials the State agency plans to develop.

The Farm to Family Coupon Brochure and VDH nutrition education guidance as noted above are used. Items are rarely developed specifically for the FMNP because a wide array of existing appropriate nutrition education materials are available. The summer issue of the VDH WIC program newsletter offers seasonal information to WIC participants (e.g., ways for family members to be more physically active, recipes made with local produce, or strategies to encourage children to try new vegetables).

4. Does the State agency plan to develop new recipient educational materials containing the current Dietary Guidelines for Americans messages?

☐ Yes ☒ No

If yes, please describe the elements below.

Type of material	Target audience	Project completion date
________	____	____

5. If the State agency intends to collect survey information to assess the effects of the Program on farmers' markets and roadside stands and the change in consumption of fresh fruits and vegetables by FMNP recipients, **attach copies of survey forms**.

For many years, ESD would invite coupon recipients to return a survey asking if they bought fruits or vegetables they had never tried before and other questions to assess whether the program affected fruit or vegetable consumption. ESD does not plan to survey recipients to conserve its limited administrative resources. ESD very rarely surveys farmers because there is less turnover in farmer participation than in the recipient caseload. Farm to Family began in 1987, and surveys of farmers indicated that, over time, they were less apt to link FMNP participation to changes in their market sales or practices, even if they had earlier reported that the program had motivated them to join the farmers market, change their display signage or grow more varieties of produce to sell at farmers markets.

VIII. Miscellaneous Requirements

A. Civil Rights

Executive Order (EO) 13988, “Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation.” was issued to all Federal Agencies. The EO set out policies that all persons are entitled to dignity, respect, and equal treatment under the law, no matter their gender identity or sexual orientation. The EO does not usurp section 17 of 42 U.S.C, as amended or applicable regulations. However, where appropriate, State agencies may update their policies and procedures to align with the contents of the EO.

1. Describe, per § 248.7(b), the State agency's procedures for handling complaints of discrimination on the basis of race, color, national origin, age, sex or disability, including timeframes for submitting such complaints and for investigating them and responding to plaintiffs. The State agency's procedures for handling complaints of discrimination in the FMNP should be consistent with established and approved procedures for handling such complaints related to other assistance programs administered by the State agency. For example, if WIC Program-related allegations of discrimination are to be forwarded to FNS Headquarters for investigation and resolution, then FMNP complaints should be handled in the same way. It is not necessary for the State agency to develop separate, duplicative procedures for the FMNP if such procedures already exist in a related Program administered by the State agency.

    ESD would forward any complaint related to discrimination noted above to the USDA Office of Adjudication for investigation within 5 working days.

2. Does the State agency, per § 248.7(a)(1), use the following statement on all FMNP brochures and publications, excluding materials which provide only nutrition education information without mentioning FMNP, and such items as caps, buttons, magnets and pens, when the size or configuration make it impractical:

    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/USDA-OASCR%20P-Complaint-Form-0508-0002-508-11-28-17Fax2Mail.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.

☒ Yes ☐ No

3. Does the State agency use the following statement, in print size no smaller than the text, in material too small to permit the full statement?

   "This institution is an equal opportunity provider."

   ☒ Yes ☐ No

4. Does the State agency use the following statement in radio and television public service announcements?

   "This institution is an equal opportunity provider."

   ☒ Yes ☐ No

ESD does not use radio or television public service announcements, but if it did, it would include the Farm to Family Program name because Vermonters would not recognize the FMNP name or acronym.

B. Hearing Procedures and Program Complaints:

1. The State agency shall provide a fair hearing procedure whereby local agencies, recipients, farmers/farmers' markets and farmers' associations adversely affected by certain actions of the State agency may appeal those actions. A local agency may appeal

an action of the State agency disqualifying it from participating in the FMNP. A recipient may appeal disqualification/suspension of FMNP benefits. A farmer, farmer's market, roadside stand, or farmers' association may appeal an action of the State agency denying its application to participate, imposing a sanction, or disqualifying it from participating in the FMNP. Expiration of a contract or agreement, and determination of ineligibility to receive WIC benefits (and therefore to receive FMNP food instruments) shall not be subject to appeal through the FMNP State agency. The State agency shall also provide procedures for addressing complaints about program operations.

a. Describe or attach the State agency's procedures for offering, conducting, and rendering final decisions on fair hearings requested by local agencies, recipients, farmers' markets/farmers and farmers' associations. The opportunity to request a fair hearing regarding certain adverse actions taken by the State agency must be provided to all farmers and/or farmers' markets and recipients against whom such adverse action is taken.

   Participating farmers markets are required to offer a timely appeal process to any eligible produce grower who sells eligible produce at that market and whose request to accept coupons is denied by the market. The appeal rights and procedures for roadside stands, vendors or markets that are suspended or disqualified from the program are described in the Rules. For a roadside stand or farmers market rejected for participation for reasons other than the authorization criteria, or for an eligible produce grower denied by a market and dissatisfied with the outcome of his/her appeal to the market, the following process applies: (1) the applicant is informed of the decision and reason(s) for denial; and (2) the applicant has ten days to appeal to the State by requesting a hearing before a three-person Appeals Committee to be chaired by the ESD Food and Nutrition Program Director, or his/her designee, and include representation from the Department of Health. The hearing will be scheduled within three weeks after ESD receives the hearing request.

b. Describe or attach the State agency's procedures for handling program complaints from recipients, non-recipients, markets, farmers and farmers' associations.

   ESD addresses any complaint no later than five working days from the date it is received. ESD makes available a standardized complaint form to record a complaint from any source. The process is detailed in the Rules and given to all participating roadside stands, markets, and vendors and coupon distribution offices. The brochure given to each coupon recipient advises them of their right to file a complaint. Documentation of complaints received by ESD includes the complaint date, name of person taking the complaint, description of the complaint, its source, and any actions taken as a result. Cooperating agencies are expected to refer complaints from the public to ESD for resolution. Vendors are encouraged to inform the market manager of any problems or complaints, and to resolve them locally if possible. Any problem that cannot be addressed locally is referred to ESD for investigation. If a coupon recipient writes comments on a program survey indicating that a roadside stand, market or farmer may be violating program rules, ESD treats that as a complaint and responds accordingly if the recipient is identifiable and able to provide any additional information that ESD may need to verify and act on the problem.

2. Drug Free Workplace. Describe or attach the State agency's plans to maintain a drug-free workplace and otherwise comply with 2 CFR 421. Per 2 CFR 421, the State agency must identify all of its known State agency workplaces where work under the federal FMNP grant will be performed; please attach a list of these workplace addresses.

   As part of the personnel policies available on its Department of Human Resources website, the State of Vermont maintains and enforces a Drug-Free Workplace Policy. Its stated purpose is that: "As an employer, the State of Vermont is responsible for maintaining safe, efficient working conditions for its employees by providing a drug-free workplace. Therefore, State employees shall not engage in the unlawful manufacture, distribution, possession or use of controlled substances (drugs) on the job or on any State work site." As part of a comprehensive set of provisions, the policy: Defines terms, including a "workplace" definition that encompasses the WIC sites. Prohibits the "use, sale, purchase, transfer or possession of an illegal drug by an employee while in a State facility, while performing State business, or while on the job." Requires disciplinary action against an employee who is not convicted under any criminal drug statute but who engages in one of the prohibited activities noted above. Requires immediate dismissal of an employee convicted of a drug violation for the first offense. If the conviction is not a felony, and the violation occurred outside the workplace or when the employee was not on duty, discipline up to and including dismissal may be imposed, including for the first offense, if there is a link between the offense and the employee's job.
   Requires a department with an employee working in a federally funded program and convicted of a criminal drug statute to notify the federal grant agency within 10 days after learning of the conviction. Requires each appointing authority to instruct all employees about the policy. Provides for an Employee Assistance Program that offers confidential counseling to employees and their immediate families who voluntarily seek help with "personal problems such as family or marital difficulties, problems with alcohol or drugs, emotional illness, or financial or legal worries."

3. Local Agency Debarment/Suspension – Per 2 CFR 417, the FMNP State agency has on file either 1) a current certification in a format established by the State agency; or, 2) a local agency contract, or procurement contract equal to or exceeding $25,000, including assurance on debarment /suspension, which may be satisfied by the local agency debarment /suspension certification provided for WIC if it covers the same period as the FMNP local agency contract; or, 3) a record showing that the FMNP State agency had checked the Excluded Parties List System (EPLS) for each local agency?

   ☐ Yes ☒ No
   In accordance with the FMNP plan guidance, the debarment/suspension requirements do not apply to Vermont's program. The district VDH offices are branch offices of VDH, so there are no "local agencies" to which sub-grants could be made or to check in the

Excluded Parties List System, not will the FMNP involve procurement contractors with contracts expected to meet or exceed $25,000.

4. SF-LLL on File - The FMNP State agency has on file the current SF-LLL, Disclosure Form to Report Lobbying, if lobbying occurs with non-federal funds, for each FMNP local agency and procurement contractor with a sub-grant or sub-contract exceeding $100,000, if any? (This may be satisfied with local agency lobbying disclosures provided for WIC only if the State agency – local agency contract covers both WIC and FMNP.)

   ☐ Yes ☒ No N/A (see part 3 above)

5. SF-LLL Transmission - The FMNP State agency has provided a copy of any such disclosures to the FNS Regional Office?

   ☒ Yes ☐ No

6. Have there been any fair hearings in the previous year?

   ☐ Yes ☒ No

7. Have there been participant complaints in the previous year?

   ☐ Yes ☒ No

Appendices

Include all of your appendices here. Please clearly identify any pages according to the lettering system used in this format.

Required

	Please indicate the fiscal year of the last approved appendix	Please indicate if a change (Y) or if no change (N) has occurred since the last applicable approved appendix	
A.	FY24	Y	Administrative forms, including the Federal-State Supplemental Nutrition Programs Agreement (FNS-339; expiration of 6/30/2025) and, if applicable, the Certification Regarding Lobbying and the Disclosure of Lobbying Activities (SF-LLL)
B.	FY20	N	Job Descriptions
C.	FY24	Y	Copies of signed agreements between the State Agency and another State Agency (delineating the functions to be performed)
D.	N/A	N/A	Copies of cooperative agreements with other entities for authorizing and/or training farmers, farmers' markets, and roadside stands (if applicable)
E.	FY23	N	Supporting documentation for State agency, private, in-kind, or similar program funding
F.	FY20	N	List of fruits, vegetables and/or fresh herbs that are eligible in the Program
G.	FY20	N	Samples of reporting forms for record keeping (if available)
H.	FY20	N	Copy of the log or other forms used to record and

			report food instrument issuance and inventory
I.	FY20	N	Copy of the FMNP food instrument (coupon, check, eSolution benefit, etc.)
J.	FY24	Y	Map outlining service areas and proximity of farmers' markets, and/or roadside stands, from the prior year's operation to WIC local agencies/clinics
K.	FY20	N	List of criteria used to authorize farmers' markets
L.	FY20	N	List of criteria used to authorize farmers
M.	FY20	N	List of criteria used to authorize roadside stands
N.	FY20	N	Copy of prototype agreements for farmers, farmers' markets, associations, and roadside stands (if applicable)
O.	FY20	N	Training materials for farmers, farmers' markets, and roadside stands (if applicable)
P.	FY20	N	State agency's monitoring tool(s) to review farmers, farmers' markets, and roadside stands
Q.	FY20	N	Sample State agency-wide application form for interested farmers, farmers' markets, and roadside stands
R.	FY22	N	State agency's monitoring tool to review local agencies/clinics

Optional

	Please indicate the fiscal year of the last approved appendix	Please indicate if a change (Y) or if no change (N) has occurred since the last applicable approved appendix	
1.	FY21	N	State agency training tools for local agencies

2.	FY22	N	Sample proxy form
3.	FY24	Y	Examples of nutrition education materials
4.	FY22	N	Copy of form to request an appeal/fair hearing and procedures
5.	FY23	N	Copy of other agency's nutrition education plans for FMNP participants
6.	_____	N – This is not applicable in Vermont. In VT, we seek out FMNP participants by contacting active WIC participants asking if they wish to receive FMNP benefits.	Sample notification of ineligibility (rights and responsibilities for FMNP participants should take place during the WIC certification visit per 7 CFR 246.7(j))
7.	_____	_____	Instructions to recipients, including rights and responsibilities (notification for WIC (and FMNP) ineligibility must take place during a WIC certification visit per 7 CFR 246.7(j)(5))

Please list any other attachments or appendices:

8. FY25 Estimated Budget Summary Worksheet