

Farm/Roadside Stand Agreement

New Mexico Department of Health (NMDOH)

Five-Sandova Indian Pueblo (FSIP)

WIC Farmers' Market Nutrition Program (FMNP)

Senior Farmers' Market Nutrition Program (SFMNP)

This agreement is good for the following years:

2026, 2027, 2028

Farm/Roadside Stand ID: 5-digit ID code assigned by NMDOH	
Name of Farm Stand Market:	
Days/Times of Market:	
Farm Stand Address:	
Farm Stand City:	
Farm Stand State:	
Farm Stand Zip:	
Owner/Operator's Name:	
Owner/Operator's Telephone:	
Owner/Operator's Email Address:	
Owner/Operator's Fax:	
Owner/Operator's Mailing Address:	
City:	
State:	
Zip:	
NM Tax Identification Number: (if available)	

Federal Tax Identification Number: (if available)	
EBT Authorization Number: (if available)	

For the purposes of the (DOH) Department of Health Farmers Market Nutrition Program and the (FSIP) Five-Sandoval Indian Pueblos a Farm/Roadside Stand is defined as:

A permanent retail structure that sells directly to the public, fresh produce grown primarily by the operator of the farm stand facility during seasonal production periods.

This Agreement is made by and between the owner, (Hereinafter "Farm/Roadside Stand"), and the New Mexico Department of Health and Five Sandoval Indian Pueblos Farmers' Market Nutrition Programs. This Agreement shall become effective on the date set forth below, and shall remain in force for three years, unless otherwise terminated pursuant to law or regulation, or by mutual agreement. CHANGE IN OWNERSHIP OR CESSATION OF OPERATION AUTOMATICALLY RENDERS THIS AGREEMENT NULL AND VOID. Neither the State Office nor the undersigned market has an obligation to renew this Agreement. Either the (DOH) Department of Health Farmers Market Nutrition Program or the owner may terminate this Agreement after providing 15 days' advance written notification.

The undersigned represent that they are either the sole owner of the above-named Farm/Roadside stand, or that they have full authority to enter into this Agreement for and on behalf of the Farm/Roadside stand, and to accept and agree to all of the provisions.

(Owner and/or Representative Signature)

Date

Print Name

If Management or address changes, please fill out and sign a new contract and mail/fax to NMDOH at address below.

(DOH Farmers' Market Nutrition Program Manager Signature)

Date

Five Sandoval Indian Pueblo Approval

FSIP WIC & Senior Program Manager Signature

Date

Please Complete and Return to :

Farmers' Market Nutrition Program, NMDOH PHD WIC
2040 S. Pacheco St. Suite # 123B Santa Fe, NM 87505

Email: DOH.FMNP@doh.nm.gov

Phone: (505) 469-0548

Fax: (505) 476-8900

For more information on Five Sandoval Indian Pueblos:

FSIP WIC Farmers' Market Nutrition Program
Karen Griego-Kite, WIC Director
1043 Highway 313
Bernalillo, NM 87004
Phone: (505) 771-5386

FSIP WIC Senior FMNP
Vacant-Senior Program Director
4321-B Fulcrum Way NE
Rio Rancho, NM 87144
Phone: (505) 867-3351

Farm / Roadside Stand Selection Criteria

New Mexico Department of Health (NMDOH)

Five-Sandoval Indian Pueblo (FSIP)

WIC Farmers' Market Nutrition Program (FMNP)

Senior Farmers' Market Nutrition Program (SFMNP)

For purposes of the WIC Farmers' Market Nutrition Program (FMNP), the Senior Farmers' Market Nutrition Program (SFMNP), and any additional State funded electronic benefits a Farmers' Market is defined as:

an association of local farmers who assemble at a defined location for the purpose of selling their produce directly to consumers.

The New Mexico Department of Health Farmers' Market Program establishes criteria for the selection of Farmers' Markets to be authorized to participate in the electronic WIC Farmers' Market Nutrition Program (FMNP), Senior Farmers' Market Nutrition Program (SFMNP) and any other State funded electronic benefits issued through the WIC & Senior Farmers Market Program.

It is the purpose of this Agreement to ensure vendors are providing locally grown, fresh, unprepared, unprocessed fruits, vegetables, herbs and (Honey-seniors only) to:

- a) Women, Infants, and Children (WIC) participating in electronic Farmers Market Nutrition Programs,
- a) Seniors (60 years and older-Non-Native American) or (55 years and older Native American) participating in Senior Farmers Market Nutrition Programs, to expand customer utilization of farmers' markets where consumers may buy directly from the farmer/grower.

In consideration of acceptance and participation in the NMDOH and FSIP WIC & Senior FMNP programs as an authorized Farm/Roadside stand, hereby covenants and agrees to perform and abide by the following program requirements and conditions:

The NMDOH and FSIP WIC & Senior programs shall:

1. Monitor authorized Farm/Roadside stand and farmers for compliance with applicable laws, rules and regulations, policies, and procedures.
2. Provide training for authorized Farm/Roadside stand personnel on WIC & Senior FMNP programs.
3. Provide Farm/Roadside stand Managers with ("WIC & Senior signs) to post on their

stands or social media accounts

4. Act against violators who do not abide by all laws, regulations, policies and procedures.

The Farm/Roadside Stand shall:

1. Allow and ensure authorized farmers/growers can demonstrate and sell produce grown locally within the borders of New Mexico and/or within an 80-mile radius of the Market if outside of the New Mexico border, but must be within the USA, to participate in the WIC & Senior FMNP programs.
2. Ensure Farm/Roadside Stand is not selling wholesale produce to WIC & Senior Farmers market nutrition program participants. If Farm/Roadside Stand rules allow for the reselling of wholesale produce, the farmer/grower must separate the produce from their locally grown produce. Produce must be labeled (non-local) and (local), as reselling of wholesale produce is not allowed. However, Farm/Roadside Stand may sell another farmers NM local produce, as long as it is not no more than 20% of their own product.
3. Notify the WIC & Senior FMNP programs of any changes or additions as they occur, including change of ownership or address.

The Farm/Roadstand shall:

- Acknowledges an obligation to become familiar with the NMDOH and FSIP WIC & Senior FMNP programs requirements, regulations and policies, and understands that violations of such requirements may be grounds for sanctions, including disqualification from the program. Allow and ensure authorized farmers/growers can demonstrate and sell produce grown locally within the borders of New Mexico and/or within an 80-mile radius of the Market if outside of the New Mexico border, but must be within the USA, to participate in the NMDOH and FSIP WIC & Senior FMNP programs.
- Ensure farmers/growers are not selling wholesale produce to WIC & Senior Farmers market nutrition program participants. If market rules allow for the reselling of wholesale produce, the farmer/grower must separate the produce from their locally grown produce. Produce must be labeled (non-local) and (local), as reselling of wholesale produce is not allowed. However, a farmer/grower may sell another farmers NM local produce, as long as it is not no more than 20% of their own product.
- Ensure farmers/growers provide eligible foods at the current price or less than the current price charged to other customers.
- Notify the NM NMDOH and FSIP WIC & Senior FMNP programs of any changes or additions as they occur, including change of Market Manager.

Farm/Roadstand Responsibilities:

- i. According to § 249.10(b)(1)(i and xii) § 248.10(b)(1)(i-xii), the farmer, farmers' market, and roadside stand shall:
- ii. Provide information as required for State agency periodic reports to FNS.

- iii. Assure that SFMNP/FMNP food instruments are redeemed only for eligible foods. Provide eligible foods at a fair price or less than the price charged to other customers.
- iv. Accept SFMNP/FMNP food instruments within their validity dates and submit them for payment
- v. within the allowable period.
- vi. Mark each transacted food instrument with a farmer identifier or farmers' market identifier as required.
- vii. Accept training on SFMNP/FMNP procedures and ensure training of staff with program responsibilities.
- viii. Allow monitoring for compliance with SFMNP/FMNP requirements, including both overt and covert monitoring.
- ix. Be accountable for actions of farmers and employees regarding food provision and related activities.
- x. Pay the State agency for any food instruments transacted in violation of this agreement. Offer SFMNP/FMNP recipients the same courtesies as other market customers.
- xi. Comply with USDA nondiscrimination regulations.
- xii. Notify the State agency if any operation ceases before the end of the authorization period and provide a regularly updated list of authorized farmers.

The Farm/Roadstand shall not:

- i. Collect sales tax on SFMNP/FMNP food instrument purchases. Seek restitution from recipients for unpaid food instruments.
- ii. Issue cash change or credit (including rain checks) for purchases that are less than the food instrument value.

Other Requirements:

- i. The State agency or the market may terminate the agreement with advance written notice as stipulated by the State agency.
- ii. The State agency may deny payment for improperly redeemed food instruments or establish claims for overpaid amounts and may disqualify for program abuse.
- iii. Parties adversely affected by State agency actions may appeal under the procedure outlined in §249.16(a)(1)(iii),(b) and § 248.16(c)(1).
- iv. Farmers and/or farmers' market/roadside stand agreements are valid for up to 3 years.

Accountability and Compliance

- i. Market Manager Responsibility: The Market Manager is accountable for the actions of all authorized individuals related to NMDOH and FSIP WIC & Senior FMNP activities.
- ii. Consequences for Fraud or Abuse: Any manager or representative who commits fraud or abuse is liable to prosecution under federal, state, or local law, including fines and imprisonment.

Nondiscrimination Statement:

In accordance with federal civil rights law and USDA civil rights regulations and policies, the USDA, its agencies, offices, employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the state or local agency that administers the program or contact USDA through the Telecommunications Relay Service at 711 (voice and TTY). Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at How to File a Program Discrimination Complaint and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

1. Mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Mail Stop 9410, Washington, D.C. 20250-9410;
2. Fax: (202) 690-7442; or
3. Email: program.intake@usda.gov.

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Farmer Agreement

New Mexico Department of Health (NMDOH)

Five Sandoval Indian Pueblo (FSIP)

WIC Farmers' Market Nutrition Program (FMNP) Senior

Farmers' Market Nutrition Program (SFMNP)

This agreement is good for the following years: 2026, 2027, 2028

Name of Contact Person: _____

Telephone Number: _____ Email Address: (required): _____

Name of Farm: _____

Mailing Address (*if different from farm*): _____

City: _____

State: NEW MEXICO Zip: _____

Farm Address: _____

Farmer Identification Code Number: _____

(*4 Digit Permanent ID Code Number will be assigned by NMDOH*)

Main Market where Farmer will sell produce: _____

5 Digit Permanent ID Code Number will be assigned by NMDOH

Please list all AUTHORIZED Markets you will sell at. Your Permanent ID number will work only at Farmers' Markets authorized by NMDOH and FSIP WIC & Senior Farmers Market Programs

Market Name: _____

Market Name: _____

Market Name: _____

Market Name: _____

I intend to offer the following eligible fresh, unprepared fruits and/or vegetables, herbs and Honey (seniors only) for purchase with WIC & Senior Farmers Market electronic benefits issued by NMDOH & FSIP Farmers Market Nutrition Programs.

**By signing below, the Farmer has
read over and understands the Farmer selection criteria**

Farmer Signature

Date

Farmers' Market Manager Signature

Date

NMDOH FMNP Program Signature

Date

Five Sandoval Indian Pueblo Approval

FSIP WIC & Senior Program Manager Signature

Date

Please Complete and Return to:
Farmers' Market Nutrition Program, NMDOH PHD WIC 2040 S.
Pacheco St. Suite # 123B Santa Fe, NM 87505
Email: DOH.FMNP@doh.nm.gov
Phone: (505) 469-0548
Fax: (505) 476-8900

For more information on Five Sandoval Indian Pueblos:

FSIP WIC Farmers' Market Nutrition Program
Karen Griego-Kite, WIC Director
1043 Highway 313
Bernalillo, NM 87004

FSIP WIC Senior FMNP

Joshua Madalena, acting Senior Director
4321-B Fulcrum Way NE
Rio Rancho, NM 87141