



MAINE SENIOR FARMSHARE PROGRAM

POLICIES AND GUIDELINES FOR FARMS AND FARMERS' MARKETS

FISCAL YEAR 2026

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2026 MAINE SENIOR FARM SHARE PROGRAM POLICIES AND GUIDELINES

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INTRODUCTION

The Senior Farmers' Market Nutrition Program (SFMNP) awards grants to State, U.S. territories, and federally recognized Indian tribal governments to provide low-income older adults an opportunity to receive eligible foods (fruits, vegetables, honey, and fresh-cut herbs) at farmers' markets, roadside stands, and Community Supported Agricultural programs.

In Maine, the SFMNP is known as the Maine Senior FarmShare Program (MSFP) and is administered by the Maine Department of Agriculture, Conservation, and Forestry (DACF). Through MSFP, Maine farmers provide fresh, unprocessed, locally grown produce directly to income-eligible older adults. Each participant receives \$50 in farm shares during the growing season. Farmers are prepaid CSA style for the shares they commit to providing later in the season for each eligible participant who signs up for a farm. Farmers' markets provide shares as coupons and are paid for the coupons redeemed by participants.

TERMS, DEFINITIONS & ACRONYMS

AAA means Area Agency on Aging.

CAP means Corrective Action Plan.

Code of Federal Regulation (CFR) contains the regulations governing all federal programs.

Community Supported Agriculture (CSA) program means a program under which a farmer or group of farmers grows food for a group of shareholders (or subscribers) who pledge to buy a portion of the farmer's crop(s) for that season.

Department of Agriculture, Conservation and Forestry (DACF; Department) is the State agency that administers the Maine Senior FarmShare Program.

eEnrollment means the process by which potential applicants complete an online application for MSFP CSA farms through the MSFP website.

Eligible foods means fresh, nutritious, unprepared, locally grown fruits, vegetables, herbs, and honey for human consumption. Eligible foods may not be processed or prepared beyond their natural state except for usual harvesting and cleaning processes. Dried fruits or vegetables, such as prunes (dried plums), raisins (dried grapes), sun-dried tomatoes, or dried chili peppers are not considered eligible foods. Seedlings, potted plants, dried herbs, dried vegetables, dried fruit, dried beans, wild rice, nuts of any kind (even raw), maple syrup, cider, seeds, eggs, meat, cheese and seafood are also not eligible foods for the purposes of the SFMNP.

Family means a group of related or non-related individuals who are living together as one economic unit, except residents of a homeless facility or an institution shall not all be considered as members of a single family.

Farmer means an individual authorized to sell eligible foods at participating farmers' markets and/or roadside stands, and through CSAs. Individuals who exclusively sell produce grown by someone else, such as wholesale distributors, cannot be authorized to participate in the SFMNP.

Farmers' market means an association of local farmers who assemble at a defined location for the purpose of selling their products directly to consumers.

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Farmstand / roadside stand is a location under ownership of one grower, a partnership of growers, or a cooperative dedicated to the sale of produce and goods to the public that have been grown and made by the owner. This contrasts with a group or association of farmers selling their produce at a farmers' market or through a CSA. The term roadside stand may be used interchangeably with the term farmstand.

FNS means the Food and Nutrition Service of the United States Department of Agriculture (USDA).

Food costs means the cost of eligible foods purchased at authorized farmers' markets, roadside stands, and/or CSA programs.

FY means fiscal year, a period of 12 calendar months used for accounting and reporting purposes. The FY for SFMNP is from October 1 to September 30.

Household means a group of related or nonrelated individuals who are living together as one economic unit.

Locally grown means grown within the State of Maine.

MSFP means Maine Senior FarmShare Program.

MFFM means The Maine Federation of Farmers' Markets.

Older adult or senior means an individual 60 years of age or older (or 55 years of age or older for Native Americans). Our program is taking seriously the ask to consider phasing out the word "senior," as the American Psychological Association and other reputable style guides suggest the more accepted term, "older adult."

Participant means a person or household that meets the SFMNP's eligibility requirements and to whom benefits have been issued.

Proxy means an individual authorized by an eligible participant to act on the participant's behalf, including application for certification, receipt of SFMNP benefits, and/or acceptance of SFMNP foods provided through a CSA program, as long as the benefits are ultimately received by the eligible participant. The terms *proxy* and *authorized representative* may be used interchangeably for the purposes of this program to make purchases for a participant.

SFMNP means Senior Farmers' Market Nutrition Program.

Share in the Maine Senior FarmShare Program means \$50 of eligible food at market price during the growing season.

Shareholder means an SFMNP participant for whom a full share in a community-supported agriculture program has been purchased by the MSFP and who receives SFMNP benefits in the form of actual eligible foods.

USDA means United States Department of Agriculture.

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PARTICIPANT ELIGIBILITY AT FARMS AND FARMERS' MARKETS

Authority - 7 CFR §249.6(a)

1. Applicants must be Maine residents. Citizenship is not required.
2. Participants must not be less than 60 years of age, except for the following:
 - a. Native Americans who are age 55 or older;
 - b. Disabled adults less than 60 years of age who are currently living in housing facilities occupied primarily by older individuals where congregate nutrition services are provided.
3. Applicants must have a total income (including all pensions, social security, and other payments) of no more than 185% of the poverty level.

2025 - 2026 Income Eligibility Guidelines

SFMNP income eligibility guidelines are effective from June 1, 2025 to June 30, 2026.

The household gross annual income must be below the dollar amount after each household size to be income-eligible. The income of all household members must be counted to meet eligibility guidelines.

1 person: \$28,953 **2 ppl:** \$39,128 **3 ppl:** \$49,303 **4 ppl:** \$59,478 **5 ppl:** \$69,653 **6 ppl:** \$79,828

Income eligibility guidelines are subject to change.

If they change, new income eligibility guidelines will be effective June 1, 2026.

Farms and Farmers' Markets will be notified if/when they do change on or before June 1, 2026.

4. Applicants are required to self-attest that they meet eligibility requirements. Applicants are not required to provide proof of eligibility with the exception of applicants that are determined to be automatically income eligible due to their participation in another means-tested assistance program.
5. An older adult may designate an authorized representative (*Proxy*) to apply for the program and shop at a designated farm or a farmers' market. The *Proxy Form* provided by MSFP must be signed by the participant and the authorized representative(s). A senior who has been certified to receive SFMNP benefits may designate an authorized representative at any point during the program's period of operation. **Farmers and farmers' market staff cannot serve as proxies for participants.**
6. Participants may only be certified for the current fiscal year's SFMNP period of operation. Eligibility will be determined at the beginning of each period of operation. Prior fiscal year eligibility certifications may not be carried over into subsequent fiscal years.
7. Participants may only sign up for the program for either one farm or farmers' market each fiscal year.
8. All individuals determined to be ineligible will be sent an email from MSFP with the reason for their ineligibility and of their right to a fair hearing. The reason(s) for ineligibility must be properly documented and must be retained on file by MSFP. Such notice is not required when participation is denied solely because of lack of sufficient funding to provide SFMNP benefits to all eligible applicants.
9. When a State or local agency pursues collection of a claim pursuant to § 249.20(c) against an individual who has been issued SFMNP benefits for which she/he is not eligible, the person must be advised in writing of the reason(s) for the claim, the amount of the improperly issued benefits that must be repaid, and of his/her right to a fair hearing.

PARTICIPANT eENROLLMENT AT FARMS

Authority - 7 CFR §249.6

1. Starting in 2026, MSFP has implemented an eEnrollment system for eligible participants to sign up for a farm. These eligible participants or their designated Proxy must electronically sign a Senior Agreement Application affirming that they meet the eligibility criteria.
2. The electronic eEnrollment Senior Agreement Application is on the MSFP website at **www.maine.gov/dacf/seniorfarmshare** – The participant or a designated Proxy must type their name in the signature block to confirm that they meet eligibility requirements. Legal signatures are required for MSFP participants.
3. All participants must read or have read to them the Participant Rights & Responsibilities, which are linked to the application, prior to signing the Participant Application.
4. All participants must read or have read to them the Non-discrimination, Complaints and Appeals Statements which are linked into the application prior to signing the Participant Application.
5. All participants will be provided with the MSFP Eligible Foods List which is linked to the application.
6. **In 2026, eEnrollment for farms will begin on April 10 and continues until September 1.** All Active participants, Replacements and Waiting List Spares may eEnroll from **April 10 through September 1**. No Replacements or Waiting List Spares can eEnroll **after September 1**.
7. FNS regulation section 249.6(g)(1) states that applicants must be notified of their eligibility or ineligibility for benefits, or their placement on a Waiting List, within 15 days from the date of application. All applicants will be notified by MSFP of their eligibility or ineligibility for benefits or their placement on a waiting list within 15 days of the date of application.
8. MSFP will maintain a Waiting List for all participants that are unable to enroll with a specific farm due to all shares being previously allocated to a farms' participants. MSFP will also provide information on other farms and farmers' markets that do have available shares.
9. Approval of MSFP participants is conditional until MSFP certifies eligibility. Farmers may log into their MOSSA accounts to view eligible participants. Eligible participant information will be updated in "real time" through MSFP's automated eEnrollment system.
10. All participants will be notified of program start and end dates during the eEnrollment application process.
11. **In 2026**, farms may start distributing produce to eligible participants on or **after April 10**. Farms may distribute produce until November 30 of each year.
12. eEnrollment waivers may be granted by MSFP on a case-by-case basis only for farms that do not use a computer and/or for participants that are not able to arrange for a Proxy.

PARTICIPANT ENROLLMENT AT FARMERS' MARKETS

Authority - 7 CFR §249.6(a)

Farmers' Markets

1. Farmers' market enrollment is on-site at each farmers' market that is approved to participate in MSFP. eEnrollment does not apply to farmers' markets in 2026.
2. All participants enrolling at a farmers' market must sign or have their *designated Proxy* sign a paper *Senior Agreement Application*. The participant or a *designated Proxy* must sign their name in the signature block to confirm that they meet eligibility requirements. Legal signatures are required for MSFP participants.
3. All participants must read or have read to them the *Participant Rights & Responsibilities* prior to signing the Participant Application.
4. All participants must read or have read to them the *Non-discrimination, Complaints and Appeals Statements* prior to signing the Participant Application.
5. All participants will be provided with the Maine Senior FarmShare Program *Eligible Foods List* at the time of their application.
6. Enrollment for farmers' markets begins on the first market day on or after June 1 for each farmers' market and continues until September 30. All Active participants, Replacements and Waiting List Spares may enroll from this first market day through September 30. No Replacements or Waiting List Spares can enroll after September 30.
7. The State of Maine uses a system called MOSSA (Maine Online Senior Share Access) for farms and farmers' markets to record all participant enrollment and redemption information. Farmers' market managers must enter participant enrollment information into MOSSA within 48 hours from the date of participant application. ~~It is recommended that participant applicants not be issued coupons prior to being entered into MOSSA and confirmation of eligibility or ineligibility has been completed.~~
8. All Active and Replacement participants at both farms and farmers' markets must be enrolled in MSFP by **September 1**.
9. FNS regulation section 249.6(g)(1) states that applicants must be notified of their eligibility or ineligibility for benefits, or their placement on a Waiting List, within 15 days from the date of application. All applicants will be notified by the farmers' market staff of their eligibility or ineligibility for benefits or their placement on a waiting list within 15 days of the date of application.
10. Farmers' Markets will maintain Waiting Lists for all participants that are unable to enroll with a specific farmers' market due to all shares being previously allocated to participants at a market.
11. Approval of MSFP participants is conditional until farmers' market staff certifies eligibility.
12. All participants will be notified of the farmers' market start and end dates during the enrollment process.
13. Farmers' markets may start distributing produce to participants once they are enrolled and may distribute produce until November 30th of each year.

PARTICIPANT BENEFITS

Authority - 7 CFR §249.8

1. A qualified participant receives a \$50 share to spend on eligible food during the growing season.
2. If a participant is signing up for an individual farm that is not at a market, then it is called a "share" and is worth \$50.
3. At individual farms the farmers may offer "participant select" or "farmer select."
4. If a participant is signing up through a farmers' market the \$50 share will be distributed as coupons in \$1 and \$5 amounts.
5. Participants will choose eligible food themselves at the farmers' market.
6. All Active and Replacement participants must be enrolled and receive their shares or coupons by September 30.
7. All eligible older adults living in the same household may participate in the program (e.g., each member of a married couple may participate in MSFP).
8. Foods provided by farms and farmers' markets are fresh, nutritious, unprepared, locally grown fruits, vegetables, honey, and herbs. These are intended for the sole benefit of SFMNP participants and are not meant to be shared with other household members.
9. All participants must receive SFMNP benefits free of charge.
10. Nutrition education will be provided to participants via agency partners and the MSFP website at www.maine.gov/dacf/seniorfarmshare.

FARM AND FARMERS' MARKET ELIGIBILITY

Authority - 7 CFR §249.10

1. Farms and farmers' markets must be authorized by MSFP to participate in the program. Farmers' markets must additionally be authorized through the Maine Federation of Farmers' Markets (MFFM.) Please be advised that only direct-to-consumer farmers are eligible to be authorized.
2. Farmers and farmers' markets must have a minimum 1-year history of operating, growing and selling produce.
3. All new and returning farms and farmers' markets must apply each year to participate in the program.
4. Applications are available to download from the MSFP website at www.maine.gov/dacf/seniorfarmshare or by emailing SeniorFarmShare.AGR@maine.gov to request an application.
5. The deadline for applications is February 28. Farmers who miss the deadline must submit a written appeal to MSFP requesting authorization. Farmers' markets that miss the deadline must submit a written appeal to both MFFM and MSFP requesting authorization. The DACF may adjust this deadline

as necessary to effectively administer the program.

6. The MSFP reserves the right to deny or limit participation in the program based on prior MSFP performance, references, and availability of funds.
7. Farmers and farmers' markets must read these *MSFP Program Policies and Guidelines* prior to completing an application. A representative who has the legal authority to obligate the farm or farmers' market to meet all provisions of the Program Rules and Regulations must sign the application.
8. Farms and farmers' markets that have been approved through MSFP will receive and must display a sign provided by the MSFP stating that the farm is approved for participation in MSFP.
9. Farms and farmers' markets must be able to provide a broad range (see definition below) of Maine-grown seasonal vegetables and fruits to participants over a period of no less than 8 weeks, or upon a mutually agreeable schedule approved by the MSFP Program Manager.
10. A broad range of seasonal vegetables and fruits is defined as at least five different items during a core 8-week period. The five different items should not be the same for the 8-week period. For example, in the late spring, the farm might offer spinach, beets, peas, strawberries, and lettuce. In the fall, the offerings might include potatoes, apples, squash, cabbage, and carrots. It is acceptable for the farm to provide fewer items before or after a core 8-week period, determined by each farm.

FARM AND FARMERS' MARKET TRAINING

Authority - 7 CFR §249.10

1. To participate in MSFP all new and returning farmers and farmers' markets must complete annual training.
2. Annual training for returning farms and farmers' markets is available online at www.maine.gov/dacf/seniorfarmshare. Printed training materials will be provided upon request.
3. New farms and farmers' markets applying to participate in MSFP are required to complete MSFP New Farmers' Training to become an authorized farm in the program. The MSFP New Farmers' Training Sessions are offered through scheduled online video conferences in March.
4. Through the training sessions, prospective farmers and farmers' markets will gain a first-hand look at the MSFP program and receive information that will enable them to evaluate their eligibility and whether the program is feasible for their participation.
5. Training will be provided on eligible food choices for participants, required recordkeeping including, but not limited to, use of the MSFP MOSSA system for managing farm and farmers' market profiles, managing records for distribution of produce to participants and how to properly redeem shares and/or coupons. Training will also include information on *Civil Rights Compliance and Guidelines*.

FARM AND FARMERS' MARKET REQUIREMENTS

Authority - 7CFR §249.10

1. Authorized farms and farmers' markets shall meet the following general requirements:
 - a. Maintain compliance with the farmer selection criteria throughout the Farmer Agreement Period, including any changes to the criteria.
 - b. Cooperate with federal and state SFMNP and other authorized personnel during announced and unannounced on-site farmer reviews, inspections, and audits.

- c. Provide the MSFP with purchase invoices from other farmers, when requested;
- d. Comply with the civil rights requirements of 7CFR §249.7 and §249.10(b)(1)(xi);
- e. Keep all information of authorized SFMNP shoppers confidential.
- f. Never publicly identify, call unnecessary attention to, or allow discourteous treatment of an SFMNP recipient.
- g. Appropriately redeem SFMNP benefit funds for the types and quantities of food specified on the eligible food list at prices equal to or less than the price charged to non-SFMNP customers.
- h. Never request or accept cash payment for the quantities of food being purchased with SFMNP benefit funds.
- i. Never attempt to seek restitution from participants/authorized representatives for SFMNP benefits that were rejected by the Program for ineligibility.
- j. If desired, allow SFMNP recipients to spend the full authorized benefit amount during one (1) visit or over a period of eight (8) or more weeks.
- k. If desired, allow SFMNP recipients to purchase more than the authorized amount of food by allowing the participant to pay for any amount that exceeds the total amount of the SFMNP benefit.
 - l. Allow exchange of an identical produce item only when the original item is defective or destroyed.

2. MSFP shall hold each farmer and farmers' market accountable for fair pricing practices.

Farms and farmers' markets shall:

- a. Never charge an SFMNP recipient for products not actually purchased and received. Farmers and farmers' markets may not issue cash change or collect tax on SFMNP purchases as listed in 7 CFR 249.10(b)(2)(ii) and 7 CFR 249.10(b)(2)(iii).
- b. Ensure that prices charged to SFMNP participants/recipients for approved foods are equal to or less than prices charged to non-SFMNP customers.

3. All shares and coupons for both Active and Replacement participants must be redeemed by the participants by no later than November 30.

4. Farms will be responsible for recording shares and farmers' market managers will be responsible for recording coupons that were redeemed in the MOSSA system. Participants at both farms and farmers' markets must be enrolled in MSFP by September 1. Farms and farmers' markets must record all partial or full redemption information into MOSSA by no later than November 30. The only exception to this is an extension may be granted to a farm via written request (e.g., email) to MSFP staff to request additional time to record redemptions that occurred between October 15-November 30. All redemptions occurring for shares redeemed prior to October 15 MUST be recorded in MOSSA by November 30. MSFP staff may approve a recording and reporting extension to December 10 for late-season redemptions occurring between October 15-November 30

5. Participant enrollment information for participants enrolled at farms will be entered into MOSSA system through the eEnrollment process. Participant enrollment information for participants enrolled at farmers' markets will be entered into MOSSA system by farmers' market managers or the Farmers' Market Service Provider.

6. MOSSA is built to detect participant duplicates in two ways:

- a. Not allowing duplicate information to be entered into the “Participant Agreement” Section, and notifying the person entering the information that the participant is already signed up at a different farm or farmers' market; and
 - b. Before invoicing is processed for payment, MSFP runs a “Review Potential Duplicates” Report. This report will pull any participant that could potentially be duplicate. It looks for things like the same name, address, phone number, and birthdate.
 - c. If MOSSA and/or MSFP staff confirm that a duplicate participant exists, MSFP staff will contact the farm and/or farmers' market to resolve the issue. Resolution will include informing the participant that they are not eligible for multiple shares or coupons.
7. If MSFP determines that a farm or farmers' market has committed a violation that affects the payment, MSFP shall delay payment or establish a claim. Such farm or farmers' market violations may be detected through compliance investigations, SFMNP Senior FarmShare Agreement Form Reviews or other reviews or investigations of a farm or farmers' market's operations.
8. When payment for SFMNP Senior FarmShare Agreements is delayed or a claim is established, the MSFP shall provide the farm or farmers' market with an opportunity to justify or correct the error. If satisfied with the justification or correction, MSFP shall provide payment or adjust the proposed claim accordingly. Failure of a farm or farmers' market to pay a claim shall result in termination of the Farmers Agreement or the Farmers' Market Agreement. The farm or farmers' market may reapply for authorization after a waiting period of twelve (12) months.
9. MSFP shall not pay a farm or farmers' market for SFMNP Senior FarmShare Agreements if it is determined that the farm or farmers' market intentionally attempted to defraud and/or abuse the program.
10. If MSFP determines that state or federal violations were committed, the farm or farmers' market may be subject to corresponding penalties, including disqualification.
11. All farm and farmers' market records must be retained for a minimum of three years. If any litigation, claim, negotiation audit or other action involving these records has been started before the end of the three-year period the records must be kept until all issues are resolved or until the end of the regular three year period, whichever is later.

ALLOCATION OF SHARES TO FARMS AND FARMERS' MARKETS

Authority - 7 CFR §249.10

1. After receiving and compiling farmer and farmers' market applications and other relevant information, and matching it with senior eligibility around the state, the MSFP Program Manager will allocate shares to farms and farmers' markets.
2. Allocation of shares to farms and farmers' markets follows the USDA procedure of distribution of SFMNP funds to previously participating State agencies. The MSFP allocates available funds to keep prior year participating farmers and farmers' markets (in good standing) at the level of shares they received the previous fiscal year if enough funds are available. If funds are available after allocating to previous MSFP farmers, new farmers, and farmers' market applications are considered.
3. The Program Manager will notify participating farms and farmers' markets of the total number of individual shares allocated.

4. The MSFP reserves the right to deny or limit participation in the program based on prior performance, references and availability of funds.

FILLING ALLOCATED SHARES

Authority - 7 CFR §249.10

1. Farms and farmers' markets are responsible for ensuring that the participants understand the range of produce that will be made available to them, and whether the farmer or participant will be making the selection.
2. Farmers must explain the pick-up and delivery options available to participants.
3. Pickup and delivery information, including days and times is required on the farm and farmers' market application form and will be listed on the MSFP website as a guide for participants and agencies to use when searching for information on participating farms and farmers' markets. Farms and farmers' markets are responsible for ensuring accurate pickup days and times. This information must be kept updated in the farmers and farmers' markets MOSSA profile. MSFP must be notified within one week of any changes to pick up and/or delivery days and times.
4. Participants are only able to redeem shares at either the farm or farmers' market they sign up for.
5. Produce provided to participants prior to eligibility certification is the sole responsibility of the farmer. If a person is determined to be ineligible the farm will be immediately notified in writing.
6. Participants must be given the final program pick-up date when signing up.
7. Shares may not be contracted with members of the farmer's or farmers' market immediate family or household members of the farmer. Any potential conflict of interest will be addressed by the MSFP Manager on a case-by-case basis.
8. Farms and farmers' markets may provide the *Proxy Form* to participants who have another person acting on their behalf.
9. All allocated shares must be assigned to a senior by September 30. Once all allocated shares have been filled, MSFP will maintain a Waiting List with contact information of individuals wishing to participate.
10. MSFP will assess unfilled shares during the last week of July. At that time, unfilled shares may be reallocated to other farms and farmers' markets.
11. All SFMNP shares and/or coupons must be fully distributed to every participant who signed an agreement form for a farm or farmers' market by September 30. All Replacements at a farm or farmers' market must sign up by September 1. All participants, whether through a farm or farmers' market, must redeem their shares/coupons by November 30.
12. Farms cannot arrange to store SFMNP-purchased produce after the November 30th deadline. Produce may be stored until November 30 as long as the following conditions are met:
 - a. Farmers must keep the purchased items separate from all other stored produce.
 - b. The produce must be clearly marked with the participants' name and contact information.
 - c. If a senior is unable to use some or all the stored produce (if the senior moves, goes into a nursing home, or is deceased):
 - i. The farmer must contact MSFP to sign up a Replacement senior from the MSFP Waiting List and provide a full \$50 share to that senior.
 - ii. The farmer must inform the Replacement senior which produce items are available.

13. Farm and farmers' market managers, and all staff and volunteers, agree to protect confidential information about participants. Confidential information will only be used for the sole purpose of establishing eligibility for MSFP. Data protected under this Confidentiality Agreement includes names, addresses, phone numbers, identification data and other information obtained by the farms and farmers' markets resulting from requirements outlined by Maine DACF for participation in MSFP. Farms and farmers' markets are expressly prohibited from sharing any confidential information with any third party. Any violation of this Confidentiality Agreement will result in immediate dismissal from MSFP and possible liability in any legal action arising from such violation.

Eligible Foods

Authority - 7 CFR §249.8

1. Only fresh, unprocessed, Maine-grown fruits, vegetables, herbs, and honey are acceptable MSFP products. (A full list of eligible foods can be found below). Eligible foods may not be processed or prepared beyond their natural state except for the usual harvesting and cleaning processes.
2. 100% of all eligible food must be grown in Maine. MSFP only requires that one product be grown by the participating farmer.
3. Other items often offered for sale at farms and farmers' markets (e.g., eggs, dried fruits or vegetables, meats, cheese, pickles, etc.) are not allowed.
4. All farms and farmers' markets must provide eligible foods to participants at or below the price charged to other customers. Eligible foods must be of equitable value and quantity to their share.
5. Farms and farmers' markets must allow MSFP participants to purchase any Maine-grown produce that is available to all other customers.
6. The farm or farmers' market shall not substitute ineligible produce when eligible foods are not available.
7. MSFP may demand a refund from any farm or farmers' market who fails to provide the full benefit to all SFMNP shareholders, or who provides ineligible foods as substitutes for eligible foods.
8. Farms and farmers' markets must always post prices for all items on sale. Prices must be prominently displayed on signs that are easily seen and read by customers.
9. All MSFP-eligible foods must be identified with stickers or represented on an eligible foods list.
10. Farm and farmers' market staff must be educated on which items are eligible to help customers shop.

MAINE SENIOR FARMSHARE PROGRAM ELIGIBLE FOODS

FRUITS			
Tree fruits	Apples Apricots Cherries	Figs Nectarines Peaches	Pears Plums Quince
Vine fruits	Grapes	Hardy kiwi	
Berries	Strawberries Raspberries	Blackberries Blueberries	Cranberries Elderberries
Melons	Watermelon	Cantaloupe	Other specialty melons
HONEY			
Comb honey	Honey that comes exactly as it was produced in the hive		
Cut comb honey	Liquid honey that may have added chunks of the honey in the jar		
Liquid honey	Honey that is free of visible crystals and has been extracted directly from the honeycomb		
Naturally crystallized honey	Honey that has spontaneously crystallized		
VEGETABLES			
Bean Family	Snap bean Wax beans	Snap peas Shelling peas shoots	Fava beans Pea
Beet family	Beets Beet greens	Swiss chard Spinach	Rhubarb Sorrel
Cabbage family	Broccoli Cauliflower Cabbage Brussel sprouts Collard greens	Kale Arugula Bok choy Turnips Watercress	Radishes Mustard greens Horseradish Kohlrabi Rutabaga
Carrot family	Carrots Celery Celeriac	Parsnips Fennel Parsley	Cilantro Dill Lovage
Lettuce family	Lettuce heads Lettuce mix Chicory	Radicchio Artichokes Sunchokes	Escarole Dandelion greens Tarragon

Mint family	Basil Mint Lavendar (fresh only)	Sage Thyme Savory	Rosemary Lemon balm Oregano
Nightshade family	Tomatoes Potatoes	Peppers Eggplant	Tomatillos Husk cherries
Squash family	Summer squash Zucchini Winter squash	Sour gherkins Slicing cucumbers Pickling cucumbers	Pumpkins-edible only Gourds-edible only
Onion Family	Onions Garlic Leeks	Shallots Garlic Scapes Garlic Chives	Scallions Chives
Other	Asparagus Sweetcorn Flintcorn* Callaloo Stinging Nettles	Ginger Lemongrass Ramps Sprouts Amaranth Greens	Turmeric Sweet Potatoes Okra Mushrooms

PAYMENTS TO FARMS

Authority - 7 CFR §249.10

1. Farmers will be paid \$50 for each Active Participant in their MOSSA account. (Approved Senior Agreements in MOSSA will produce an Active Status for each eligible participant.)
2. Once a farmer has been paid for a participant, a “Date Invoiced” will be assigned to that participant’s profile.
3. The MSFP will begin processing invoices in May and will continue until all funds have been disbursed. The invoices will show a full list of all participants the farm is receiving payment for.
4. Farmers will only be paid for the total number of shares allocated to their farm by the MSFP.
5. Every participant who signs a *Senior Agreement Application* for a farm must receive the full \$50 benefit.
6. Providing partial shares is not acceptable unless the senior is unable to use the entire \$50 benefit (e.g. participant is deceased, moves, or no longer wishes to receive the benefit).
7. If a participant is unable to use the full \$50 benefit, the farmer should contact MSFP as soon as possible to inquire about an eligible Replacement participant or will need to pay back the unused share amount. It is the farmers choice to have an additional participant as a Replacement and provide that participant with an entire \$50 benefit or to pay the MSFP the difference.

PAYMENTS TO FARMERS’ MARKETS

Authority - 7 CFR §249.10

1. Farmers’ markets must be authorized by the Maine Federation of Farmers’ Markets (MFFM) in addition to MSFP to participate in this program and be paid by MSFP via MFFM. Please be advised that only direct-to-consumer farmers at participating farmers’ markets are eligible to be authorized. MSFP works with MFFM to screen and authorize farmers’ markets.
2. A written agreement between MSFP and MFFM will be signed by designated representatives each year, which will authorize farmers’ markets to participate in MSFP.
3. MFFM will be required to complete a Vendor Form to receive payments from the Treasurer, State of Maine.
4. Farmers’ markets are required to keep their MOSSA profiles updated and to record all Participant Agreement and redemption information in MOSSA.
5. The MSFP will process farmers’ market invoices on a monthly basis upon receipt of coupon/voucher redemption invoices provided by MFFM on a monthly basis starting in July and continuing until all payments are made by MSFP for all voucher redemption invoices received from MFFM. (See Farmers’ Market Coupon/Voucher Requirements below.) This invoicing process will continue until all funds have been disbursed for all valid coupons redeemed.
6. MFFM will promptly pay all farmers’ markets who will then pay each farmer at a designated market for all vouchers redeemed to the farmers’ market manager.
7. Farmers’ markets will only be paid for the total number of coupons redeemed by participants.
8. Every participant who signs a Senior Agreement Form with a farmers’ market must receive the full \$50 benefit. (If a farmers’ market signs up more participants than the farmers’ market has been allocated for shares, the farmers’ market is obligated to provide the full benefit to those participants. These participants will have a Spare Status in MOSSA. MFFM will only be paid for these Spares if approved by the MSFP Program Manager and funds become available later in the season.)

9. Providing partial shares is not acceptable unless the senior is unable to use the entire \$50 benefit (e.g. participant dies, moves, or no longer wishes to receive the benefit). Farmers' markets must allow SFMNP recipients to take advantage of farmers' market promotions that provide produce that is either discounted or free of charge when purchasing SFMNP foods.
10. If a participant is unable to use the full \$50 benefit, it is the farmers' market's choice to sign up an additional participant as a Replacement and provide that participant with an entire \$50 benefit.

FARMERS' MARKET COUPON/VOUCHER REQUIREMENTS

Authority - 7 CFR §249.10

1. Only farmers' markets authorized by MSFP and MFFM may redeem SFMNP coupons.
2. MFFM will print and provide coupons to farmers' market managers in advance of the farmers' market season. These coupons will be securely transported via MFFM designated personnel and provided to the farmers' market manager, who agrees to securely store these coupons for use by verified participants.
3. Participants will receive an envelope with coupons in \$1 and \$5 amounts from farmers' market staff at the information booth.
4. USDA regulations required a unique serial number identifying the approved farmers' market on each coupon distributed to a participant in accordance with 7 CFR 249.10(h)(3)(iii).
5. In accordance with 7 CFR 249.10(h)(3)(vi) each transacted coupon must also have a farmer identifier.
6. Following the transaction of SFMNP benefits, farmers will redeem coupons with the market managers. Farmers will redeem all coupons with market managers on the same day these coupons are received. Market managers must submit these coupons to MFFM within 7 days. MFFM must submit redemption reports and invoices for payment to MSFP within 30 days. All Coupons and records must be maintained for a minimum of three years.
7. Market managers are required to manage coupon tracking records in accordance with generally accepted accounting procedures.
8. Farmers' market staff are responsible for recording coupons that are redeemed by participating seniors to farmers at the market.
9. MFFM and farmers' market staff must assure that coupon tracking records and all other program-related records of the farmers' market are available for inspection or audit by federal, state, or other authorized personnel.
10. Each coupon will be batched for reimbursement under a farmers' market identifier.
11. Coupons may be replaced if they are reported lost or stolen by a participant. It is the responsibility of the farmers' market manager to maintain accurate records of farmers' market serial number identifiers on lost or stolen coupons and also coupons issued as replacement. MFFM must immediately notify MSFP of any lost or stolen coupons.
12. Coupons that have been received by farmers' market staff will be cancelled for circulation with a generally accepted method, such as a strike line, a hole punch or a rubber stamp.

PROGRAM MONITORING

Authority – 7 CFR §249.10

1. All participating farms and farmers' markets must agree to be monitored and evaluated for compliance with MSFP requirements which may include regular visits to farms and farmers' markets to ensure that farmers are abiding by MSFP program rules.
2. MSFP *Farmers' Market Evaluations* are required for all participating farms and farmers' markets at least once every five years. MSFP will also conduct compliance site visits to farms and farmers' markets in their first year of operation. Additional risk factors as set forth at § 249.10(e)(2)(ii) that will result in a compliance site visit include:
 - a. A proportionately high volume of SFMNP coupons redeemed by a farmer within a farmers' market or at a single roadside stand (as compared to other farmers within the farmers' market or within the State);
 - b. Participant complaints; and
 - c. An extended or ongoing inability to provide the full SFMNP benefit to each shareholder as contracted.
3. Evaluations will be scheduled in advance. The evaluations will include:
 - a. A review of the farm's *Senior Share Tracking Records* for the current season to ensure that all share purchases by participants are tracked and initialed or signed by the participant or proxy.
 - b. Checking the farm's available produce for:
 - i. Quality;
 - ii. Clearly marked prices;
 - iii. Variety; and
 - iv. Produce available is consistent with MOSSA records for produce availability.
 - c. Checking crops currently in production (e.g., fields, greenhouse)
 - i. Acreage is consistent with acreage reported on application
 - d. Crop offering list is available, growing or planted; and
 - e. An interview with a participating senior (if present at the time of the farm review.)
4. The MSFP Program Manager will complete a Farmer's Market Evaluation Report to include all conclusions and recommendations. Reports will be provided to farms for review, comment and signature. Reports will be provided to MFFM for review, comment and signature. MFFM will review these reports and provide these to farmers' market staff. Additional training will be provided to farmers' market staff based on the recommendations from compliance site visits.

PROGRAM VIOLATIONS

Authority – 7 CFR §249.10

1. The MSFP may initiate administrative action to include disqualifying a farm or farmers' market for non-compliance based on violations of the *Farmer Agreement* or the *Farmers' Market Agreement*.
2. The following are considered violations of these agreements:
 - a. Providing cash in exchange for a SFMNP share benefit is not allowed. Collecting tax on SFMNP products as detailed in 7 CFR 249.10(b)(2)(iii) is also not allowed.
 - b. Knowingly providing false information about the program to participants or the MSFP.

- c. Selling participants' foods not solely grown by the farmer and not accounted for on the MSFP Application and Farmer Agreement or Farmers' Market Agreement.
- d. Offensive behavior toward SFMNP recipients.
- e. Preventing any MSFP representative from conducting any monitoring visits.
- f. Participating in the program while selling fruits or vegetables grown outside the state of Maine.
- g. Charging higher prices for MSFP benefit sales than for cash sales.
- h. Failure to clearly identify all MSFP eligible food.
- i. Not allowing recipients to purchase the full SFMNP benefit.
- j. Not tracking all share purchases for each recipient. (Tracking must include: Date, Amount of Purchase, Remaining Benefit Balance and Recipient's Initials.)
- k. Allowing a recipient to use SFMNP benefit funds to purchase non-food items or for any purchase other than eligible foods.
- l. Submitting a *Senior FarmShare Agreement Form* that was signed by someone other than the applicant or their Proxy.
- m. Submitting a *Senior FarmShare Agreement Form* (electronic, verbal, or paper version) that was not authorized by the senior participant.
- n. Discriminating against a participant on the basis of race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.
- o. Data safeguarding procedures at 7 CFR 249.24 require that applicant and participant information/records are kept private. 7 CFR 249.24(a) further clarifies that the use or disclosure of participant information is limited to persons directly connected with the administration or enforcement of the SFMNP.

3. The following are consequences of these violations:

- a. First violation
 - i. The farm or farmers' market will be given a verbal warning/counseling of the violation and a requirement to attend training.
- b. Second violation (within one year of first violation)
 - i. The farm or farmers' market will be given a written warning of the violation that includes a *Corrective Action Plan*. Failure to comply with the *Corrective Action Plan* will result in disqualification for the next season.
- c. Third violation (within one year of the first violation)
 - i. The farm or farmers' market will be disqualified for the next season.

4. A farm or farmers' market committing fraud or abuse of the SFMNP shall be liable to prosecution under applicable federal, state, or local laws.

PROCEDURES

Authority - 7 CFR §249.10

1. For all violations for which action shall be taken by the MSFP, written notices of violation shall be issued that include a Description of the Violation, the Action to be Taken, and the Right to Appeal.
2. When an investigation reveals an initial incidence of a violation for which a pattern of incidences must be established in order to impose a sanction, the MSFP shall notify the farm or farmers' market and MFFM in writing before another such incidence is documented, unless it determines, in its discretion, on a case-by-case basis, that notifying the farm or farmers' market would compromise an investigation. Such a determination shall be documented in the farm or farmers' market file.

ADMINISTRATIVE REVIEW OF MSFPACTIONS

Authority - 7 CFR §249.16; 7 MRSA §218; 22 MRSA §3107

1. Any farm or farmers' market adversely affected by an MSFP decision has the Right to Appeal in the following instances:
 - a. Denial of Authorization;
 - b. Termination of the *Farmer Agreement* or the *Farmers' Market Agreement*; and
 - c. Disqualification from MSFP during the contract period.

PROCEDURES

1. All appeals shall be conducted in accordance with the rules contained in the SFMNP Federal Regulations, 7 CFR §249.16.
2. Any farmer or farmers' market adversely affected by an MSFP decision shall be informed in writing at least fifteen (15) business days prior to the effective date of the action of the reasons for the action, and the Right to Appeal.
3. A request to appeal the decision shall be defined as a written statement by a farm or farmers' market requesting the opportunity to present his/her case to the appeal committee.
4. Requests for an appeal shall be made within thirty (30) days of the date of the written notice of the adverse action.
5. The MSFP shall not deny or dismiss a request for an appeal unless:
 - a. The request is not received within the time limits set by the MSFP.
 - b. The request is withdrawn in writing by the farmers' market or his/her representative.
 - c. The farmers' market or representative fails, without good cause, to appear at the meeting set by the appeal committee.
6. Adverse actions against a farm or farmers' market shall be stayed until final agency action.
7. The farm or farmers' market shall be provided with an adequate opportunity to review all records and documents to be presented at the appeal meeting.
8. The MSFP shall keep a record of all adverse decisions, appeals and their outcome. Information will include:
 - a. Vendor Code/Farmer's Market Identifier
 - b. Name of Farm Owner or Manager or Farmers' Market Manager
 - c. Termination/Disqualification Date
 - d. Reason for Termination/Disqualification
 - e. Appeal Meeting Date
 - f. Date of Recommended Decision

COMPLAINT PROCEDURES

Authority - 7 CFR §249.7(b)

1. Anyone with a complaint about the MSFP may contact the Program Manager by calling (207) 446-5550.
2. Any person wishing to file a written complaint may write to:

Maine Senior FarmShare Program Manager
Department of Agriculture, Conservation & Forestry
State of Maine
28 State House Station
Augusta, ME 04330-0028

3. Complaints will receive action no later than five (5) business days from the date the written or verbal complaint is received. The process generally depends on the type of complaint.
4. A person may request the complaint to be confidential to the extent that is permitted by law.

CIVIL RIGHTS COMPLIANCE

Authority - 7 CFR §249.7

1. By signing the *Farmer Application* or the *Farmers' Market Application* every year, the farm or farmers' market agrees to abide by the following civil rights rules and regulations. (See Appendix A – Civil Rights)

Public Notification – The purpose of public notification is to ensure that applicants and participants understand Program availability, participants' rights and responsibilities, policy or nondiscrimination, and procedures for filing a complaint. The following *Nondiscrimination Statement* must be used:

In accordance with Federal civil rights law and USDA civil rights regulations and policies, the USDA, its agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, Program information may be made available in languages other than English.

Filing a Civil Rights Complaint - To file a Program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at: [How to File a Complaint \(https://www.usda.gov/oascr/how-to-file-a-program-discrimination-complaint\)](https://www.usda.gov/oascr/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:
USDA
Office of the Assistant Secretary for Civil Rights 1400 Independence Avenue,
SW Washington, D.C. 20250-9410
- (2) Fax: (202) 690-7442; or
- (3) Email: program.intake@usda.gov

Referring A Civil Rights Complaint – All MSFP applicants and/or participants have a right to file a complaint alleging discrimination based on race, color, national origin, age, sex, disability, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA, within 180 days of the alleged discriminatory action. Refer to the *Nondiscrimination Statement* found on page 16 under “Civil Rights Compliance” for instructions on how to file a complaint. If you receive a completed *Complaint Form* from an applicant and/or participant, you must:

- (1) Mail it within three (3) calendar days directly to:
USDA
Office of the Assistant Secretary for Civil Rights
1400 Independence Ave, SW, Stop 9410
Washington, D.C. 20250-9410
- (2) Notify the MSFP manager within five (5) calendar days that you received the complaint and have mailed it to the USDA.

If you receive a verbal complaint from an applicant and/or participant, direct the complainant to the *Nondiscrimination Statement*, **and** please send the following information to the MSFP Manager within five (5) calendar days of receiving the complaint:

- (1) Name, address, and telephone number of the complainant;
- (2) The location and name of the organization or office where the alleged incident occurred;
- (3) The nature of the incident or action;
- (4) The names, titles, and business addresses of persons who may have knowledge of the discriminatory action(s);
- (5) The date(s) during which the alleged discriminatory actions occurred; and
- (6) The basis for the alleged discrimination.

It is critical that the complaint process be followed closely to ensure compliance with federal regulations. All staff must be educated on procedures for processing claims of discrimination.

USDA is an equal opportunity provider, employer and lender.

APPENDIX A. CIVIL RIGHTS

Authority - 7 CFR §249.7(b)

CIVIL RIGHTS TRAINING

Participating farms and farmers' markets are required to complete *Civil Rights Training* annually. Farms and farmers' markets will be informed of and updated on their obligations under *Civil Rights Laws and Regulations*.

Topics covered:

- Collection and use of data
- Effective public notification systems
- Compliant procedures
- Compliance review techniques
- Resolution of noncompliance
- Requirements for reasonable accommodation of persons with disabilities
- Requirements for language assistance
- Conflict resolution
- Customer service

To assure *Civil Rights Compliance* with all laws and regulations, the Maine Senior FarmShare Program will conduct a *Compliance Review* as part of the monitoring visit.

WHAT ARE CIVIL RIGHTS?

Civil Rights are rights guaranteed to each individual through the United States Constitution and acts of Congress. Title VI of the Civil Rights Act of 1964 states that no person in the United State of America shall be discriminated against on the grounds of race, color, national origin. These group characteristics are 'Protected Classes'.

Discrimination is the act of illegally distinguishing between one person or group of persons from others either intentionally, by neglect, or by the actions or lack of actions based on their perceived or actual protected bases. There are two types of discrimination: disparate treatment (intentional) and disparate impact (intentional or unintentional).

Here is a list of the laws and regulations that pertain to applicant/participant rights:

Title VI of the Civil Rights Act of 1964

Protects people from discrimination based on race, color, and national origin in programs and activities receiving federal financial assistance.

Title IX of the Education Amendments of 1972

Title IX is a comprehensive federal law that prohibits discrimination on the basis of sex in any federally funded education program or activity.

Section 504 of the Rehabilitation Act of 1973

No otherwise qualified individual with a disability in the United States, shall, solely by reason of his or her disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

Age Discrimination Act of 1975

Prohibits discrimination based on age in programs and activities receiving federal financial assistance. (Does not address employment).

Americans with Disabilities Act (“ADA”) of 1990/Americans with Disabilities Act Amendments Act (ADAAA) of 2008

Prohibits discrimination against people with disabilities in employment, transportation, public accommodation, communications, and governmental activities. The ADA also establishes requirements for telecommunications relay services. The ADA Amendments Act of 2008 Expanded and clarified the definition of “disability”.

Authorized farms and farmers’ markets must take the following steps to ensure that the MSFP does not discriminate against individuals:

- Screen job applicants carefully to avoid hiring individuals possessing any prejudices against people based on age, race, sex, gender, national origin, disabilities, or socio-economic background.
- Explain the MSFP non-discrimination policy to all new staff.
- Serve all applicants and participants equally on a first-come, first-serve basis.
- Display the “And Justice for All” poster in a prominent location for all to view. Call the Maine Senior FarmShare Program if copies of this poster are needed.

PUBLIC NOTIFICATION

The purpose of public notification is to ensure that people understand program availability, *Participants’ Rights and Responsibilities*, the *Policy of Nondiscrimination*, and *Procedures for Filing a Complaint*. The following is the *Nondiscrimination Statement* that must be used:

USDA Nondiscrimination Statement

In accordance with Federal civil rights law and U.S. Department of Agriculture (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, sex (including gender and sexual identity), disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotope, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing, or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the [USDA Program Discrimination Complaint Form](#), (AD-3027) found online: [How to File a 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
Washington, D.C. 20250-9410;
- 2) Fax: (202) 690-7442; or
- 3) Email: program.intake@usda.gov.

USDA is an equal opportunity provider, employer and lender.

Guidelines for displaying the *Nondiscrimination Statement*:

All new materials **must** include the revised information for applicants and/or participants to file discrimination complaints.

All information materials and/or resources that are provided to applicants and/or participants that mention or reference MSFP must include the *Nondiscrimination Statement*. Any usage of the shortened *Nondiscrimination Statement* must be reviewed and approved by the MSFP Program Manager.

- Some examples requiring the *Nondiscrimination Statement* are outreach flyers, brochures, newsletters, etc.
- All nutrition education materials that mention MSFP must contain the *Nondiscrimination Statement*. Materials that provide a nutrition message with **no** mention of MSFP are **not** required to contain the *Nondiscrimination Statement*.
- Any websites used by authorized farms, farmers' markets, MFFM and/or partnering agencies to inform the public about MSFP must contain the *Nondiscrimination Statement*. It is not required that the *Nondiscrimination Statement* be included on every page of the website. The *Nondiscrimination Statement* or a link to the statement: [FNS Nondiscrimination Statement](#) **must be included on the home page**.

COMPLAINT PROCEDURES

All MSFP applicants and/or participants have a right to file a complaint alleging discrimination based on race, color, national origin, age, sex, disability, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA, within 180 days of the alleged discriminatory action. Refer to the USDA website [How to File a Complaint](#), or the *Nondiscrimination Statement* found on page 16 in the *MSFP Farmer and Farmers' Market Policies and Guidelines* under "Civil Rights Compliance" for instructions on how to file a complaint.

If a completed complaint form is received from an applicant and/or participant, the form must be submitted by:

1. Mail it within **three (3) calendar** days directly to:
U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Ave, SW
Washington, D.C. 20250-9410
2. Fax: (202) 690-7442; or
3. Email: program.intake@usda.gov

The MSFP manager must be notified within **five (5) calendar days** that a complaint has been received and has been mailed to the USDA.

If a verbal complaint from an applicant and/or participant has been made, direct the complainant to the Nondiscrimination Statement, **and** send the following information to the MSFP Manager within five (5) days of receiving the complaint:

1. Name, address, and telephone number of the complainant;
2. The location and name of the organization or office where the alleged incident occurred;
3. The nature of the incident or action;
4. The names, titles, and business addresses of persons who may have knowledge of the discriminatory action(s);
5. The date(s) during which the alleged discriminatory actions occurred; and
6. The basis for the alleged discrimination.

It is critical that the complaint process be followed closely to assure compliance with federal regulations. All farm staff must be educated on procedures for processing allegations of discrimination.

DATA COLLECTION AND REPORTING

USDA mandates that MSFP collect racial and ethnic participant data as a means of determining how effectively FNS programs are reaching potential eligible persons and beneficiaries and identifying areas where additional outreach is needed. Participating farmers need to collect data on each applicant/participant's race and ethnicity at the time of certification for this purpose. Farmers must first ask applicants/participants to self-identify their racial group and ethnicity. If applicants/participants are uncertain, farmers may then use a visual assessment to determine an applicant/participant's racial/ethnic category. An applicant and/or participant may be included in the group to which he/she appears to belong, identifies with, or is regarded as belonging to, in the community. Make sure the participant understands that the collection of this information is strictly for statistical reporting requirements and has no effect on the determination of their eligibility to participate in the program.

LIMITED ENGLISH PROFICIENCY

MSFP must take reasonable steps to accommodate applicants and/or participants who self-identify as having Limited English Proficiency (“LEP”). Contact the MSFP Program Manager any materials need to be translated.

Civil rights regulations prohibit discrimination in any program activity, so applicants and/or participants cannot be required to bring a translator or interpreter in order to apply for MSFP. If translators or translated materials for a specific language are required, contact MSFP for assistance.

NOTE: Before translating any materials, call the MSFP Manager.

VERIFICATION OF CITIZENSHIP OR IMMIGRATION STATUS

This issue should never give rise to discrimination.

ACCESSIBILITY

Participating farms and farmers’ markets must ensure physical accessibility for buildings and facilities, particularly to persons in wheelchairs and with mobility disabilities.

CUSTOMER SERVICE

Treat all applicants and participants with dignity and respect.

CONFLICT RESOLUTION

If there are complaints that are not civil rights related, every effort should be made to resolve them. If they are civil rights related, please refer the customer to the *Nondiscrimination Statement* and follow the *Referral Policy*.