

**21—50.3(159,175B) Definitions.** For the purposes of this chapter:

*“Application”* means a request made by an individual to the department for vendor certification or farmers’ market/farmstand authorization in the Iowa FMNP on a form provided by the agricultural diversification and market development bureau of the department.

*“Authorized CSA”* means a community supported agriculture program located within the state of Iowa that is authorized by the department for the exchange of SFMNP funds for eligible foods.

*“Authorized farmers’ market”* means a farmers’ market site located within the state of Iowa authorized by the department for the exchange of vouchers for eligible foods.

*“Authorized farmstand”* means a farmstand site located within the state of Iowa authorized by the department for the exchange of vouchers for eligible foods.

*“Certified vendor”* means an individual who has met all Iowa FMNP conditions as outlined by the department and who is guaranteed payment on all vouchers accepted, provided compliance is maintained by that individual regarding all Iowa FMNP rules and procedures as outlined in the vendor certification handbook. Individuals who exclusively sell produce grown by someone else, such as wholesale distributors, cannot be certified to participate in the Iowa FMNP, except individuals employed by a farmer otherwise qualified under these rules.

*“Certified vendor identification sign”* means department-issued signage that shall be clearly displayed by the certified vendor at all times the vendor accepts or intends to accept vouchers in an authorized farmers’ market/farmstand. Signs shall remain the sole property of the department with forfeiture by the certified vendor to the department in the event of disqualification or suspension.

*“Certified vendor number”* means a unique identification number issued for a designated period by the department and assigned to an individual whom the department has identified as a certified vendor. The certified vendor number shall be affixed to the certified vendor identification sign. An individual shall be assigned no more than one certification number for any designated period.

*“Certified vendor stall”* means all of the area in an authorized farmers’ market that is dedicated to a certified vendor for the purpose of displaying and offering product for sale. Certified vendors are permitted only one certified vendor stall per market. The only exceptions shall be:

1. If the certified vendor elects not to promote any of the area as Iowa FMNP for an entire farmers’ market day; or
2. If the certified vendor elects to exclude a portion of the space by maintaining a distance of separation from the certified vendor stall by a minimum of two farmers’ market vendors who are neither affiliated with nor related to the certified vendor and who are actively participating in the farmers’ market on the given day. An excluded area shall be operated independently of the certified vendor stall.

These exceptions shall hold only when the vendor neither accepts nor intends to accept vouchers.

*“Certified vendor stamp”* means a department-issued stamp of the certified vendor number.

*“Days”* means calendar days.

*“Designated distribution site”* means a site authorized by the department for distribution of vouchers by the local agency.

*“Distribution”* means the process outlined by the department and the means by which local agencies actually dispense vouchers to eligible recipients.

*“Eligible foods”* means fresh, nutritious, unprepared, locally grown fruits, vegetables and herbs for human consumption. Eligible foods may not be processed or prepared beyond their natural state except for usual harvesting and cleaning processes. Locally produced, unpasteurized, pure honey is an eligible food only for the recipients of SFMNP benefits.

*“Farmers’ market”* means a cooperative or nonprofit enterprise or association that consistently occupies a given site throughout the season, which operates principally as a common marketplace for a group of farmers to sell locally grown fresh produce directly to consumers, and where the majority of products sold are produced by the participating farmers with the sole intent and purpose of generating a portion of household income.

*“Farmstand”* means a consistent site throughout the season, in which a single individual farmer sells the farmer’s produce directly to consumers.

*“Fresh produce”* means fruits and vegetables that have not been processed in any manner. This term does not include such items as dried fruits and vegetables, potted or dried herbs, wild rice, nuts of any kind including raw nuts, popcorn, fruit or vegetable plants/seedlings, dried beans/peas, seeds/grains, flowers, maple syrup, cider, eggs, meat, cheese, and seafood.

*“Iowa FMNP”* means Iowa farmers’ market nutrition program and refers to both WIC FMNP and SFMNP.

*“Local agency”* means a nonprofit entity that certifies eligible recipients, issues Iowa FMNP vouchers, arranges for the distribution of eligible foods through CSA programs, or provides nutritional education or information on operational aspects of the Iowa FMNP to recipients and that has entered into a contract with the department.

*“Locally grown”* means produce or honey that has a traceable point of origin either within Iowa or in a neighboring state in a county adjacent to Iowa’s border.

*“Posted hours and days”* means the operational time frames in which Iowa FMNP vouchers are accepted stated in applications for authorization submitted by a representative, who has the legal authority to obligate the farmers’ market/farmstand/CSA, which include a beginning and an ending time and date for each year of operation.

*“Proxy”* means an individual authorized by an eligible recipient to act on the recipient’s behalf, including application for, receipt of, or use of vouchers or acceptance of SFMNP foods provided through a CSA program as long as the benefits are ultimately received by the recipient. Minors shall not be used as proxies.

*“Recipient”* means a person chosen by the Iowa department of agriculture and land stewardship to receive Iowa FMNP benefits.

1. To receive WIC FMNP benefits, such person must be a woman, infant over four months of age, or child who receives benefits under the WIC program or is on the waiting list to receive benefits under the WIC program.

2. To receive SFMNP benefits, such person must meet the senior eligibility criteria of the SFMNP in Part 249.6 of Subpart C of Title 7 Code of Federal Regulations as of May 26, 2005.

*“Season”* means a clearly delineated period of time during a given year that has a beginning date and ending date, as specified by the department, which correlates with a major portion of the harvest period for locally grown fresh produce.

*“Secretary”* means the secretary of agriculture for the state of Iowa.

*“Service area”* means the geographic area that encompasses all of the designated distribution sites and authorized farmers’ markets, farmstands, and CSAs within Iowa for a designated period.

*“SFMNP”* means the senior farmers’ market nutrition program.

*“Shareholder”* means an SFMNP recipient for whom a full or partial share in a community supported agriculture program has been purchased by the department, and who receives SFMNP benefits in the form of actual eligible foods rather than vouchers that must be exchanged for eligible foods at farmers’ markets or farmstands.

*“USDA-FNS”* means the United States Department of Agriculture-Food and Nutrition Service.

*“Vendor certification handbook”* means a publication by the department that is based on USDA-FNS regulations and guidelines, addresses all Iowa FMNP rules and procedures applicable to a certified vendor, and provides the basis for vendor training. A copy of the publication shall be issued to each individual after certification training. New editions supersede all previous editions.

*“Voucher”* means an instrument issued by the department to recipients that is redeemable only for eligible foods from certified vendors at authorized farmers’ markets/farmstands with a limited redeemable period that directly correlates to the season designated by the department.

*“WIC”* means the Special Supplemental Food Program for Women, Infants and Children, as administered by the Iowa department of health and human services.

*“WIC FMNP”* means the women, infants, and children farmers’ market nutrition program.

[ARC 7883C, IAB 4/17/24, effective 5/22/24]