

**WAC 246-780-010 Definitions.** The definitions in this section apply throughout this chapter unless the context clearly implies otherwise.

(1) "Authorized" or "authorization" means an applicant has met the selection criteria and has been issued a signed contract with the department allowing participation in the FMNP.

(2) "Authorized farm store" means a sale location at the site of agricultural production and is owned, leased, rented, or sharecropped and operated by an authorized grower where the grower sells produce directly to consumers.

(3) "Authorized farmers market" means a farmers market authorized by the department that has a minimum of five or more authorized growers who assemble at a defined location for the purpose of selling their produce directly to consumers.

(4) "Authorized grower" means an individual authorized by the department who grows at least a portion of the produce that they sell at a Washington state authorized farmers market, authorized roadside stand, or authorized farm store.

(5) "Authorized mobile market" means a traveling nonprofit retail operation that has been approved by the department to accept WIC FMNP, WIC CVB, and SFMNP benefits, and sells fresh, unprocessed, locally grown fruits, vegetables, cut herbs, and honey directly to participants. Authorized mobile markets must not compete with authorized farmers markets.

(6) "Benefit" means a negotiable financial instrument issued by the WIC, WIC FMNP, or SFMNP to participants to purchase eligible foods in each of these programs at farmers markets.

(7) "Broker" or "wholesale distributor" means an individual or business who exclusively sells produce grown by others. There is an exception for an individual employed by an authorized grower or nonprofit organization to sell produce on behalf of authorized growers.

(8) "Business and financial documentation" means all documents required to own and operate a business as a grower which may include, but is not limited to, banking and financial records; property sales; accounting; and product sales.

(9) "Civil monetary penalty" means a sum of money imposed by the FMNP program for noncompliance with program requirements for WIC FMNP and SFMNP.

(10) "Contract" or "agreement" means a written legal document binding the contractor and the department to designated terms and conditions.

(11) "Cut herbs" means fresh herbs with no medicinal value that are not potted.

(12) "WIC CVB" means a monthly cash value benefit which is a WIC food instrument used by a participant to obtain fresh fruits and vegetables.

(13) "Department" means the Washington state department of health.

(14) "Disqualification" means terminating the contract or agreement of an authorized farmers market, authorized mobile market, authorized grower, authorized farm store, or authorized roadside stand for noncompliance with WIC CVB, WIC FMNP, or SFMNP requirements.

(15) "Eligible foods" means locally grown, unprocessed (except for washing), fresh, nutritious fruits, vegetables, and cut herbs.

(16) "Electronic farmers market nutrition program (e-FMNP)" means the electronic benefits providing access to fresh fruits, vegetables, and cut herbs for WIC and senior participants.

(17) "FMNP" means the farmers market nutrition program.

(18) "Food instrument" means an e-WIC card or QR code used to obtain eligible foods.

(19) "Grower" means an individual who grows at least a portion of the produce that they sell at a farmers market or farm store that entered into an agreement with the department.

(20) "Local WIC agency" means the contracted agency or clinic where a participant receives WIC services and farmers market benefits.

(21) "Locally grown" means Washington grown or grown in an adjacent county of Idaho or Oregon.

(22) "Market manager" means an individual designated by the farmers market management or board, or the mobile market management or board, who is responsible for overseeing the farmers market's or mobile market's participation in the FMNP.

(23) "Nonprofit" means a private agency which is exempt from income tax under the Internal Revenue Code of 1986 as amended, (26 U.S.C. 1 et seq.).

(24) "Notice of violation" means a written document given to an authorized grower, authorized farm store, authorized roadside stand, authorized mobile market, or authorized farmers market when the department determines the vendor has not complied with program requirements, federal WIC regulations, this chapter, or a contract or agreement.

(25) "Participant" means a senior, woman, infant, or child receiving WIC CVB, WIC FMNP, or SFMNP.

(26) "Point of sale" means the location the transaction occurred between the participant and the the WIC CVB, WIC FMNP, or SFMNP vendor.

(27) "QR code" means a quick response code used to read a participant's benefits on the senior FMNP card or WIC card, or a sticker added to the e-WIC card for WIC participants, or a quick response code available on a mobile device.

(28) "Roadside stand" means a location at which an individual farmer sells their produce directly to participants.

(29) "Selection criteria" means the approved standards the department uses to select growers, farmers markets, mobile markets, roadside stands, and farm stores for WIC FMNP, CVB, and SFMNP authorization.

(30) "SFMNP" means the senior farmers market nutrition program administered by the department of social and health services.

(31) "Suspension" means the immediate stoppage of WIC FMNP, CVB, and SFMNP payments to a WIC CVB, WIC FMNP, or SMNP grower, or authorized farmers market or authorized mobile market as a result of ongoing compliance activities or lack of federal funding.

(32) "Trafficking" means the buying or exchanging of farmers market benefits for cash, drugs, or alcohol.

(33) "WIC" means the federally funded special supplemental nutrition program for women, infants, and children.

(34) "WIC FMNP" means the WIC farmers market nutrition program administered by the department.

(35) "WIC FMNP & SFMNP benefits" means a negotiable financial instrument issued by the FMNP to participants to purchase eligible foods. Also known as "WIC & SFMNP benefits."

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246-780-010, filed 3/22/00, effective 4/22/00. Statutory Authority:  
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