



October 22, 2015

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Director, Retailer Policy and Management Division
Supplemental Nutrition Assistance Program
Food and Nutrition Service
U.S. Department of Agriculture
3101 Park Center Drive, Room 424
Alexandria, Virginia, 22302

FR Doc. 2015–15336

Submitted electronically via www.regulations.gov

Re: Comments in Response to FNS Request for Information “SNAP and WIC Seeking Input Regarding Procurement and Implementation of Electronic Benefit Transfer (EBT) Services” issued June 23, 2015

Dear Ms. Gold:

The farmers market and direct-to-consumer marketing community, along with organizations listed at the end of this letter, appreciate the opportunity to provide feedback to the questions posed on United States Department of Agriculture’s (USDA) Food and Nutrition Service (FNS) request for information, “SNAP and WIC Seeking Input Regarding Procurement and Implementation of Electronic Benefit Transfer (EBT) Services,” docket number 80 FR 48289. These groups have years of experience managing the use of federal nutrition benefits including SNAP, WIC, WIC FMNP, Senior FMNP and various incentive programs at farmers markets and other direct-to-consumer markets all over the country. These organizations are dedicated to offering affordable, healthy food retail in all communities, including in areas with high participation in federal nutrition assistance programs. We recognize the challenge FNS faces and commend the agency for soliciting input to identify adequate and cost effective methods to deliver multiple kinds of services to SNAP and WIC program participants and to the food retailers at which they shop and spend their benefits.

FNS’s twin objectives are to increase competition in the EBT marketplace and ensure stability and sustainability of the market. We concur with those goals and understand that the adoption of new payment technologies and card security requirements creates both disruption and opportunity. Most in the farmers market community rely on wireless equipment and service to process SNAP and WIC transactions and the sector has borne significant costs because of the lack of robust competition for these services.

The Agricultural Act of 2014 provides the Secretary of Agriculture the authority to exempt farmers markets, direct-to-consumer markets¹ and nonprofits facilitating sales for direct marketing farmers from paying for equipment and service costs associated with processing SNAP transactions.² We

¹ *Direct-to-consumer markets* include farm stands, direct-marketing farmers, community supported agriculture (CSA), and mobile markets.

² Section 4002 (b)(1) of the Agricultural Act of 2014 states:

anticipate the Secretary will act on this authority and FNS will therefore instruct states to include appropriate, cost free wireless service for SNAP authorized farmers markets and all other direct-to-consumer markets in their processing contracts. It is incumbent on USDA FNS to include ensuring appropriate service for farmers markets and other direct-to-consumer markets in any and all new approaches to contract services it and states undertake. (RFI Question 1.)³

With the inclusion of appropriate, cost free wireless service for SNAP authorized farmers markets and other direct-to-consumer marketing outlets, state agency procurement requests should also specify that appropriate technical assistance must accompany this service. (RFI Questions 1 and 5.)⁴ Dedicated personnel, knowledgeable about wireless equipment and the unique processing needs of the direct marketing community should be included as part of the basic SNAP procurement requirements. These unique processing needs include:

- access to wireless EBT point of sale (POS) devices;
- acceptance of up to four federal assistance programs at one retail site;
- nutrition assistance innovations (such as incentives);
- use of manual vouchers;
- off-line payment processing; and
- off-hours technical assistance.

It is imperative that a contracted state SNAP processor have at least one staff member, or direct-marketing liaison (e.g. subcontractor), with in-depth knowledge on their wireless products and direct marketing retailer needs. This would include support to farmers markets, community supported agriculture (CSA) projects, mobile markets, farm stands and other direct marketers.

Farmers markets around the country are experimenting with new payment approaches that meet the needs of farmers and shoppers while preserving the integrity of the federal benefit programs. Wireless equipment able to accept both SNAP and WIC EBT has the potential to reduce complexity of EBT systems' implementation at direct marketing sites. Streamlined EBT equipment will create the opportunity for more transactions at direct-marketing retailers, which could lead to a more competitive wireless EBT processing environment. USDA should allow and encourage projects that test a variety of new wireless technologies for the redemption of federal nutrition benefits within the

“(A) IN GENERAL .—Except as provided in subparagraph (B), the Secretary shall require participating retail food stores... to pay 100 percent of the costs of...electronic benefit transfer point-of-sale equipment and supplies, including related services.

*(B) EXEMPTIONS .—The Secretary may exempt from subparagraph (A)—
(i) farmers’ markets and other direct-to-consumer markets...*

(C) INTERCHANGE FEES .—Nothing in this paragraph permits the charging of fees relating to the redemption of supplemental nutrition assistance program benefits...”

³ Responding to Question 1 of the RFI: *Do State agency procurements provide sufficient information about the operational characteristics of their EBT projects for new entrants to the EBT market?*

⁴ Responding to Questions 1 and 5 of the RFI: *1. Do State agency procurements provide sufficient information about the operational characteristics of their EBT projects for new entrants to the EBT market? 5. Are there requirements for vendor experience that are necessary to establish minimum qualifications to bid to provide EBT services?*

Department's existing grant programs including but not limited to NIFA's Small Business Innovation Research Program, NIFA's Agriculture and Food Research Initiative, cooperative agreements, and other existing funding sources. (RFI Questions 4b and 10.)⁵

As leaders in the rapidly expanding direct marketing sector and stakeholders in the EBT marketplace, we appreciate this opportunity to provide comments. FNS has made great strides in supporting the use of federal nutrition assistance at farmers markets and with direct marketing farmers, benefiting low-income consumers, the food environments of the communities in which they live, and small and mid-sized farms across the country. We look forward to continuing to work closely with FNS as EBT processing and procurement systems change, and anticipate that all new approaches will adhere to the statutory authority that direct-to-consumer marketing outlets are to be provided with appropriate wireless equipment at no cost.

We would appreciate the opportunity to discuss these issues with you directly. Please contact Jen O'Brien Cheek (jen@farmersmarketcoalition.org), or Alan Hunt (alan@wholesomewave.org), co-chairs of the National Sustainable Agriculture Coalition's (NSAC's) Farmers Market Subcommittee,⁶ with any questions.

Sincerely,

List of Signatories by FNS Region

*=SNAP Authorized Retailers

National

Fair Food Network
Farmers Market Coalition
National Sustainable Agriculture Coalition
Wholesome Wave

FNS Mid Atlantic Region

*Williamsburg Farmers Market, Williamsburg, VA
*YMCA of Trenton, Trenton, NJ
*City Green, Clifton, NJ
*The Farmers Market.co, Spotsylvania, VA
*Arcadia Center for Sustainable Food & Agriculture, Alexandria, VA
*Community Foodworks, Arlington, VA
*DC Greens, Washington, DC
*North Stafford Farmers Market, North Stafford, VA
*Dreaming Out Loud, Inc., Washington, DC
*Crossroads Community Food Network, Takoma Park, MD

⁵ Responding to Questions 4b and 10 of the RFA: *4.b. Can more economies of scale be realized without increasing complexity through any of the following: b. The inclusion of more agencies/programs? 10. Are there ways to separate EBT system development/startup costs from operational costs to reduce risk for new entrants when bidding on a project? If so, what are they?*

⁶ The members of NSAC's Farmers Market Subcommittee are: Dakota Rural Action, Ecology Center, Fair Food Network, Farmers Market Coalition, Florida Organic Growers and Consumers, Georgia Organics, Illinois Stewardship Alliance, Interfaith Sustainable Food Collaborative, Just Food, Michigan Farmers Market Association, New Mexico Farm to Table, RAFI-USA, and Wholesome Wave.

Appalachian Sustainable Development, Abingdon, VA
*Abingdon Farmers Market, Abingdon, VA
*Big Stone Gap Farmers Market, Big Stone Gap, VA
*Market Central, Inc., Charlottesville, VA
*Independence Farmers Market, Elk Creek, VA
*City of Alexandria, Alexandria, VA

FNS Mid West Region

Illinois Stewardship Alliance, Springfield, IL
*Aurora's Farmers Market, Aurora, IL
*Experimental Station, Chicago, IL
*Bexley Farmers' Market, Columbus, OH
Fresh Bucks, Indianapolis, IN
Ohio Ecological Food and Farm Association, Columbus, OH
ACEnet, Athens, OH
Hoosier Farmers Markets, Indianapolis, IN
*Indy Winter Farmers Market, Indianapolis, IN
*Growing Places Indy, Indianapolis, IN
*Farmers Market Association of Toledo, Toledo, OH
*Michigan Farmers Market Association, East Lansing, MI
*Allen Neighborhood Center, Lansing, MI
*Fremont Farmers Market, Fremont, MI
*Friends of Lincoln Park Farmers Market, Lincoln Park, MI
*Menominee Historic Downtown Farmers Market Association, Menominee, MI
Green Gardens, Battle Creek, MI
*Growing Hope, Ypsilanti, MI
*Evert Farm Market, Evert, MI
*Argus Farm Stop, Ann Arbor, MI
*Chelsea Farmers Market, Chelsea, MI
*Allen Park Downtown Development A, Allen Park, MI
*Northwest Detroit Farmers' Market, Detroit, MI
*Historic Farmers Market of Lapeer, Lapeer, MI
*Recreation Authority of Roseville & Eastpointe, Roseville, MI
*GenesisHOPE, Detroit, MI
*Randy Nelson Farm, Inc, Grant, MI
*Peck Produce, LLC, Detroit, MI
Brother Nature Produce, Detroit, MI
*Dearborn Farmers and Artisans Market, Dearborn, MI
Toy Box Farms, Durand, MI
*Pittsfield Township Farmers Market, Ann Arbor, MI
*Countryside Conservancy, Peninsula, OH
*ARA Farm Market, Harrisville, MI
*Holt Farmers Market, Holt, MI
The Dyer Family Organic Farm, Ann Arbor, MI
*Flint Farmers Market, Flint, MI
*Andy T's Farm Market LLC, St Johns, MI
*Frankenmuth Farmers Market, Frankenmuth, MI
*Fulton Street Farmers Market, Grand Rapids, MI

- *Grow Benzie, Beulah, MI
- *Manistee Community Kitchen, Manistee
- *Downtown Neighborhood Association of Elgin, Elgin, IL
- Illinois Farmers Market Association, Springfield, IL
- *Anderson City Market, Anderson City, IN
- *Our Kitchen Table, Grand Rapids, MI
- *Sharkar Farm, China, MI
- *Hemlock Farmers Market, Hemlock, MI
- *Williamston Farmers' Market, Williamston, MI
- Michigan Young Farmer Coalition, Canton, MI
- *Mill City Farmers Market, Minneapolis, MN
- *Bath Farmers Market, Bath, MI
- *Meridian Twp Farmers Market, Okemos, MI
- *Downtown Saginaw Farmers' Market Inc., Saginaw, MI
- *Cadillac Area Farmers Market LLC, Cadillac, MI
- *Newton Family Farm, Sand Lake, MI
- *The New Baltimore Farmers Market, New Baltimore, MI
- *Eastern Market Corporation, Detroit, MI
- *Hudsonville Farmers Market, Hudsonville, MI
- *Battle Creek Farmers Market Association, Climax, MI
- *Zilke Vegetable Farm, Milan, MI
- Health Department of Northwest Michigan, Harbor Springs, MI
- *Fondy Food Center, Milwaukee, WI
- *People's Food Co-op, Kalamazoo, MI
- *Peaches & Greens Produce Market and Truck, Detroit, MI
- *Franklin Park Conservatory and Botanical Gardens Farmers' Market, Columbus, OH

FNS Mountain Plains Region

- Nebraska Sustainable Agriculture Society, Ceresco, NE
- *Montrose Farmers Market, Montrose, CO
- *Greeley Farmers Market/City of Greeley, Greeley, CO
- Lakes Area Farmers Market, Spirit Lake, IA
- *City Market, Kansas City, MO
- Beans & Greens, Kansas City, KS

FNS Northeast Region

- Northeast Sustainable Agriculture Working Group (NESAWG), New Paltz, NY
- *Branford Alps Farmers Market, Guilford, CT
- *City Seed, New Haven, CT
- Maine Farmland Trust, Belfast, ME
- Middlesex Coalition for Children, Middletown, CT
- Certified Naturally Grown, Brooklyn, NY
- *GrowNYC, New York, NY
- *Sanford Farmers' Market, Springvale, ME
- *Ashland Farmers Market, Ashland, MA
- UNH Cooperative Extension, Lancaster, NH
- *Local Foods Plymouth, Plymouth, NH
- *The North End Action Team, Inc., Middletown, CT

Maine Federation of Farmers' Markets, Pittsfield, ME
*Mount Hope Farmers Market, Bristol, RI
*Just Food, New York, NY
*Hartford Food System, Inc, Hartford, CT
Day Kimball Healthcare, Putnam, CT
Maine Organic Farmers and Gardeners Association, Unity, ME
*Post Oil Solutions, Athens, VT
Boston Public Health Commission, Boston, MA

FNS Southeast Region

*Greene County Extension, Snow Hill, NC
Wholesome Wave Georgia, Atlanta, GA
Georgia Organics, Atlanta, GA
*Community Health Works Mulberry Market, Macon, GA
*Monroe Farmers Market, Monroe, GA
Augusta Locally Grown, Augusta, GA
Good Neighbor Ministries, Augusta, GA
*Athens Farmers Market, Athens, GA
Icebox Ministries, North Augusta, SC
*Statesboro Mainstreet Farmers Market, Statesboro, GA
*Bradenton Farmers' Market, Bradenton, FL
Farmers Market on the Square, Columbia, KY
*Foothills Farmers Market, Shelby, NC
Community Farm Alliance, Berea, KY
*Sulphur Springs Farmers' Market, Durham, NC/Tampa, FL
Community Caring Center of Greater Boynton Beach, Inc., Boynton Beach, FL
*Florida Organic Growers & Consumers, Inc, Gainesville, FL
*Brevard County Farmers Market, Cocoa, FL
*Las Olas Sunday Market, Ft. Lauderdale, FL
*St Petersburg Saturday Morning Market, St. Petersburg, FL
*Urban Oasis Project, Inc., Miami, FL
*Peachtree Road Farmers Market, Atlanta, GA
*Frenchtown Heritage Market, Tallahassee, FL
*Hub City Farmers' Market, Spartanburg, SC
*UG/Henrietta Green Market, West Palm Beach, FL
*UG/Riviera Green Market, Riviera Beach, FL
*Tasty Tuesdays at New Port Richey Public Library, New Port Richey, FL
*Punta Gorda Farmers Market & North Port Farmers Market, Punta Gorda, FL
*Community Farmers Market, Atlanta, GA
RAFI-USA, Asheville, NC
RAFI, Pittsboro, NC
*Forsyth Farmer's Market, Savannah, GA
*Venice Farmer's Market, Venice, FL
*Marion Tailgate Market, Marion, NC
*Dania Beach Community Redevelopment Agency, Dania Beach, FL
*King Farmers' Market, King, NC
*Mableton Farmers Market, Mableton, GA
Root & Tail Farm, Edgewater, FL

*Lakeland Downtown Farmers Curb Market, Lakeland, FL

FNS Southwest Region

Farm to Table, NM, Santa Fe, NM

NM Food and Agriculture Policy Council, Santa Fe, NM

*Abita Springs Farmers Market, Abita Springs, LA

*Leesville Main St Market and Garden on Third, Leesville, LA

New Mexico Farmers' Marketing Association, Santa Fe, NM

FNS Western Region

Washington State Farmers Market Association, Seattle, WA

*Vashon Island Growers Association, Vashon, WA

*Seattle Farmers Market Association, Seattle, WA

Northwest Farm Bill Action Group, Seattle, WA

Tilth Producers of Washington, Seattle, WA

Interfaith Sustainable Food Collaborative, Sebastopol, CA

Oregon Farmers Markets Association, Portland, OR

*Manzanita Farmers Market, Manzanita, OR

*Las Vegas Farmers Market, Las Vegas, NV

*Tumwater Town Center Farmers Market, Tumwater, WA

*Emerson-Garfield Farmers' Market, Spokane, WA

*Homer Farmers Market, Homer, AK

*Old Capistrano Certified Farmers Market, San Juan Capistrano

*City of Renton Farmers Market, Renton, WA

*Tillamook Farmers Market, Tillamook, OR

*Pacific City Farmers Market, Pacific City, OR

Stevenson Farmers' Market, Carson, WA

AIM Farmers Markets, San Rafael, CA

*Southern Oregon Growers Association, Grants Pass, OR

*21 Acres Center for Local Food and Sustainable Living, Woodinville, WA

*Bellevue Farmers Market, Bellevue, WA

Northeast Washington Farmers Market, Colville, WA

*Hollywood Farmers Market, Portland, OR

Panther Springs Farm, Carson, WA

*Neighborhood Farmers Market Alliance, Seattle, WA

Rose Orchards Farm, Gig Harbor, WA

*Shoreline Farmers Market, Shoreline, WA

*Bremerton Farmers Market, Bremerton, WA

*Ecology Center, Berkeley, CA

*Heirloom Farmers Market, Tucson, AZ

Waterfront Farmers Market, Gig Harbor, WA