

**WAC 246-780-023 Mobile market application requirements.** (1) The department shall consider a mobile market for FMNP authorization, when the applicant meets all of the following:

(a) Submits a completed application to the department on a form provided by the department;

(b) Meets the selection criteria in subsection (2) of this section;

(c) Completes training on FMNP requirements; and

(d) Receives a contract or agreement from the department signed by both the department and the applicant.

(2) Mobile market selection criteria. At the time of application, applicants shall meet the following criteria and shall continue to meet the following criteria throughout the period of authorization:

(a) Be a nonprofit organization, and have a mobile market manager or designated representative;

(b) Have the ability to accept e-FMNP transactions at the point of sale;

(c) Have been in operation at least one year. The one year requirement may be waived by the department based on capacity and need;

(d) Have at least one route stop within 30 miles of a local WIC agency;

(e) Have at least five local growers, which grow at least a portion of what they sell in Washington, participating in the mobile market each season under contract period;

(f) Must maintain a current list of growers participating in the mobile market;

(g) Have an established route with a unique address for each stop provided to the department before the start of the season. The stops must be at least 0.25 miles away from authorized farmers markets during the hours and days that the farmers market is open for business;

(h) Comply with training sessions and monitor visits;

(i) Submit to the department, upon request, sales information including gross sales and tax-exempt food sales;

(j) Be current with state, federal, and local taxes;

(k) Comply with all terms and conditions specified in the contract.

(3) The department is not required to authorize all applications. If the applicant meets the qualifications or the department has determined that including the applicant in the program is necessary to assure participant access, the department may offer a contract agreement to the applicant. An applicant that has an application declined may appeal the department's decision as provided in WAC 246-780-060.

(4) An authorized mobile market must reapply at the end of the current contract; however, neither the department nor the participant has an obligation to renew a contract.

(5) If authorized, the applicant will become an authorized mobile market for the term of the contract/agreement, provided the authorized mobile market continues to comply with requirements in chapter 246-780 WAC.

(6) Mobile markets can request an administrative appeal for certain adverse actions by the department in connection with the contract agreement as specified in the contract agreement and WAC 246-780-040.

(7) The department may temporarily suspend acceptance of applications when in the best interest of program administration.

[Statutory Authority: RCW 43.70.700, 43.70.120, and 43.70.703. WSR 26-06-076, s 246-780-023, filed 3/2/26, effective 4/2/26.]