

## Division of Community Nutrition

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| <i>Subject:</i> <b>Returned Formula and Nutritionals</b> |                                       | <i>Policy:</i> <b>FDS 03.2.1</b>          |
| <i>Reference:</i> <b>N / A</b>                           | <i>Effective:</i> <b>July 1, 2020</b> | <i>Supersedes:</i> <b>August 12, 2013</b> |

### I. Policy:

The local agency shall ensure that all unused formula and nutritionals issued to participants are returned to the Local Agency. Returned formula and nutritionals shall not be distributed to participants. Approved formulas and nutritionals shall be donated to local food assistance programs and all others shall be disposed of.

### II. Procedure:

- A) All unused formula and nutritionals issued by the Virginia WIC Program shall be returned to the Local Agency.
  - 1) Participants, or the parent, legal guardian, or caretaker of participants, who are issued formula/nutritionals to their eWIC account shall be encouraged not purchase the full amount until tolerance has been established to decrease the incidence of formula/nutritionals returned to clinic.
  - 2) Upon receiving WIC-issued formula/nutritionals, WIC personnel shall complete the Returned Formula and Nutritional Inventory (WIC-404) Form.
  - 3) The WIC Coordinator or designated Site Supervisor shall review and sign all WIC-404 forms for clinics within the Local Agency monthly, as outlined in the form procedures.
- B) Local Agencies shall not accept, store, or distribute any formula/nutritional that was not WIC-issued, to include product samples not intended for sale.
- C) WIC personnel shall inspect all returned formula/nutritionals to verify that they have not been opened and are still sealed and to also check for visible defects, dents, or evidence of tampering and the “use-by-date”.
  - 1) All formula/nutritionals determined to have been opened, defective, dented, tampered with, expired, or otherwise unsafe for consumption shall be properly disposed, regardless of product type.
- D) Local Agencies shall not provide formula/nutritionals directly to WIC applicants, participants, or employees for any reason.

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E) Formula/nutritional orders delivered directly to the Local Agency from the formula distribution warehouse shall only be issued to the participant for which they were ordered.

1) Formula/nutritional orders that are delivered to the Local Agency and are not picked up prior to First Date to Spend (FDTS) of that participant's next set of benefits shall be issued to the participant during their current certification period in place of ordering additional formula from the formula distribution warehouse.

(a) If the formula/nutritional is not approved for retail purchase, it shall be issued to the participant's eWIC account to ensure that participation is accurately documented. A family alert should then be added to the participant's record to document this occurrence.

(b) If the formula/nutritional is approved for retail purchase (even if the participant or their parent, legal guardian, and/or proxy cannot locate it at a local WIC-approved vendor), the placeholder formula "Previous CAP Order" shall be added to the participant's food prescription to ensure that participation is accurately documented and to prevent over issuance of benefits. A family alert should then be added to the participant's record to document this occurrence.

F) Local Agencies shall donate formula and nutritional products when possible.

1) Formulas and nutritionals that are approved for donation include:

(a) Contract infant formulas approved for donation:

- (i) Similac Advance
- (ii) Similac Sensitive
- (iii) Similac Total Comfort
- (iv) Similac for Spit-Up
- (v) Similac Soy Isomil

(b) Exempt Infant Formulas approved for donation:

- (i) Similac Alimentum
- (ii) Similac Neosure
- (iii) Enfamil Nutramigen
- (iv) Enfamil EnfaCare
- (v) EleCare Infant
- (vi) PurAmino
- (vii) Gerber Extensive HA

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- (c) Nutritionals approved for donation:
  - (i) Pediasure
  - (ii) Pediasure with Fiber
  - (iii) Pediasure Sidekicks
  - (iv) Boost Kid Essentials
  - (v) Boost
  - (vi) Ensure
  
- 2) Formula and nutritionals that are approved for donation shall only be donated to local food assistance programs with which the Local Agency has established a Coordination of Services, as outlined in policy CRT 08.0.
  - (a) Donation of formula/nutritionals shall occur at least quarterly.
    - (i) On the day of donation, the Local Agency shall complete the Local Agency Formula and Nutritional Donation Log (WIC-405) to document the details of all formula/nutritional donations.
    - (ii) On the day of the donation, the receiving local food assistance program shall complete the Donation of WIC Formula Acknowledgement Form (WIC-388) to document the receipt of all formula/nutritional donations.
  
- G) Local Agencies shall dispose of all formula and nutritionals that are not approved for donation.
  - 1) Formula and nutritionals not approved for donation include:
    - (a) All formula and nutritional varieties not explicitly listed above as being approved for donation.
    - (b) All formula and nutritionals deemed to be opened, defective, dented, tampered with, expired, or otherwise unsafe for consumption, regardless of product type.
  
  - 2) Formula/nutritional disposal shall occur by the end of the on which the product was returned to clinic.
    - (a) Powder formula/nutritionals shall be opened and emptied into the garbage.
    - (b) Concentrate and Ready-To-Feed (RTF) formula/nutritionals shall be opened and emptied down the drain of a sink.

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- (c) Formula/Nutritional containers shall not be kept and must disposed of so that they are not visible in clinic.
- (d) Local Agencies shall complete the Local Agency Formula and Nutritional Disposal (WIC-406) log daily to document the details of all formula/nutritional disposals.