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## \*\*\*\* IMPORTANT DEADLINE \*\*\*\* Response required by August 16, 2019

### Annual Training Edition

A management representative from each authorized WIC Retailer is required to certify that they have read the entire Retailer Bulletin. This mandatory training is required in order for a store to retain its WIC Authorization and offer WIC.

This resource serves as the Annual WIC Training curriculum and provides WIC program changes, highlights compliance, integrity issues, and provides useful tips on processing eWIC transactions.

#### Required Actions

United States Department of Agriculture (USDA), Federal regulation 246.12, **each** WIC-authorized store has to designate a manager or representative to complete and verify annual refresher training. To verify the 2019 Retailer Annual training follow actions below:

1. Read the Bulletin **in its entirety**.
2. Acknowledge that you have completed your annual training:
  - **For “individual” stores:** (stores without a Certified Trainer): [Click here to complete the survey](#) or <https://www.surveymonkey.com/r/R8Z2PGZ>
  - **For “corporate” stores** (stores with a Certified Trainer): Follow the instructions sent to you by your Certified Trainer;
  - **For Certified Trainers:** Refer to email with instructions sent to your parent company with subject title “2019 VA WIC Annual Training”. If you have not received instructions from the State WIC Office when you receive this Bulletin, please contact Alex Acharya (alex.acharya@vdh.virginia.gov).
3. Share this special edition with other store personnel (i.e. cashiers, bookkeepers, and customer service managers).
4. Complete your annual Conflict of Interest review (see ["Conflict of Interest Reminder"](#) below).

## Please complete training and submit to the State WIC Office by Friday, August 16, 2019.

Contact your assigned Vendor Liaison if you have questions about the topics covered. See Section 12 for contact information.

*You may also want to print this bulletin, post a copy in a central location, and include a copy in your Retailer Manual binder for future reference. This training bulletin can be an additional resource and training tool for cashier and staff training.*

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### 1. Purpose of the Program and History of the WIC Program

The United States Department of Agriculture's (USDA) Special Supplemental Nutrition Program for Women, Infants, and Children, commonly known as the WIC program, serves to safeguard the health of low-income pregnant, breastfeeding, and postpartum women, infants, and children up to age 5 who are found to be at nutritional risk. According to National WIC Association (NWA) in FY 2017, WIC supported 53% of all infants born in the United States.

Established as a pilot program in 1972 and made permanent in 1974, USDA provides federal grants to states for WIC foods, nutrition education, breastfeeding promotion and support, and administrative costs. The WIC program is administered nationally by USDA's Food and Nutrition Service (FNS), and is administered at the local level. There are 90 WIC State agencies, over 1900 local agencies and 10,000 WIC clinics covering all 50 States, the District of Columbia, 34 Indian Tribal Organizations, American Samoa, Guam, and Commonwealth Islands of the Northern Marianas, Puerto Rico, and the U.S. Virgin Islands. Formerly known as the Special Supplemental Food Program for Women, Infants, and Children, the WIC's name changed under the Healthy Meals for Healthy Americans Act of 1994, in order to emphasize its role as a nutrition program.

References: <https://www.ers.usda.gov/topics/food-nutrition-assistance/wic-program/>

### 2. 2020 New Food List Release

The new Virginia WIC Approved Food List 2020 will be released in the Spring of 2020 to each WIC Authorized store. If you have not received your copies of the new Food List by June 1, 2020 or if you need additional copies, please use the Retailer Supply Request Web form, or send an email to WIC\_Retailer@vdh.virginia.gov.

### 3. Minimum Stocking Requirements (MSR)

As specified in [Section D2](#) of the Retail Store Manual, the Minimum Stocking Requirement (MSR) must be met at all times. The products must not be expired and must be in the store during normal business hours. **Failing to meet the MSR three times in a 12-month period will result in disqualification from the WIC Program.**

Use the [Approved Product List \(APL\)](#) and the [WIC Approved Food List](#) to determine approved brands, varieties, and UPCs that may be used to meet the MSR.

Below is a summary of the current MSR, this easy to use at-a-glance document was developed for retailers. <http://www.vdh.virginia.gov/content/uploads/sites/44/2019/01/Min-Stock-at-a-Glance.pdf>.

Item	Type	Size	Variety	Quantity	Shelf Label Required
Milk	1% OR Fat Free	Gallons, ½ gallons, quarts	2 sizes	5 gallons	Yes
Cheese	Sliced American	16 oz.	-	1 pkg.	Yes
	Block Cheddar			1 pkg.	Yes
Eggs	Large, White A or AA	Dozen	-	2 pkg.	
Beans	Dry	16 oz.	-	2 pkg.	
	Canned	15-16 oz.	-	8 cans.	
Peanut Butter	Any approved	16-18 oz.	-	2 containers	Yes
Cereal	Non-whole grain	12-36 oz.	-	24 oz. total	Yes
	Whole grain	12-36 oz. cold 11.8-12 oz. hot	2 types	48 oz. total	Yes
Frozen Juice	Single flavored: apple, orange, grapefruit, grape	12 oz.	2 flavors	2 containers total	Yes
Refrigerated/shelf stable juice	Single flavored: apple, orange, grapefruit, grape	64 oz.	2 flavors	2 containers total	Yes
Whole Grains	Whole wheat bread	16 oz.	-	1 pkg.	
	Brown rice			1 pkg.	
Infant cereal	Rice	8 oz.	-	3 pkg.	
Infant vegetables	Single ingredient or combination	4 oz.	2 flavors	128 oz. total	
Infant fruits	Single ingredient or combination	4 oz.	2 flavors	128 oz. total	
Infant Formula	Similac Advance Powder	12.4 oz.	-	9 containers	
Fruits and Vegetables (cash value benefit)	Fruit subcategories: canned, fresh, frozen	-	4 types of fruit AND 2 subcategories	\$20.00 total	
	Vegetable subcategories: canned, fresh, frozen		4 types of vegetables AND 2 subcategories	\$20.00 total	

#### 4. Infant Formula Sources and Record Keeping Requirements

Virginia WIC requires that all infant formula offered to WIC participants be purchased from suppliers authorized by the Virginia WIC Program. Purchasing infant formula from an approved supplier protects the health and well-being of WIC participants. The current list of [approved formula suppliers](#) is available online. If you wish to source formula for WIC participants from a supplier not on this list, the wholesaler/distributor must contact their Vendor Liaison and request to become an authorized supplier. Please refer to the following documents for further information:

- [Virginia WIC Program's Retailer Manual, Section D2](#)
- [Retailer Agreement, Section G, Retailer Item 3](#)
- [Federal Regulation 246.12\(g\)\(11\)](#)

**Note:** The Retailer Agreement states that all retailers are required to maintain inventory records used for federal tax reporting purposes for a minimum of one (1) calendar year; and maintain purchasing records (invoices) for a minimum of twelve (12) months.

#### 5. Procedures for Transacting and Redeeming WIC Benefits

*eWIC Transactions For Stores Using Conduent (Xerox) Stand Beside Devices:*

1. Separate WIC-approved items and process them first
2. For all non-produce items, scan each item's Universal Product Code (UPC) individually.
3. For produce (Cash Value Benefit (CVB) items)
  - a. Scan/weigh each item into the store's Point-of-Sale register and obtain total dollar amount
  - b. Enter the total dollar amount into the eWIC device using code 44691/4469 or the item's generic Product Look-Up (PLU) code. This generic PLU applies to CVB purchases only.

4. Depending on internal procedures, you may need to process eWIC purchases twice:

- First, using Conduent (Xerox) stand beside device to determine if the item is eligible against the specific cardholder's benefits (this is the step that alters their benefit balance) and to report the sales to the State WIC Office for reimbursement; and
- Second, using your Point-of-Sales register to capture the actual sale amount and inventory quantity.

**Reminder:** Check the Conduent (Xerox) eWIC Retailer Manual (see pages 6-7) for specific steps in processing eWIC transactions using WIC SMART Keys (see pages 58-62) with stand beside devices. Refer to pages 22-29 for error codes and descriptions.

### ***eWIC Transactions For Stores Using Integrated Point-of-Sale (POS) Systems***

Processing eWIC benefits with integrated POS systems in each store varies, so operations and instructions depend on the way your POS system has been programmed. Contact your corporate office or Value Added Reseller (VAR) for information on processing eWIC benefits with your integrated system.

### ***For all transactions (Stand-beside and Integrated POS Systems)***

Be particularly careful when voiding a transaction as it may cancel the eWIC customer's benefits. Follow instructions for voids carefully, and check before and after balances to ensure that no benefits have been lost.

### ***Reimbursement***

Any WIC transactions after 12:00 pm daily will be processed the next business day. A single electronic settlement payment is made to the eWIC Retailer's designated bank, and a detailed account of each eWIC transaction is provided via the Conduent (Xerox) Vendor Portal or POS System vendor.

## **6. The Vendor Sanction System**

The Virginia WIC Program is mandated by the USDA to periodically conduct undercover retailer compliance investigations. The type of violations tested are identified in the current [Sanctions, Compliance and Program Violation](#) schedule which was provided to you with the [annual compliance reminder letter](#) mailed earlier this year.

The sanction schedule addresses both state and federal violations. The sanction schedule also shows different levels of severity for an offense, ranging from a warning letter to permanent disqualification. Two of the minor offenses include not providing a receipt to cardholders unless expressly declined or charging sales tax on eWIC purchases. The most severe charges include trafficking and illegally buying and selling WIC benefits for firearms, ammunition, explosives, or controlled substances. During an investigation, the WIC Program will always provide a written notice of the violation, unless the notice will compromise the investigation. Please review the sanction schedule to familiarize yourself with activities that are deemed a violation. It is also important that you share this information with your store personnel and cashiers to ensure everyone understands the program requirements.

The sanction schedule is available online and can also be provided upon request. If you have any questions about WIC violations, please contact Alex Acharya at 804-864-7811 or email [Alex.Acharya@vdh.virginia.gov](mailto:Alex.Acharya@vdh.virginia.gov).

**Reminder:** The WIC and SNAP (Food Stamp) Programs share data relating to imposed sanctions. Losing your SNAP authorization will affect your WIC authorization, and vice versa.

## **7. Incident Complaint Reporting**

We encourage authorized retailers to report any eWIC cardholder incidents or problems by using the [Retailer Incident/Complaint form WIC #387](#).

Keeping us informed of these incidents as they happen allows us to address them in a timely manner and perhaps reduce repeat occurrences. Examples of incidents to report include:

- Attempts to purchase ineligible items with eWIC food benefits;
- Attempts to return WIC food items for ineligible exchange, store credit, or cash;
- Attempts to purchase excess Cash Value Benefits, not understanding that additional payment is required;
- Does not understand how to use their eWIC benefit card (e.g., PIN, eligible or available food items, spend dates, etc.); and
- Was abusive and/or rude to store personnel while redeeming eWIC benefits.

Please complete the form in its entirety, to include:

- The exact date and time of the incident; and
- A receipt or which checkout line was used (if applicable);
- Details about an ineligible item attempted to be purchased (if applicable), to include product descriptions, brand, size and UPC.
- A description of the complaint, with names of store personnel who witnessed the event, and a description of the eWIC customer (assuming that the customer's name isn't known).

The Vendor Liaison assigned to the store location will process the complaint and may follow-up with your staff for additional details to help with providing the resolution and/or corrective action needed. The WIC Program strives to ensure that complaints are resolved in a manner that improves the retail services provided to WIC customers.

It is recommended for incidents of a more serious or urgent nature, that you call your assigned WIC Vendor Liaison or the State WIC Office at (804) 864-7800.

Problems with specific Universal Product Codes (UPC) should be submitted using the [UPC Update form](#), or by contacting the Virginia UPC Administrator (Brian Tun, 804-864-7849 or [brian.tun@vdh.virginia.gov](mailto:brian.tun@vdh.virginia.gov)).

There are two complaint forms, one for the participant and one for the retailer. We ask that all incidents be reported within 30 days. Retailer's complaints are researched by your assigned Vendor Liaison. Please contact your Vendor Liaison with additional questions.

### **8. Conflict of Interest Reminder**

One definition of "Conflict of Interest" is a situation in which a person is in a position to derive personal benefit from actions or decisions made in their official capacity. An example of a potential conflict of interest is when a WIC authorized store employee (or a family member living in the same household) is also employed by a local or state WIC agency. It is important that WIC staff, in carrying out their duties, do not show favoritism toward retailers – including those where they have secondary employment.

It is important that employees maintain an awareness of all potential conflicts. Therefore, at least annually, authorized retail store management must remind all employees involved with WIC about the WIC Program's "Conflict of Interest" policy. Additional information about these Conflict of Interest requirements can be found in [Section C3](#) of the Retail Store Manual.

The Virginia WIC Program has developed an easy to use [handout](#) that can help stores meet this annual reminder requirement. However, this is only one of the options available for retail stores to use in meeting this annual requirement. Each organization must decide which option works best for them (handout, workshop, or meeting).

The Virginia WIC Office encourages authorized stores to contact their assigned Vendor Liaison to receive

Virginia WIC Program maintains the highest level of integrity while serving eligible participants.

### 9. Vendor Claims

A Vendor Claims assessment is a requirement for a retailer to repay the Virginia WIC Program for an erroneous or unauthorized reimbursement. Reimbursements for any foods, formulas or medical foods ineligible for purchase using the eWIC benefit card may result in a Vendor Claims assessment. An example of when a Vendor Claim may be assessed is when a generic Product Look-Up (PLU 4469 or 44691) code is improperly used when processing an eWIC transaction. These types of violations discovered during a compliance investigation can lead to a Vendor Claim being assessed, as well as the store's WIC Program authorization being at risk for disqualification.

*Vendor Claim and a Compliance Investigation* – A store must reimburse the WIC Program for the amount paid on ineligible products purchased during a compliance investigation. If repayment is required, then the WIC Program will send a written request to affected stores identifying the amount owed and due date of the Vendor Claim.

*Vendor Claim Dispute* – Stores are required to send in their Vendor Claim payment within 20 calendar days after receiving notice of the payment obligation. To dispute a Vendor Claim, the store must send a written request to the Virginia WIC Program explaining the reasons for disputing the claim within 15 calendar days after receiving notice of the payment obligation.

### 10. Incentives

Federal WIC regulations forbid offering incentives solely to WIC participants in an effort to encourage them to redeem food benefits at your store. An example of incentives includes: giving away free food or non-food items such as raffle tickets or lottery tickets. Section 246.12(h)(3)(iii) of the Federal WIC regulations requires retailers to offer WIC participants the same courtesies that are offered to non-WIC customers. The reverse is also true. WIC authorized stores may not deny WIC participants incentive items offered to non-WIC customers. Remember, always treat WIC and non-WIC customers the same.

### 11. Changes to the WIC VA Program Since July 2018

- On September 15, 2018, Paula Garrett, MS, RD was promoted to the Director of the Division of Community Nutrition overseeing the Women, Infants and Children (WIC) Program and the Child and Adult Care Food Program (CACFP).
- On December 3, 2018, Megan Nason, MS, RD became the Acting WIC Program Manager serving in the duties previously filled by Paula Garrett.
- The Virginia WIC Program updated two State regulations regarding high-risk vendors and 50% vendors. High Risk Vendors will be determined by a statistically based criteria and applicants will be evaluated if they are a 50% vendor within the first 6 months of authorization. These two regulations and all other state regulations may be found at:  
<https://law.lis.virginia.gov/admincode/title12/agency5/chapter195/>
- Two WIC Vendor Liaisons have retired recently after many years of services with the Virginia WIC Program. Al Astley retired on May 16, 2019 and Freda Bolling retired on June 14, 2019. We appreciate their service and wish them well

### 12. Other Administrative Reminders

The Vendor Compliance Team has recently made some changes in administrative and direct support for Virginia WIC retailers. We are pleased to inform retailers of the three new geographical areas designed to assist WIC retailers.

- Amy Romero Vendor Liaison, Northern Virginia
- Jennifer Trower Vendor Liaison, Eastern Virginia
- Ephraim Ewing Vendor Liaison, Western Virginia

A complete list of Who to Contact for Support with city and county is available on the WIC retailer webpage: <http://www.vdh.virginia.gov/wic-retailers/resources/>

- Please contact your assigned Vendor Liaison, or the WIC Vendor Compliance Team, if your store ever needs assistance with WIC.
- In Virginia, all WIC Authorized stores operate under the same three-year contract, which currently runs from October 1, 2017 through September 30, 2020. In Spring of 2020, authorized stores will receive instructions for becoming reauthorized for the next contract period.
- As indicated in the Retailer Agreement and in the Retail Store Manual, WIC Authorized Stores are required to notify the Vendor Liaison in writing (email is acceptable) at least fifteen (15) calendar days before a store closes, changes ownership, or of any other circumstance that impacts service delivery, i.e., change in location, relocations, renovations, permanent and/or temporary closures, etc.

**Please complete training and submit to the State WIC Office by Friday, August 16, 2019.**

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### **[Next Retailer Advisory Meeting](#)**

The next Retailer Advisory Meeting is scheduled for Thursday July 18, 2019 at 2:00 PM (1:50 PM Roll Call). Invitations are being sent via email, but if you don't get one and want to be added to our invitation list, please send an email request to [WIC\\_Retailer@vdh.virginia.gov](mailto:WIC_Retailer@vdh.virginia.gov). The meetings are scheduled quarterly, generally last less than an hour, and provide an opportunity for State WIC employees to have two-way, direct communication with our Retailer partners. Minutes from previous meetings are available at the top of our Retailer [Resources](#) webpage.

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### **[Important Links](#)**

Find important links and Virginia WIC contact information [here](#)

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