

Tony Evers
Governor



OFFICE OF THE INSPECTOR GENERAL

1 WEST WILSON STREET
PO BOX 309
MADISON WI 53701-0309

Andrea Palm
Secretary

State of Wisconsin
Department of Health Services

Telephone: 608-266-2521
Fax: 608-267-3380
TTY: 711 or 800-947-3529

DATE: September 2020
TO: WIC Authorized Vendors
From: Chris Grover, Vendor Relations Manager
SUBJECT: New WIC Formula - IMPORTANT
2020 Annual Training and Updates- *Complete by reading this document. There is no group training session or form to complete.*

THANK YOU for everything you and your teams are doing to ensure your stores are stocked, safe and available to continue serving WIC families and your local communities as the pandemic continues!

New WIC Formulas Effective January 1, 2021

The Wisconsin WIC Program will begin using Similac® brand formulas for most infants starting in January 2021. Federal Regulations require the WIC Program to solicit sealed bids from infant formula manufacturers to supply and provide a rebate for infant formulas. Abbott was awarded the contract.

The following table lists the new formulas and the formula it replaces. There will be a new minimum stock requirement for Similac® Total Comfort™ in stores with 11 or more total cash registers.

Current Formulas	New Formula Transition	Minimum Stock Requirements
12.7 oz Good Start® Gentle - Powder	12.4 oz Similac® Advance® - Powder	12 containers (all grocery stores)*
12.4 oz Good Start® Soothe - Powder	12.6 oz. Similac® Total Comfort™ - Powder	6 containers (grocery stores with 11 or more total cash registers)
12.9 oz Good Start® Soy - Powder	12.4 oz. Similac® Soy Isomil®- Powder	None

*Pharmacies are required to order formula upon request.

WIC issues the following formulas less frequently. Stores *are not* required to stock these formulas.

- 12.5 oz. Similac® Sensitive® – Powder
- 12.5 oz. Similac® For Spit-Up - Powder
- 13 oz. Similac® Advance® - Concentrated Liquid
- 32 oz. Similac® Advance® - Ready-To-Feed
- 13 oz. Similac® Soy Isomil®- Concentrated Liquid
- 32 oz. Similac® Soy Isomil®- Ready-To-Feed

Action Steps:

- Share this information with those ordering infant formula.
- Stores must maintain the minimum stock requirement for Good Start® Gentle through December 2020. December WIC purchases will not include Similac® formulas. A limited amount of Good Start® purchases will carry-over into January.
- Begin planning to transition your inventory from Good Start® infant formulas to Similac® formulas.
 - Develop planograms and plan shelf resets to incorporate Similac® formulas.
 - Anticipate Similac® purchases will equal the comparable type of Good Start® products listed in the table above.

Annual Training Information- Forward to Appropriate Store Personnel

At least one person from each store is required to read this annual WIC training document and share the information as needed. Further information about the WIC requirements, approved foods, minimum stock requirements, and authorized infant formula suppliers may be found in the *WIC Vendor Manual* and on our website

<https://www.dhs.wisconsin.gov/wic/vendor/index.htm>

WIC is a nutrition and health program designed to help meet the nutritional needs of each WIC participant. WIC provides nutrition education, breastfeeding support, supplemental nutritious foods, and referral to health and nutrition services. The services provided by WIC:

- Improve birth outcomes to reduce infant illness and deaths during the first year of life.
- Improve the health and nutrition of women, infants, and children.
- Help families achieve healthy, life-long eating habits.

eWIC Transaction Requirements

- The UPC attached to the product the shopper is purchasing must be scanned. Scanning UPCs clipped and attached to a sheet or any other method is a violation of WIC regulations. This does not apply to fruits and vegetables purchases on a stand-beside device.
- Using the quantity multiplier key is not advised.
- The cash register system or stand-beside device determines if the item is allowed. *No overrides or substitutions are allowed.*
- Allow the cardholder to determine the number of items to purchase from available benefits.
- Allow the cardholder to use another form of payment if the purchase exceeds the benefit balance for fruit and vegetables and any additional items not paid by the eWIC card.
- Never ask for the cardholder's PIN number or keep the eWIC card.
- Cash register receipts must be provided.
- Refunds or exchanges are not allowed. However, vendors may replace a defective or expired WIC food with the same product in the same dollar amount and quantity.
- "Rain checks" or credit for future purchases are not allowed.
- No cash or other considerations are allowed in exchange for WIC benefits.
- Any cash register system changes or updates affecting WIC functionality must be reported to the State WIC office at 608-266-6912.

Approved Foods

Authorized vendors are responsible for ensuring that the most current version of the *Approved Products List (APL)* is available on all registers that process eWIC transactions. For stores using an integrated cash register system, contact your system's representative for assistance. Stores using a stand-beside device should contact FIS at 877-227-6347 if assistance is needed.

The [WIC Shopping Guide](#) is designed to assist cashiers and participants identify WIC approved foods. A copy must be available at each cash register. Send an email to DHSWICVendor@dhs.wisconsin.gov to request additional copies of the WIC Shopping Guides to provide to cashiers and participants.

Approved Formula Suppliers

Only purchase infant formula provided to WIC participants from a supplier listed on the authorized infant formula supplier list. This [list](#) is available on the WIC website or upon request.

Minimum Stock Requirements

Grocery stores must meet [minimum stock requirements](#) at all times on the shelves or coolers in the customer area of the store. The only change to the minimum stock requirements since the September 2019 training is for infant formula. The new requirements are included on page one.

Comply with Program Requirements and Sanctions

Authorized WIC vendors must agree to:

1. Comply with the terms of the Vendor Agreement and applicable WIC Program rules and regulations, including [Wis. Admin. Code ch. DHS 149](#), [Wis. Stat. § 253.06](#), and [7 CFR 246](#);
2. Comply with policies and procedures as stated in the completed application form, the stock price survey, and the [WIC Vendor Manual](#);
3. Comply with amendments and updates made during the contract period, the WIC Shopping Guide, memos, and any additional formal instructions, issued by the Department;
4. Comply with current Food and Nutrition Services (FNS) Electronic Benefit Transfer (EBT) Operating rules and Technical Implementation Guide;

Disqualification from WIC is reported to SNAP (FoodShare) and may result in a store being disqualified from SNAP. Such disqualification may not be subject to administrative or judicial review.

2020 Civil Monetary Penalty (CMP) Inflation Adjustment

The maximum penalty is periodically adjusted for inflation per 7 CFR 3.91 (b)(3)(v). The new maximum penalty for a vendor receiving a mandatory six-year, three-year or one-year disqualification is \$15,692 for each violation, except that the maximum penalty for violations occurring during a single investigation is \$62,767. A CMP shall be imposed by the state WIC office in lieu of disqualification when that action would result in inadequate participant access per Wis. Adm. Code § DHS 149.12.

Claims Procedure

Wisconsin WIC Program may deny payment or initiate a claim for improperly transacted eWIC purchases. WIC may also initiate a claim if prices are submitted above the calculated cost competitive pricing for the assigned peer group. Disputes regarding eWIC payments and vendor claims are not subject to appeal. Vendors will be allowed to justify or correct an overcharge as permitted in 7 CFR 246.12(k)(3)(ix).

Vendor Complaint Process

Vendors shall notify the local WIC project when cardholders have failed to comply with WIC Program requirements or are abusive to store personnel. Complete the [Vendor/Participant Complaint form \(F-44322\)](#). The local WIC project will provide the participant with additional training on the approved foods and appropriate check-out procedures.

Recordkeeping

Vendor business records must be maintained for a period of three years. This includes all paper or electronic records used for state or federal tax reporting purposes and other WIC program records including: inventory records showing all purchases for WIC-approved food and formula items, wholesale and retail, in the form of invoices, books of account, shelf price records, and other pertinent records. Inventory purchase records must contain the required information specified on page 24 in the [WIC Vendor Manual](#).

Incentives

Vendors are required to offer participants the same courtesies offered to other customers and in accordance with the equal opportunity guidelines under Title 7 CFR Part 15. This includes money saving promotions like coupons, price matching, free ounces, “buy one, get one free deals” and reward programs. Offers cannot be made to only WIC customers. Details on how to handle incentives are found in the [WIC Vendor Manual](#).

Above-50-percent vendors are prohibited from providing any incentive items to WIC participants. Incentives include items or services provided by a vendor to attract customers or encourage customer loyalty.

Contact Information

Contact [Chris Grover](#) if you have any questions.