

## WIC VENDOR PROGRAM REQUIREMENTS LIST – Tier 1

Vendors need to follow WIC Program rules. It is essential that these rules be followed at all times. Failure to follow these rules may limit the effectiveness of the program, and may result in the vendor's disqualification from the program.

### 1. MINIMUM STOCK.

A retail food vendor in Anoka, Dakota, Hennepin or Ramsey County must at all times have in stock and available for purchase the following WIC foods:

- A) **Infant Formula: Eighteen cans** of 12.4-ounce powdered Similac Advance
- B) **Infant Cereal: Forty-eight ounces** of WIC-allowed plain, dry, infant cereal (no added fruit, 8 and 16 ounce size only).
- C) **Milk: Fifteen gallons** of unsweetened, unflavored, WIC-allowed fluid **cow's milk** in gallon or half-gallon containers in any combination of at least two of the following varieties: skim or nonfat, 1%, or 2%.
- D) **Cheese: Six pounds** of WIC-allowed domestic **cheese** in packages of at least one-half pound (8 ounces) each, in any combination of at least **three varieties**.
- E) **Eggs: Six one dozen containers** of WIC-allowed fresh **eggs**, (large size only).
- F) **Dried Peas, Beans or Lentils: Four 16 ounce packages** of WIC-allowed dried beans, peas or lentils without any added ingredients.
- G) **Canned Beans: One hundred and ninety-two ounces** of WIC-allowed canned beans or legumes, in any combination of at least three varieties, (15 to 16 ounce size cans).
- H) **Peanut Butter: Four 16 to 18 ounce containers** of WIC-allowed peanut butter which does not contain any other food product such as jelly, jam, or chocolate.
- I) **Fresh Fruits and Vegetables: Thirty pounds** of WIC-allowed fresh fruits and vegetables in at least **seven varieties, two of which must be bananas and carrots**.
- J) **Canned Fish: Thirty ounces** of WIC-allowed canned fish (5 or 6 ounce size tuna packed in water, pink salmon can be 5 ounce, 6 ounce or 14.75 ounce size).
- K) **Juice: Eighteen containers** of single flavor juice (no blends) in any combination of the following, as long as at least **six** containers are 100 percent **citrus juice** (orange or grapefruit):
  - (1) 11.5 to 12-ounce containers of WIC-allowed pure and unsweetened frozen or non-frozen concentrate 100% juice; or
  - (2) 64-ounce containers of WIC-allowed pure and unsweetened 100% juice.
- L) **Adult Whole Grain Cereal: Twelve boxes or bags (12 ounce or larger)** of **whole grain** WIC-allowed cereal in any combination of at least **six varieties**,

(only **whole grain** cereal counted for minimum stock). **Check the WIC Food List for a list of whole grain cereals.**

- M) **Baby Food Fruits and Vegetables: Two hundred and fifty-six ounces** of WIC-allowed baby food fruits and vegetables in at least three varieties of baby food fruits and three varieties of baby food vegetables, (WIC allowed brands and 4 ounce size only). **Check the WIC Food List for the brands allowed.**
- N) **Whole Grains (Bread, Tortillas, Rice, Oatmeal): Five pounds** of WIC-allowed whole grains, of at least three of the following varieties: whole grain bread, whole grain tortillas, oatmeal, and brown rice. **Check the WIC Food List for the size and brands allowed for whole grain products**
- O) **Whole Wheat Pasta: Two pounds** of 16 ounce whole wheat pasta. **Check the WIC Food List for the brands allowed for whole wheat pasta.**
- P) **Yogurt: Two 32 ounce containers** of WIC allowed yogurt. **Check the WIC Food List for the brands allowed for yogurt.**
- Q) If a WIC customer requests **one of the following products**, the vendor must ensure that a sufficient quantity of the product is in stock and available for purchase at the vendor's location within one week of the WIC customer's request:
  - 1) **An Infant Formula** approved by the Commissioner under part 4617.0171;
  - 2) **WIC-allowed Soy Beverage;**
  - 3) **WIC-allowed Tofu**
  - 4) **WIC-allowed Baby Food Meats;**
  - 5) **WIC-allowed Canned Fruits and Vegetables;**
  - 6) **WIC-allowed Frozen Fruits and Vegetables;**
  - 7) **Other WIC-allowed products authorized under the provisions of the Code of Federal Regulations, title 7, part 246, as amended.**

- 2. STORE LOCATION. A vendor must operate at one business site, located at a fixed and permanent location (no mobile vendors or home deliveries).
- 3. REAL ESTATE. One or more of the controlling persons of the vendor must own or lease the real estate on which the vendor is located. Documentation of this must be maintained and provided within 30 days of a request by the State WIC Office.
- 4. CONFLICT OF INTEREST. None of the owners or officers of the vendor, or their immediate family members, may: (a) be employees of the Minnesota WIC Program; (b) be employees of the WIC local agency for the area where the vendor is located; or (c) have a financial interest in the WIC local agency for the area where the vendor is located.
- 5. NONDISCRIMINATION. Federal law prohibits discrimination against any person or persons on the basis of race, color, national origin, age, sex, or handicap. This applies to all aspects of the WIC Program, including when a WIC customer shops at an authorized WIC vendor. WIC customers must receive the same courteous treatment as non-WIC customers.

6. **HOURS OF OPERATION.** The vendor must be open for business at least 40 hours per week and must be open for business during the business hours that the vendor has reported to the WIC Program.
7. **SHELF LABELS.** A vendor should display in proximity to each WIC-allowed food a current shelf label provided or approved by the State WIC Office which indicates the food item is a WIC-allowed food.
8. **COUPONS.** A vendor must accept store and manufacturer's coupons for food purchased by a WIC customer, including fruits and vegetables on the fruit/vegetable voucher.
9. **PURCHASE OF INFANT FORMULA.** A vendor shall only purchase infant formula from the entities on the list maintained by the State WIC Office, found online at: <http://www.health.state.mn.us/divs/fh/wic/vendor/rqrmnts/index.html>
10. **VOLUME OF WIC SALES.** A vendor's annual revenue from WIC sales may not be greater than 50% of the vendor's annual revenue from the sale of all food items.
11. **VOUCHER ACCESS.** When the store is visited by a WIC staff person, the vendor must provide access to any redeemed WIC vouchers on the vendor's premises.
12. **STOCK INVOICES.** The vendor shall maintain at least three years' worth of invoices or receipts of all WIC-allowed foods purchased by the vendor. This documentation should be kept in chronological order, and must show the quantity, size, brand, product name, date of purchase, name and identity of the entity from whom the purchase was made, and date of delivery to the vendor. This documentation must be provided within 15 days of a request from the State WIC Office. During normal business hours, at least the last three months' worth of records should be available for immediate review by WIC Program staff, at the location specified in the store's most recent application.
13. **INCENTIVES.** A vendor may not offer an incentive or advertise to offer an incentive to redeem a voucher at the vendor's business site. An "incentive" means goods or services in addition to the foods listed on the WIC voucher offered to a WIC customer who redeems a WIC voucher.
14. **CASHIER REQUIREMENT.** Employees who process WIC vouchers must be able to handle WIC transactions properly.
15. **EMPLOYEE TRAINING.** Vendors are responsible for training their store personnel to handle WIC transactions properly. The vendor is responsible for any and all cashier errors.
16. **STORE TRAINING.** At least once each year, a store representative must complete WIC-approved training. This training covers WIC Program procedures for authorized vendors. At the discretion of the State WIC Office, the training sessions may be offered in written or electronic form, individually at a store site or in group sessions by geographic area. The vendor representative who completes this training must convey the information presented at the training to all of the vendor's cashiers.

17. ALLOWED FOODS. WIC vouchers may be used to purchase only the items specified on each voucher. Participants are not required to purchase all items listed on the vouchers, or to purchase the full amount specified. A list of WIC-allowed foods is provided by the State WIC Office. NO FOODS MAY BE SUBSTITUTED FOR THOSE SPECIFIED ON THE VOUCHERS. A WIC participant may pay the difference on the fruit/vegetable voucher with cash, check, credit or EBT, if the amount exceeds the value on the voucher.
18. VOUCHER FIRST DAY AND LAST DAY TO USE DATES. WIC vouchers are good for a period of 30 days and may be accepted anytime between and including the "FIRST DAY TO USE" and the "LAST DAY TO USE" dates listed on each voucher. Do not accept vouchers before the "FIRST DAY TO USE" or after the "LAST DAY TO USE" date. These vouchers will not be honored for payment.
19. RECORDING THE DATE OF USE. The date a voucher is accepted must be inserted on the voucher either beneath the First Day to Use date or automatically imprinted on the back of the voucher.
20. ALTERED VOUCHERS. WIC vouchers must not be accepted if any of the following items have been altered:
  - \* the "NAME OF PARTICIPANT"
  - \* the "FIRST DAY TO USE"
  - \* the "LAST DAY TO USE"
  - \* the "SIGNATURE OF PARTICIPANT OR AUTHORIZED SIGNATURE"
  - \* the type or amount of food authorized for purchase
21. COST OF WIC FOODS.
  - With the exception of WIC-allowed fruits and vegetables, a vendor's total price for the minimum amount of authorized foods must not be more than 115 % of the average price charged by other retail food vendors. Vendors not meeting this criterion will not be authorized for the WIC Program.
  - The price of all WIC-allowed foods **must be displayed** for easy viewing either on the product or on the shelf. If the vendor charges WIC customers less than the vendor's usual and customary charge, the WIC customer price must be displayed for easy viewing or marked on the food.
  - The amount charged for foods purchased with WIC vouchers may not exceed the amount charged to non-WIC customers for the same foods.
  - The cashier must enter the cost of the foods purchased with each voucher in the space marked "VENDOR: FILL IN \$ AMOUNT BELOW." The amount must be entered at the time of purchase, BEFORE the participant signs the voucher. The amount must reflect the actual cost of the foods purchased **and received** at the time of the transaction. The price entered on a fruit/vegetable voucher cannot exceed the amount listed on the voucher.
  - If the cashier makes an error when entering the cost of foods purchased on a voucher, draw a SINGLE line through the incorrect price, and enter the correct price, clearly and legibly, in the space within the "VENDOR: FILL IN \$ AMOUNT BELOW" box.
  - Rainchecks or IOUs are not allowed. Credit toward a future WIC purchase is not

allowed. When the participant signs the WIC voucher, all foods that were paid for with that voucher must be received at that time.

- The cost of foods purchased with WIC vouchers must reflect any specials, coupon discounts or other reduced prices extended to non-WIC customers.
- No additional or special fees may be charged for using WIC vouchers to purchase food.

22. **WIC CUSTOMER SIGNATURE.** When using a voucher to purchase food, the WIC participant must sign the voucher in the space provided. The voucher must be signed in the presence of the cashier, but **ONLY AFTER THE COST OF THE FOOD HAS BEEN ENTERED** by the cashier. The cashier must compare the signature to the signatures on the WIC ID card. This card is issued to each participant, and it bears the names and signatures of all persons authorized to use the vouchers issued to that participant. If the participant or authorized representative is unable to produce a card, or if the signature does not match any of those listed on the card, **DO NOT ACCEPT THE VOUCHER(S).**

23. **RECEIPTS.** The vendor must provide each WIC customer with a cash register receipt, whether or not the customer has requested one. The receipt must include the date, the total price, and the price of each item received by the WIC customer.

24. **EXCHANGES AND REFUNDS.** Participants may not return foods purchased with WIC vouchers to obtain a cash refund, to exchange them for different types of WIC foods, or to exchange them for non-WIC foods. Participants requesting such exchanges should be referred to the State Vendor Staff. A vendor may exchange a returned WIC food for another WIC food **OF THE SAME CATEGORY ON A ONE TO ONE BASIS**, in the event that the food being returned is spoiled or otherwise unusable, if it is the vendor's normal store policy.

25. **USE OF WIC VENDOR ID STAMP.** Each WIC vendor is issued a WIC Vendor ID Stamp, with an identification number unique to that vendor. The stamp is used to endorse properly completed WIC vouchers for deposit in the vendor's bank. The stamp can be used **ONLY BY THE VENDOR TO WHOM IT IS ISSUED** and only for vouchers accepted at the check-out lane at the store location. Any other use constitutes fraud.

If the vendor's authorization to participate in WIC is voided or terminated for any reason, the vendor stamp must be returned to the state WIC office. The vendor may not accept vouchers from WIC participants prior to receiving a WIC Vendor ID Stamp, or after it has been returned.

26. **BANKING PROCEDURES.** To receive payment for redeemed vouchers, the **VENDOR** must:

- \* use the WIC Vendor ID Stamp provided by the State WIC Office, in the designated space on the front of each voucher. **DO NOT USE RED INK.**
- \* endorse the voucher for deposit in the designated space on the back of the voucher
- \* deposit the vouchers at least once a week in your bank, to insure that your bank will not receive the vouchers more than 60 days after the "FIRST DAY TO USE."
- \* make sure each voucher bears an authorized **SIGNATURE** in the space provided.

Vouchers will be returned to the vendor WITHOUT PAYMENT if:

- \* they lack a vendor stamp,
- \* the total price has not been entered on the front,
- \* the signature is missing,
- \* "FIRST DAY TO USE" or "LAST DAY TO USE" dates are missing,
- \* they were deposited before the "FIRST DAY TO USE" or if the vendor's bank received them more than 60 days after the "FIRST DAY TO USE."

Under certain restricted situations, vouchers which have been returned to the vendor unpaid by the bank may be submitted for payment directly to the State WIC Office. Unpaid vouchers may be authorized for payment if the voucher was returned by the bank because:

- \* the returned voucher did not have a "FIRST DAY TO USE" or "LAST DAY TO USE" written in the designated space, or
- \* the returned voucher was rejected in error.

Returned vouchers not meeting the above conditions will not be honored for payment. Vouchers meeting the above conditions may be submitted for payment to:

WIC Program  
Minnesota Department of Health  
PO Box 64882  
St. Paul, MN 55164-0882

The vendor must make a written request for payment for these vouchers, including an explanation as to why they should be honored. The request for payment must be submitted to the WIC Program Vendor Unit within 120 days of the voucher's "FIRST DAY TO USE." The vendor MAY NOT seek reimbursement from WIC participants for ANY voucher not honored by the bank.

27. FLAGGED VOUCHERS. Vendors **must** respond within 30 days of the date of a letter requesting justification for an apparently overpriced voucher.
28. PRICE SURVEY. When the State WIC Office requests shelf price information, a vendor must provide the State WIC Office with accurate and complete shelf price information within 15 business days of the request, on the form provided by the State WIC Office.
29. LOST OR STOLEN VENDOR STAMP. If a Minnesota WIC Vendor ID Stamp is lost or stolen, the vendor should immediately contact the State WIC Office for instructions.
30. VENDOR AUTHORIZATION. Each vendor must apply to and be approved by the State WIC office in order to participate as an authorized WIC vendor. A vendor's authorization to participate is NON-TRANSFERABLE. A vendor **must notify the State WIC Office prior to the effective date of any change** in the controlling persons of a vendor. If a vendor changes ownership or closes, its authorization to participate is automatically voided, and WIC vouchers may no longer be accepted. A vendor's authorization to participate can be terminated by either the vendor or the State WIC Office by giving written notice to the other party. The State WIC Office can terminate the authorization if the vendor no longer meets WIC eligibility criteria, is disqualified from participation in the SNAP program for program violations, or fails to comply with any of the WIC Program requirements. Failure

to comply with WIC Program requirements may also result in legal penalties beyond termination of the authorization to participate.

31. **SNAP REGULATION.** The Food and Nutrition Service is **required** to remove from the SNAP program any firm terminated from the WIC Program because of violations of certain WIC regulations. This means that if a firm is terminated from the WIC Program for certain violations, it may automatically be removed from the SNAP program.
32. **DISQUALIFICATION BASED ON SNAP.** If a vendor is disqualified from the SNAP program or if the SNAP program assesses the vendor a civil money penalty for hardship instead of disqualification, the vendor may be disqualified from the WIC Program.
33. **VENDOR RIGHTS.** The State WIC Office must give written notice of any action taken against a vendor. The notice must specify the action being taken, explain the reasons for the action, state whether the vendor has a right to a hearing on the action, and, if the vendor has a right to a hearing, outline the procedure for requesting a hearing.