

# WIC Vendor Program Requirements List

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Vendors need to follow WIC Program rules 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.

The following is a consolidated list of the requirements for WIC Program vendors. A store's Retail Food Vendor Agreement, Minnesota Rules Chapter 4617, and Code of Federal Regulations 7 CFR 246.12 more comprehensively list all WIC Vendor requirements.

**MINIMUM STOCK.** Vendors must meet minimum stock requirements at all times. Please also note that, if it is requested by a WIC customer, a WIC vendor must have in stock within one week any other WIC-allowed foods listed on a WIC customer's card, such as one of the WIC-allowed soy beverages or baby food meats. WIC minimum stock requirements can be found here: <https://www.health.state.mn.us/people/wic/vendor/rqrmnts/minstock.html>

**LOCATION OF WIC TRANSACTIONS.** WIC transactions can only be conducted at the store's cash register, with the customer present. At this time, the WIC Program does not allow online WIC payments, delivery, or curbside pickup. Contact the WIC Program for more information about this.

**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.

**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.

**NONDISCRIMINATION.** Federal law prohibits discrimination against any person or persons on the basis of race, color, national origin, age, sex, or disability. 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.

**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.

**SHELF LABELS.** If instructed to do so by the WIC Program due to a program violation, a vendor must 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. Vendors that are not required to post shelf labels are highly encouraged to do so.

**COUPONS.** If a vendor customarily accepts store and manufacturer's coupons, the vendor must also accept these coupons from WIC customers.

**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: <https://www.health.state.mn.us/people/wic/vendor/rqrmnts/infant.html>

**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.

**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.

**INCENTIVES.** A vendor may not offer an incentive or advertise to offer an incentive to entice (only) WIC customers to use their WIC cards at the vendor's business site. An "incentive" means goods or services offered to a WIC customer who uses their WIC card in the store. Note that this prohibition does not apply to incentives offered to all customers, such as loyalty card benefits; incentives offered to all customers must also be offered to WIC customers.

**CASHIER REQUIREMENT.** Employees who conduct WIC transactions must be able to do so properly.

**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.**

**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, on-site at a store, in group sessions by geographic area, or in an on-line format such as a module or webinar. The vendor representative who completes this training must convey the information presented at the training to all of the vendor's cashiers.

**ALLOWED FOODS.** A vendor must only allow the purchase of WIC-allowed foods in a WIC transaction. For foods other than fruits and vegetables, the store personnel must scan (or hand-

enter, if the scanner has malfunctioned) the UPC code from the exact food the customer is attempting to purchase. NO FOOD MAY BE SUBSTITUTED FOR THOSE LISTED ON A WIC CARD.

For produce, only WIC-allowed fresh or frozen fruits or vegetables may be provided. If the amount of fruits and vegetables exceeds the amount listed on a WIC card, the WIC participant must be allowed to pay the difference with cash, check, credit or SNAP EBT.

### **COST OF WIC FOODS.**

- The price of all WIC-allowed foods **must be displayed** for easy viewing either on the product or on the shelf.
- The cost of foods purchased in WIC transactions must reflect any specials, coupon discounts or other reduced prices extended to non-WIC customers.
- A vendor can **never** charge the WIC Program more for a food than the vendor would charge a non-WIC customer for that food.
- If a vendor's price for a food exceeds the maximum price allowed by the WIC Program, the vendor will only be paid up to the maximum price.

**PROHIBITION ON FEES.** No additional or special fees may be charged to WIC customers.

**PROHIBITION ON RAINCHECKS AND CREDIT.** Rainchecks or IOUs are not allowed. Credit toward a future purchase is not allowed. All foods that are paid for in a WIC transaction must be received at the time of the transaction.

**PIN ENTRY.** The WIC customer must enter the card's PIN during the WIC transaction. Under no circumstances should a cashier ask for or know a WIC customer's PIN.

**RECEIPTS.** The vendor must provide each WIC customer with the receipt that shows the WIC transaction, whether or not the customer has requested one.

**EXCHANGES AND REFUNDS.** Participants may not return foods purchased with WIC cards 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 WIC Office. If a food being returned is spoiled or otherwise unusable, it can be exchanged for THE IDENTICAL ITEM on a one-to-one basis.

**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 ownership of the store. 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.

**SNAP DISQUALIFICATION.** If a vendor is disqualified from the WIC Program, it may also be disqualified by the SNAP Program. If a vendor is disqualified by the SNAP Program, or the SNAP Program imposes a Civil Money Penalty on a vendor, it may be disqualified by the WIC Program.

**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.