

# WIC VENDOR HANDBOOK

New York State WIC Program



December 2020

# TABLE OF CONTENTS

INTRODUCTION.....	3
OVERVIEW OF WIC .....	4
VENDOR MANAGEMENT AGENCY (VMA) .....	5
WIC VENDOR CONTRACT .....	7
REAPPLICATION.....	8
VENDOR PEER GROUPS .....	9
WIC CLING.....	10
VENDOR ROLES, RIGHTS, AND RESPONSIBILITIES.....	11
PROHIBITED VENDOR ACTIVITIES.....	12
REPORTING PROGRAM COMPLAINTS AND SUSPECTED FRAUD AND ABUSE.....	13
VENDOR VIOLATIONS AND SANCTIONS.....	14
eWIC .....	18
ELECTRONIC BENEFIT TRANSFER SYSTEM (eWIC).....	20
USE OF COUPONS & BONUSES BY WIC SHOPPERS .....	22
VENDOR TRAINING .....	23
VENDOR MONITORING.....	25
MINIMUM STOCK REQUIREMENTS.....	26
WIC ACCEPTABLE FOODS.....	29
INFANT FORMULA.....	30
INFANT CEREAL.....	35
APL, UPCs, AND PLUs .....	36
MAPPING FRESH PRODUCE.....	37
COMPETITIVE PRICES .....	38
NOT-TO-EXCEED AMOUNT.....	39
ABOVE 50 PERCENT VENDORS.....	40
VENDOR BULLETINS.....	41
VENDOR RECORDKEEPING .....	42
CHANGE IN BUSINESS STRUCTURE NOTIFICATION .....	45
NONDISCRIMINATION STATEMENT (NDS).....	46

## INTRODUCTION

The New York State (NYS) WIC Vendor Handbook is a reference guide for vendors, i.e., contracted retail food stores or pharmacies that supply WIC acceptable foods and/or infant formula to WIC participants or their designated shoppers, that are authorized to accept WIC benefits. The WIC Vendor Handbook is designed to help store owners, cashiers, managers, and bookkeepers understand vendor responsibilities, identify WIC acceptable foods, maintain minimum stock requirements, and how WIC benefits are processed.

Please use the WIC Vendor Handbook to help ensure that the grocery store or pharmacy is in compliance with all policies, procedures, and State and Federal rules and regulations. Contact the Vendor Management Agency (VMA) with any questions.

[\[Return to Table of Contents\]](#)

## OVERVIEW OF WIC

### **What is WIC?**

WIC is a Special Supplemental Nutrition Program for Women, Infants, and Children that is funded by the United States Department of Agriculture (USDA) and the State of New York and administered by the NYS Department of Health. The main purpose of the program is to ensure the health and well-being of eligible pregnant, postpartum and breastfeeding women, infants and children. WIC provides participants with individually-tailored food prescriptions that allow for the purchase of authorized formula and foods, including fruits and vegetables.

WIC Program services are provided throughout the state by contracted local agencies, to include hospitals, county health departments, and other nonprofit organizations. These local agencies also offer nutrition education, breastfeeding counseling, support services, and referrals to health and social services.

The NYS WIC Program uses an Electronic Benefit Transfer (EBT) system, or eWIC, for the redemption of WIC benefits electronically. Participants redeem their benefits at WIC-authorized retail food stores and pharmacies (known as vendors) using an eWIC card that allows for faster purchases and improved customer service.

WIC-authorized vendors are under contract with approved NYS VMAs and are obligated to meet certain requirements set by the state and federal governments.

### **Using the WIC Acronym**

Vendors may not use the WIC acronym in the store's name nor can stores use the letters "W", "I" and "C" in that order in the store's name. The purpose of this restriction is to avoid giving the false impression that the business is affiliated with or sponsored by the State agency, USDA, or the WIC Program.

The WIC acronym and the WIC Logo are registered service marks of the USDA for USDA's WIC, Registration Nos. 1,630,468 and 1,641,644, respectively, hereinafter referred to collectively as the "service marks." Private organizations may not use the service marks in ways likely to cause confusion regarding their involvement with the WIC Program. It is USDA policy to avoid endorsements, directly or indirectly, of any commercial product, service, or enterprise.

[\[Return to Table of Contents\]](#)

## VENDOR MANAGEMENT AGENCY (VMA)

### **What is a VMA?**

Vendor Management Agencies (VMAs) are located in different geographic service areas throughout New York State and are contracted by the NYS Department of Health (DOH) to oversee the retail food delivery system.

WIC VMAs ensure an adequate number of vendors (retail food stores and pharmacies) are authorized for participant access to obtain prescribed WIC foods. The WIC VMAs are responsible for conducting all activities related to the oversight and management of vendors including application processing, authorization, monitoring, and training to ensure compliance with USDA and NYS requirements.

Please contact the VMA with any questions, contact information is located on the next page of this handbook. A list of VMAs, including contact information and areas served, can also be found by visiting the [NYS Department of Health](#) website or the [NYS WIC Vendors](#) website.

[\[Return to Table of Contents\]](#)

## Which Vendor Management Agency Office Should a Vendor Contact?

<i>If the Grocery Store or Pharmacy is located in this County/Borough:</i>	<i>Contact the VMA that covers the County/Borough:</i>
<b>DOWNSTATE</b>	
<p><b>COUNTIES/BOROUGHES:</b> Kings (Brooklyn), Nassau, New York (Manhattan), Orange, Queens, Richmond (Staten Island), Rockland, Suffolk</p>	<p><b>Public Health Solutions (PHS)</b> WIC Program Vendor Management Agency 30-50A Whitestone Expressway, Suite A103 Flushing, New York 11354 Telephone: (646) 973-3942 Fax: (718) 353-3895 Email: <a href="mailto:vma@healthsolutions.org">vma@healthsolutions.org</a></p>
<p><b>COUNTIES/BOROUGHES:</b> Bronx, Putnam, Westchester</p>	<p><b>Montefiore New Rochelle Hospital (MNRH)</b> WIC Program Vendor Management Agency 1600 East 233<sup>rd</sup> Street Bronx, NY 10466 Telephone: (718) 654-2690 Fax: (718) 654-3127 Email: <a href="mailto:ssmcmvma802@gmail.com">ssmcmvma802@gmail.com</a></p>
<b>UPSTATE</b>	
<p><b>COUNTIES:</b> Albany, Broome, Cayuga, Chenango, Clinton, Columbia, Cortland, Delaware, Dutchess, Essex, Franklin, Fulton, Greene, Hamilton, Herkimer, Jefferson, Lewis, Madison, Montgomery, Oneida, Onondaga, Oswego, Otsego, Rensselaer, St. Lawrence, Saratoga, Schenectady, Schoharie, Sullivan, Tioga, Tompkins, Ulster, Warren, Washington</p>	<p><b>Commission on Economic Opportunity for the Greater Capital Region, Inc. (CEO)</b> WIC Program Vendor Management Agency 2328 Fifth Avenue Troy, New York 12180 Telephone: (518) 272-6012 Fax: (518) 687-0524 Email: <a href="mailto:wicvma@ceoempowers.org">wicvma@ceoempowers.org</a></p>
<p><b>COUNTIES:</b> Allegany, Cattaraugus, Chautauqua, Chemung, Erie, Genesee, Livingston, Monroe, Niagara, Ontario, Orleans, Schuyler, Seneca, Steuben, Wayne, Wyoming, Yates</p>	<p><b>Society for the Protection and Care of Children (SPCC)</b> WIC Program Vendor Management Agency 148 S. Fitzhugh Street Rochester, New York 14608 Telephone: (585) 730-8282 Fax: (585) 730-8286 Email: <a href="mailto:wicvendors@spcc-roch.org">wicvendors@spcc-roch.org</a></p>

[\[Return to Table of Contents\]](#)

# WIC VENDOR CONTRACT

An authorized WIC vendor is required to sign a contract developed and approved by the NYS DOH.

## **What is a WIC Vendor Contract?**

The WIC Vendor Contract is a binding agreement between the WIC vendor and the VMA. By signing the contract, the vendor is agreeing to all WIC Program rules, regulations, policies, and procedures as outlined in the contract, WIC Vendor Handbook, Vendor Bulletins, and any additional authorizing materials issued by the NYS DOH.

The WIC Vendor Contract can only be signed by the store's owner, a corporate officer, or another representative authorized to enter into a legally-binding agreement.

## **Can a WIC Vendor Contract be transferred?**

No, the WIC Vendor Contract is **NOT** transferable to another vendor or business entity. When an owner sells his store, WIC authorization does not transfer to the new owner. A store operating under new ownership cannot accept eWIC using another vendor's equipment. This is a serious violation of the WIC Vendor Contract and NYS regulations and may result in a fine, Civil Money Penalty (CMP), or disqualification from the WIC Program.

## **What is a WIC Vendor Contract Period and why is it important?**

The Vendor Contract Period is a standard contract cycle that aligns all contracts within a designated period based on a store's location. Vendors in the same contract period will have the same contract start and end dates and will reapply for authorization at the same time.

The vendor must meet the enrollment criteria at all times throughout the contract period. During the contract period, the VMA may monitor the store at any time, and as often as necessary, to make sure the vendor is following all Program rules.

[\[Return to Table of Contents\]](#)

# REAPPLICATION

## **What is reapplication?**

The NYS WIC Vendor Contract is valid for three years. At the end of each three-year period, vendors must reapply. This process is known as reapplication.

## **How does reapplication work?**

The VMA will conduct a review of the store's performance history. If the store's history demonstrates compliance with all State and Federal regulations, policies and procedures, including business integrity, the VMA will send the vendor a reapplication packet prior to the end of their current contract. **The vendor must complete and submit the reapplication packet and all required documents within 30 days.** During the reapplication process, the VMA will confirm that the vendor:

- Submitted all required documents with the reapplication; and
- Continues to meet the NYS WIC vendor enrollment criteria.

A reapplication packet will not be sent to a vendor if performance or business integrity issues have been identified. Instead, within 30 days of the contract end date, the vendor will receive a Contract Expiration letter.

## **What happens if an owner or preparer does not submit the reapplication packet within the 30-day timeframe?**

Failure to submit the completed application and all required documents to the VMA within the 30 days from the date of the cover letter may result in a lapse in the vendor's ability to accept WIC; or may result in expiration of the vendor's contract. If the WIC Vendor Contract expires, the vendor may submit a Request for NYS WIC Vendor Application and all supporting document located on the [NYS WIC Vendors website](#) and the VMA will determine whether the store location is needed for participant access if the submission is outside the timeframe when vendor applicants can apply in that specific area.

## **What is an Open Application Period (OAP)?**

An OAP is a timeframe identified by NYS when vendor applicants from a specific area within NYS can apply to become a WIC authorized vendor. OAPs for each area of NYS occur every three years. Requests for an application outside an OAP will be considered in areas where there is inadequate participant access as defined by the WIC Program.

[\[Return to Table of Contents\]](#)



# VENDOR PEER GROUPS

## **What are vendor peer groups?**

When a store becomes an authorized WIC vendor, the store is assigned to a vendor peer group. Vendor peer groups are groups of vendors who are alike in ways that impact food prices.

Vendor peer group assignment is currently based on:

1. Location
2. Store Size (based on the number of cash registers)
3. Business Model

## **What is the function of vendor peer groups?**

Vendor peer groups allow WIC to set maximum prices for each WIC-eligible food, using a rolling calculation that relies on average prices within peer groups to promote fair market pricing.

## **Can vendor peer group assignments change?**

The vendor peer group assignment may change if the store size, location, or business model changes, or as a result of information obtained in a reapplication or VMA monitoring visit. A change may also occur as a result of information provided on an Exempt Formula Application, which can be found on the [NYS WIC Vendors website](#). The VMA will alert vendors of any changes to the peer group assignment.

If a vendor feels an error was made in the vendor peer group assignment, or if the store size, location, or business model changes, the vendor must complete the [Request for Peer Group Reassignment](#). Follow the instructions provided on the request. For more information visit the [NYS WIC Vendors](#) website.

[\[Return to Table of Contents\]](#)

## WIC CLING

### What is a WIC cling and how is it used?

A WIC cling is a sign that is provided by VMAs to authorized WIC vendors. It must be posted prominently at the front entrance of the store and serves to help shoppers identify where they may redeem their WIC benefits. The WIC cling is the only sign that is allowed to be used to identify the store as WIC-authorized. It may not be shared with other stores and it must be removed and destroyed if the business is sold or closes, or the store's WIC authorization expires or is terminated.

### Example of the WIC Cling:



# VENDOR ROLES, RIGHTS, AND RESPONSIBILITIES

## **Vendor Roles**

An authorized WIC vendor plays an important role in the WIC Program by:

- Making sure that participants have access to safe and nutritious foods
- Respecting WIC participants and offering a positive shopping experience
- Offering competitive prices to help the WIC Program limit costs and reach the greatest number of eligible women, infants, and children

## **Vendor Rights**

An authorized WIC vendor has the right to:

- Be considered for enrollment in the WIC Program
- Receive training
- Be paid for eWIC transactions when all program rules are followed
- Be notified before any action is taken by the WIC Program
- Receive a fair hearing in certain situations
- Refuse to serve any rude or abusive participants and file a complaint

## **Vendor Responsibilities** (Details are in the NYS WIC Vendor Contract)

**An authorized WIC vendor must:**

- Follow all WIC Program rules, regulations, policies, and procedures as outlined in the NYS WIC Vendor Contract, WIC Vendor Handbook, Vendor Bulletins, and any additional authorized materials issued by the NYS DOH
- Accept all communication from the VMA and NYS via electronic mail
- Accept all eWIC transactions during hours of operation
- Be responsible for all actions of employees, owners, officers, managers, and agents of the store
- Maintain minimum stock requirements and reasonable prices at all times
- Maintain sanitary and safe conditions in the store

[\[Return to Table of Contents\]](#)

## PROHIBITED VENDOR ACTIVITIES

### Authorized WIC vendors and their employees must NOT:

- Discriminate against WIC participants based on race, color, creed, political beliefs, national origin, sex, age, or disability.
- Refuse to honor eWIC transactions for reasons other than abusive participant behavior.
- Ask eWIC card holder for other forms of ID.
- Scan Universal Product Code (UPC) from a UPC book, reference sheet, or scan any UPC as a substitute, replacement or otherwise not affixed to the actual items being purchased.
- Issue unauthorized foods or formula that are not available in the participant's benefit balance and are approved on the NYS APL in exchange for valid benefits.
- Mandate participants to provide store personnel with the benefit balance receipt information.
- Confiscate the eWIC card or ask for the participant's PIN.
- Deny WIC participants the use of coupons or club cards if the store accepts them from other customers.
- Issue rain checks or an IOU or issue a refund for items previously purchased.
- Charge WIC participants more than other customers.
- Charge participants any fees associated with operating, maintaining, or processing eWIC transactions, i.e., this includes bag fees.
- Substitute infant formulas.
- Charge WIC participants money for WIC foods (see Exception below).

### **Exception for WIC Vegetables and Fruits Electronic Benefits Only**

WIC shoppers may "pay the difference" when the actual purchase amount of their Cash Value Benefit (CVB) is more than the dollar value available on their WIC benefit balance. In this instance, vendors may accept cash, or other forms of payment including other benefits.

[\[Return to Table of Contents\]](#)

## REPORTING PROGRAM COMPLAINTS AND SUSPECTED FRAUD AND ABUSE

It is very important that authorized WIC vendors and participants understand and follow the rules and regulations of the WIC Program. Participants and authorized WIC vendors who violate program rules and regulations may be suspended from the program.

### **How can vendors file a complaint or report suspected fraud?**

In cases where participants may not understand program rules or how to use their eWIC card or complete a WIC transaction, vendors may document these complaints to the VMA for follow up using the [WIC Program Complaint Form](#).

### **How can vendors report suspected fraud or abuse?**

Suspected program fraud or abuse may be reported in writing by completing the [Bureau of Special Investigations Referral Form](#), or by reporting to the Bureau of Special Investigations (BSI) via phone at 1-877-282-6657 or email at [foodfraud@health.ny.gov](mailto:foodfraud@health.ny.gov).

Suspected fraud and abuse may also be reported directly to the USDA by:

- **Mail:** United States Department of Agriculture Office of Inspector General  
P.O. Box 23399  
Washington, DC 20026-3399

**OR**

- **Phone:** (800) 424-9121 (Toll-free)  
(202) 690-1622  
(202) 690-1202 (TDD)

**OR**

- **Email:** [usda\\_hotline@oig.usda.gov](mailto:usda_hotline@oig.usda.gov)
- **Website:** [www.usda.gov/oig/hotline.htm](http://www.usda.gov/oig/hotline.htm)

[\[Return to Table of Contents\]](#)

## VENDOR VIOLATIONS AND SANCTIONS

**It is very important that vendors and all employees understand and follow the rules and regulations of the WIC Program as it relates to authorized WIC vendors.**

If store owners, officers, managers, agents or employees do not follow all rules and regulations (called a violation), the store may be subject to a warning letter, a fine, CMP, or disqualification from participating in the WIC Program. A CMP is calculated according to a formula in federal regulation which is as follows: “average monthly WIC sales multiplied by 10% multiplied by the number of months of potential disqualification.” In addition, violations of WIC Program regulations can cause a store to lose SNAP authorization.

BSI is a law enforcement office within the NYS Division of Nutrition (DON). BSI's mission is to minimize exposure to risk of funds administered by the DON supplemental food programs through prevention, detection, investigation and prosecution of those who abuse and defraud. BSI's fraud detection and prevention are achieved through the use of traditional investigative methods in an effort to minimize waste, fraud and abuse. BSI works to maximize WIC Program integrity through investigation of vendors, participants, and local agencies based on complaints they receive. Compliance buys are conducted by BSI through unannounced visits to the stores during any hour of operation. Violations will be prosecuted to the fullest extent of the law.

### **VIOLATIONS**

**Violations 1-10 have mandatory sanctions as specified below.** (Federal Regulation: 7CFR 246.12)

- (1) A food vendor criminally convicted of buying or selling WIC benefits for cash or selling firearms, ammunition, explosives or controlled substances in exchange for WIC benefits: **Permanent disqualification**
- (2) One incidence of buying or selling WIC benefits for cash: **Six-year disqualification**
- (3) One incidence of selling firearms, ammunition, explosives or controlled substances (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802) in exchange for WIC benefits: **Six-year disqualification**
- (4) One incidence of sale of alcohol, alcoholic beverages or tobacco products in exchange for WIC benefits: **Three-year disqualification**

[\[Return to Table of Contents\]](#)

(5) A pattern of claiming reimbursement for the sale of an amount of a specific supplemental food item which exceeds the store's documented inventory of that supplemental food item for a specific period of time: **Three-year disqualification**

(6) A pattern of charging the State or local agency or participant more for supplemental food than non-WIC customers or charging the State or local agency or participant more than an item's shelf or contract price: **Three-year disqualification**

(7) A pattern of receiving, transacting and/or redeeming WIC benefits outside of authorized channels, including the use of an unauthorized vendor and/or an unauthorized person: **Three-year disqualification**

(8) A pattern of charging for supplemental foods not received by the participant: **Three-year disqualification**

(9) A pattern of providing credit or non-food items: **Three-year disqualification**

(10) A pattern of providing unauthorized food items in exchange for WIC benefits including charging for supplemental food provided in excess of those listed on the food instrument: **One-year disqualification**

(11) A pattern of an above 50-percent vendor providing prohibited incentive items to customers: **One-year disqualification**

A food vendor who, in the course of a transaction involving WIC benefits commits any of the following acts, shall be liable for disqualification from the WIC Program for a period of up to three years in addition to being liable for civil penalties of up to \$1,000 per violation, but not limited to, NYS Regulation: 10 NYCRR 60-1 as it may be amended:

(12) The vendor provides cash for the return of items purchased for WIC benefits;

(13) The vendor provides unauthorized items or items not specified in the WIC benefit balance in exchange for WIC benefits;

(14) The vendor is found in possession of unauthorized eWIC cards or eWIC personal identification numbers;

(15) The vendor provides unwholesome items in exchange for WIC benefits such as, but not limited to, items provided past their expiration date and/or spoiled foods;

(16) The vendor fails to conduct the WIC transaction in the presence of the eWIC card holder or the card holder's authorized representative at the time of the purchase;

[\[Return to Table of Contents\]](#)

(17) The vendor charges the State or local agency for foods not received by the participant; or charges the State or local agency prices in excess of those charged to other customer;

(18) The vendor issues a rain check to a person purporting to give that person the right to buy, at a later date, a particular WIC item which the vendor does not have in stock at the time the rain check is issued;

(19) The vendor has not marked all WIC eligible food with the price charged for these products to the general public or prominently displayed the price of the foods near the location of the foods in clear view of participants and in a manner, that clearly identifies the specific food item;

(20) The vendor fails to have invoices and purchase slips for WIC food items equal to the type and volume of WIC food sold;

(21) The vendor fails to maintain, for a minimum of three years, all invoices and purchase slips for WIC food items, for inspection by authorized Federal, State or local agencies;

(22) The vendor discriminates against or harasses any person redeeming WIC benefits.

Certain violations may result in the vendor being disqualified or called in for a vendor conference. See the "Common Vendor Abuse Sanctions for Conferences" chart contained in this section. At a vendor conference, violations will be fully described and the NYS DOH Commissioner's designee will assess a fine and/or additional training for the vendor. The fine will be paid to New York State and the vendor must contact their VMA to schedule the mandatory training, if required. If the vendor does not meet the terms of the Stipulation and Order, the vendor will be disqualified. The vendor can either pay the fine or accept a disqualification and request a fair hearing. The vendor has no right to a fair hearing unless an action is taken.

[\[Return to Table of Contents\]](#)



**Common Vendor Abuse Sanctions for Conferences  
Settlement by Stipulation & Order**

VIOLATION	ADMINISTRATIVE SANCTION
Provides cash for returned WIC items	Up to \$250 per violation
Provides unauthorized items not specified in the WIC benefit balance in exchange for WIC benefits	Up to \$500 per violation
Provides expired, spoiled or adulterated items in exchange for WIC benefits	Up to \$250 per violation
Charges for foods not received by Participant	Up to \$500 per violation
Issuance of a rain check in exchange for WIC benefits	Up to \$250 per violation
Fails to conduct the WIC transaction in the presence of the eWIC card holder or the card holder's authorized representative at the time of the purchase	Up to \$500 per violation
WIC items not priced or prices not posted	Up to \$250 per violation
Fails to have invoices matching WIC food sold	Up to \$500 per violation
Fails to maintain, for three years, invoices/ purchase slips for WIC food items, for inspection by Federal, State and local agencies	Up to \$500 per violation
Fails to allow unobstructed examination of all WIC invoices, and purchase slips for WIC food items	Up to \$500 per violation
Transacts WIC benefits by an un-authorized vendor using an authorized vendor's stand beside terminal	Up to \$500 per violation
Scans UPC from a UPC book or reference sheet	Up to \$500 per violation
Contract violations after conference may result in doubling of the sanctions listed in this schedule.	

**TO REPORT WIC PROGRAM FRAUD OR ABUSE  
CALL THE BUREAU OF SPECIAL INVESTIGATIONS HOTLINE  
1-877-282-6657 or email to: [foodfraud@health.ny.gov](mailto:foodfraud@health.ny.gov)**

[\[Return to Table of Contents\]](#)

## eWIC

### **What is eWIC?**

eWIC is an electronic benefit transfer (EBT) system for redemption of WIC benefits.

### **What is an eWIC card?**

The eWIC card is issued by a local agency to a WIC participant. The card may be used by the participant or their designated WIC shopper to purchase approved foods at a WIC authorized vendor. The eWIC card is a payment instrument with a magnetic strip that allows transactions between the cardholder's benefit balance and the vendor's POS device.

One eWIC card will be issued to each family by their local agency and loaded with their WIC benefits. These benefits become available monthly and do not have to be used all at one time. When participants make purchases, the items are removed from the card balance. Any foods leftover in the card balance at the end of the month will not be carried over to the next month and will expire.

### **What type of ID do WIC shoppers need to process eWIC?**

No ID is required, just the eWIC card and the WIC shopper's Personal Identification Number (PIN).

### **Can vendors ask WIC shoppers to share their PIN?**

No, vendors must **never** ask for or enter the PIN number for WIC shoppers or ask them to show any form of ID.

### **Can vendors ask WIC shoppers to leave their eWIC cards at the store?**

No, there are **no** circumstances in which a WIC shopper should be asked to leave their card at a store.

### **Can a WIC participant share their eWIC card and PIN with a family member or friend?**

Yes, a WIC participant can share their eWIC card and PIN with a family member or friend to help with shopping.

[\[Return to Table of Contents\]](#)

**What happens if a WIC shopper forgets their PIN number?**

The WIC shopper gets four chances to enter the correct PIN number. The wrong PIN number on the fourth try will lock the account. The shopper can reset their PIN by calling the Customer Service number on the back of their card or by using the WIC2Go mobile app.

**How often can WIC shoppers use their eWIC card?**

WIC shoppers do not have to redeem all WIC benefits at the same time and can shop as frequently as they want.

**Can WIC shoppers use their eWIC card at WIC authorized pharmacies?**

Yes, for formula purchases only.

**Can WIC shoppers make purchases if they don't have their eWIC card but know the card number and PIN?**

No, WIC shoppers must have the eWIC card with them at the store.

[\[Return to Table of Contents\]](#)

## ELECTRONIC BENEFIT TRANSFER SYSTEM (eWIC)

There are two different types of Point of Sale (POS) equipment that process eWIC transactions, Integrated Electronic Cash Registers (IECR) and Stand-Beside WIC Terminals.

### **Stand-Beside Point of Sale (POS) WIC Terminals**

The Stand-Beside POS system consists of a terminal and item scanner that operates separately from a vendor's cash register system and is separate from the store's overall inventory, payment, and settlement system for other tender types. The terminal must remain plugged in and connected at all times, including overnight, to receive daily downloads. **NOTE: Each Stand-Beside unit requires a dedicated analog phone line or wired Internet line. The analog line cannot be shared with a phone or between register lanes and is only used for the eWIC connection.**

The Stand-Beside POS device may require double scan for those stores that use an electronic inventory system. Vendors currently operating a State-provided SNAP Stand-Beside terminal should be aware that the WIC Stand-Beside will be a separate device. WIC food items must be rung up separately from non-WIC items.

#### **The shopper will:**

- Swipe their eWIC card and enter their PIN.

#### **The cashier will:**

- Scan UPC items and or manually enter Price Look Up (PLU) codes for produce.
- Vendors may need to manually enter some prices on the eWIC terminal.
- Share with the shopper any POS messages (for example, if items are rejected).
- Enter any coupons and discounts on the eWIC terminal and hit "total" to finalize the transaction.

### **Integrated Electronic Cash Registers (IECR)**

An IECR system combines WIC transactions into the normal transaction process. This type of cash register system allows vendors to keep track of inventory, payment, and settlement for WIC items within the same system that manages purchases for cash and other tenders.

[\[Return to Table of Contents\]](#)

The IECR system can accept many payment types that must be processed in the following order:

- (1) eWIC card;
- (2) SNAP card; and then
- (3) all other forms of payment (cash, credit card, etc.).

**The cashier will:**

- Scan all WIC and non-WIC items.
- Apply any discounts and coupons.
- Use eWIC as the first form of payment.
- Before payment is complete, the cash register may print or may display a mid-transaction receipt for the WIC shopper to review to verify accuracy of the purchase.
- If the mid-transaction is accurate, the cashier will ask the WIC shopper to approve the WIC total before completing the WIC transaction.

**NOTE:** Vendors must pass an individual certification of self-checkout registers prior to conducting electronic WIC benefit transactions. This certification is separate from certification of the store's POS registers. Contact the VMA for additional information regarding certification of self-checkout registers.

[\[Return to Table of Contents\]](#)

## USE OF COUPONS & BONUSES BY WIC SHOPPERS

### **Can WIC shoppers use coupons and bonuses with an eWIC card?**

Yes, authorized WIC vendors must offer WIC Program shoppers the same courtesies that are offered to other, non-WIC customers. Additionally, authorized WIC vendors shall provide WIC foods to shoppers at the same price or less than the price charged to non-WIC customers.

### **What are the rules for coupon use?**

- Vendors must allow WIC shoppers to use in-store promotions such as “Buy One, Get One Free” and “Cents Off” coupons to be in compliance with this requirement.
- Vendors may not treat WIC shoppers differently from non-WIC customers by excluding them from in-store promotions.
- Vendors may not treat WIC shoppers differently by offering them incentive items, vendor discounts, coupons, or other promotions that are not offered to non-WIC customers.
- Failure to provide the same courtesies to WIC shoppers is a violation of regulations and is subject to sanctions.
- Follow the guidance written on the coupon during the transaction.
- Cash back is not permitted as a result of vendor discounts in any WIC transaction.

[\[Return to Table of Contents\]](#)

# VENDOR TRAINING

## **What is vendor training?**

The purpose of vendor training is to make sure that vendors, representatives, and employees have a clear understanding of the rules and regulations of the NYS WIC Program. The vendor training is designed to improve program service and prevent program errors and abuse. A representative from the store (for example, the owner, manager, head cashier, or bookkeeper) will participate in interactive training on WIC procedures at initial enrollment and at least once every 12 months. The representative from the store must be the person responsible for training other employees who do not attend training.

## **How will vendors be scheduled for a training?**

Vendors will be informed by the VMA of scheduled and rescheduled training sessions by electronic communication stating the place, date, and time of the training. If vendors are unable to attend the scheduled mandatory training session, the vendor will be allowed to attend training on an alternate date.

Vendor applicants have a total of two consecutive trainings opportunities. Failure to attend one of the two consecutive training opportunities may result in the application being denied by the WIC Program. Vendor applicants will have the right to request a fair hearing as a result of a denial.

Currently authorized vendors will have three consecutive training opportunities. Failure to attend one of the three consecutive training opportunities may result in termination from the WIC Program. Authorized vendors will have the right to request a fair hearing as a result of contract termination.

## **What should vendors expect from a training?**

**The types of WIC vendor training include:**

- Initial training: provided to new vendors during the authorization process.
- Routine training is provided by the VMA to existing vendors at least once every 12 months.
- Training provided when issues arise.
- Training when vendors request assistance from their VMA.

**Training vendors about the WIC Program may be done in a variety of ways, including, but not limited to:**

- Classroom training at a central location for groups of vendors.
- Newsletters, Vendor Bulletins, and telephone contacts.
- Online training modules, virtual/remote training
- Information posted to the [NYS WIC Vendors](#) website.

[\[Return to Table of Contents\]](#)

**Topics covered during routine training include:**

- Purpose of the WIC Program
- WIC acceptable foods
- Minimum stock requirements
- Infant formula supplier requirements
- WIC transactions procedures
- Claims procedures
- WIC Program abuse, violations, penalties and sanctions, and complaints
- Incentive item requirements
- Important changes since last training session

When attending a training, vendors will receive an electronic signed Certification of WIC Vendor Training as proof of attendance.

[\[Return to Table of Contents\]](#)



# VENDOR MONITORING

## **What is vendor monitoring?**

A vendor monitoring is when an employee from a VMA comes to inspect the store. As an authorized WIC vendor, the store will be monitored continuously to make sure the store is compliant with all policies, procedures, and State and Federal regulations. Vendors must allow on-site monitoring visits.

## **What can vendors expect during a monitoring?**

During a monitoring, the vendor can expect the VMA to:

- Request to speak with the store owner, manager, or another responsible representative.
- Make sure that the minimum stock requirements are met.
- Review shelf prices and determine, on average, price reasonableness of WIC acceptable foods in comparison to other vendors in the peer group.
- Conduct eWIC POS Testing – complete mapping test & ensure up to date APL for integrated systems; stand beside is connected and functioning
- Provide the opportunity to communicate face to face and give guidance to help vendors understand all program requirements.
- Make sure the store's WIC Cling is posted in a visible location for the public to see and read. The VMA will provide a WIC Cling, if needed.
- Respond to claims of abuse from vendors, shoppers, or other sources, if necessary.
- Review completed monitoring documentation and summary report at the end of the monitoring and provide guidance when additional information is required.
- Conduct follow up visits, if necessary, to determine if violations from previous monitoring have been corrected.

[\[Return to Table of Contents\]](#)

# MINIMUM STOCK REQUIREMENTS

## **What are minimum stock requirements?**

Minimum stock requirements are a list of certain types or brands, sizes and quantities of WIC acceptable foods that the vendor must keep in stock at all times throughout the contract period. Minimum stock requirements vary based on the type of store authorized.

## **Grocery Stores must**

- Stock specific varieties and amounts of WIC Acceptable Foods; and
- Stock contract infant formula.

## **Grocery Stores with a Pharmacy Inside**

- Stock specific varieties and amounts of WIC Acceptable Foods; and
- Stock contract infant formula; and
- Agree to order exempt formulas and medical foods upon request by the VMA.

## **Grocery Store without a Pharmacy but with an approved Exempt Formula**

### **Exemption must**

- Stock specific varieties and amounts of WIC Acceptable Foods; and
- Stock contract infant formula.

## **Pharmacies**

- Stock contract infant formula; and
- Agree to order exempt formulas and medical foods upon request by the VMA.

Minimum stock requirements that must be maintained at all times for grocery stores, grocery stores with a pharmacy inside, and grocery stores without a pharmacy but with an approved exempt formula exemption, are provided in the chart below:

[\[Return to Table of Contents\]](#)

# New York State WIC Program - Minimum Stock Requirement - Effective December 2020

Food Item	Type*/Brand	Size	Minimum Stock
Milk	Whole Milk	Gallon	3 Gallons
		Quarts OR Half Gallon	4 Quarts OR 2 Half Gallons
	1% Low fat or Nonfat/Skim	Gallon	5 Gallons
		Quarts OR Half Gallon	4 Quarts OR 2 Half Gallons
Cheese	Cheddar, Colby, Pasteurized Process American, Monterey Jack, Mozzarella, Swiss, Muenster, Provolone, blends of these cheeses	8 oz. or 16 oz.	6 total pounds 2 Types
Eggs	Medium, Large	1 Dozen Carton	8 - 1 Dozen
Juice	Shelf-Stable Concentrate	11.5 oz.	6 Containers - 2 Varieties <sup>†</sup>
	Frozen Concentrate	11.5-12 oz.	
	Single Strength	64 oz.	10 Containers - 2 Varieties
	Frozen Concentrate	16 oz.	
Breakfast Cereal (Including Hot Cereal)	WIC Approved Cereal Brands and Types <b>(see WIC Acceptable Foods Card)</b>	12-36 oz.	12 Boxes - 3 Types (Corn, Wheat, Oat, Rice, Multi-Grain)
Whole Grains	Whole Grain Bread	16 oz.	12 Packages - 2 Types
	Brown Rice	14-16 oz. or 28-32 oz.	
	Whole Grain Tortillas	16 oz.	
	Whole Wheat Pasta	16 oz.	
Dry Beans, Peas, Lentils	Dried Beans/Peas/Lentils	16 oz.	5 Packages
Canned Beans	<b>(see WIC Acceptable Foods Card)</b>	15-16 oz.	12 Cans - 2 Varieties
Peanut Butter	<b>(see WIC Acceptable Foods Card)</b>	16-18 oz.	5 Jars
Canned Fish	Tuna	5 or 6 oz.	12 Cans - 1 Type
	Pink Salmon	5, 6 or 7.5 oz.	
	Sardines	3.75 oz.	
Vegetables & Fruits <b>(\$30 total value)</b>	Vegetables	Fresh, Frozen, Canned	3 Varieties - <b>1 must be Fresh</b>
	Fruits	Fresh, Frozen, Canned	3 Varieties - <b>1 must be Fresh</b>
Infant Cereal	Gerber Dry Cereal	8 oz.	6 Containers
Baby Food (Vegetables & Fruits)	Single or Combination Vegetables	4 oz.	35 containers - 2 Varieties of each Type
	Single or Combination Fruits		
Infant Formula <b>(Concentrate or Powder)</b>	Enfamil Infant Concentrate	13 oz.	24 Cans
	Enfamil Infant Powder	12.5 oz.	12 Cans

[\[Return to Table of Contents\]](#)

Minimum stock requirements that must be maintained at all times for pharmacies are provided in the chart below:

## New York State WIC Program - Minimum Stock Requirement

Effective July 1, 2015  
Pharmacies

Food	Type/Brand	Size	Minimum Stock
Infant Formula (Concentrate or Powder)	Enfamil Infant Concentrate	13 oz.	24 Cans
	Enfamil Infant Powder	12.5 oz.	12 Cans

\*In addition, pharmacies must order and stock exempt and soy formula as requested by the VMA.

[\[Return to Table of Contents\]](#)

## WIC ACCEPTABLE FOODS

### **What are WIC acceptable foods?**

WIC acceptable foods are foods that WIC shoppers are allowed to purchase. Shoppers can choose from these WIC acceptable foods based on what is available in their WIC benefit balance. Cash register systems are programmed with an Acceptable Products List (APL) that uses UPCs to identify WIC acceptable products during a WIC transaction. The APL is available for viewing on the [NYS WIC Vendor website](#).

### **How do vendors know what foods are WIC acceptable?**

The WIC Acceptable Foods Card, the New York State WIC acceptable Foods Card Supplement 2020 and the Foods Guide identify foods that WIC shoppers are allowed to purchase with their WIC benefits.

- These resources can be used during an eWIC transaction to answer any questions WIC shoppers have on which foods are allowable.
- Store staff should have a good understanding of NYS WIC acceptable foods.
- Keep a copy of the WIC Acceptable Foods Card at each cash register and at the Customer Service counter.
- The WIC Acceptable Foods Card and the Foods Guide are available in English and 20 other languages on the [NYS Department of Health](#) website and on the [NYS WIC Vendors website](#).
- Vendor Bulletins are used to notify authorized WIC vendors of changes or updates to the WIC Acceptable Foods Card and WIC Pictorial Foods Guide.

The **WIC2GO** mobile app allows participants using an eWIC card the ability to scan food items to see whether the item is WIC approved and if so, whether it is on their benefits. WIC2Go also lists the food items allowed similar to the WIC Acceptable Foods Card.

[\[Return to Table of Contents\]](#)

## INFANT FORMULA

The NYS WIC Program allows three types of formula:

- Contract Infant Formula
- Exempt Infant Formula
- Specialized Formulas and Modular Products

All formulas issued by the NYS WIC Program are listed on the [Approved Formulas in the New York State WIC Program Formulary](#) document. The NYS WIC Program Formulary with images can be found on the NYS WIC Vendor website at [NYS WIC Vendor](#) website

### **What is Contract Infant Formula (also known as Standard Infant Formula)?**

Contract infant formula refers to infant formulas for which the WIC Program has contracts with infant formula manufacturers.

Any WIC vendor may redeem WIC benefits for contract formula.

### **What is Exempt Formula (also known as Non-Contract Formula)?**

Exempt formula refers to any product on the *Approved Formulas in the New York State WIC Program Formulary* list other than the contract formulas, specialized formulas, or modular products.

WIC vendors that receive prior approval from the NYS WIC Program may redeem WIC benefits for specific exempt formulas.

### **What are Specialized Formulas and Modular Products?**

Highly specialized eligible nutritionals designed specifically for individuals with certain medical conditions.

Only pharmacies or grocery stores with a pharmacy inside may redeem WIC benefits for specialized formulas and modular products.

[\[Return to Table of Contents\]](#)

## **Which formula benefits can a store accept?**

### **All WIC Authorized Stores**

All WIC authorized grocery stores and pharmacies may redeem WIC benefits for the contract infant formulas listed below:

#### ***Contract Infant Formulas***

Enfamil Infant  
Enfamil NeuroPro Infant  
Enfamil AR  
Enfamil Gentlease  
Gerber Good Start Soy

### **Approved Exempt Formula Grocery Stores**

Approved exempt formula grocery stores may redeem WIC benefits for the following formulas:

#### ***Contract Infant Formulas***

Enfamil Infant  
Enfamil NeuroPro Infant  
Enfamil AR  
Enfamil Gentlease  
Gerber Good Start Soy

## **AND**

#### ***Exempt Infant Formulas***

Boost  
Boost High Protein  
Boost Kid Essentials  
Bright Beginnings Soy Drink  
EleCare for Infants  
EleCare Jr.  
Ensure  
Ensure Plus  
Neocate Infant with DHA and ARA  
Neocate Jr.  
Nutramigen  
Nutramigen with Enflora LGG  
PediaSure  
PediaSure Enteral  
PediaSure Enteral with Fiber  
PediaSure with Fiber  
Similac Alimentum

[\[Return to Table of Contents\]](#)

### **Pharmacies and Grocery Stores with Pharmacies Inside (Embedded)**

Authorized WIC pharmacies and WIC grocery stores with a pharmacy inside may redeem WIC benefits for any authorized infant formula including formulas for premature infants, specialized formulas, and modular products listed below:

#### ***Contract Infant Formulas***

Enfamil AR  
Enfamil Gentlease  
Enfamil Infant  
Gerber Good Start Soy

### **AND**

#### ***Exempt Infant Formulas***

Boost  
Boost High Protein  
Boost Kid Essentials  
Bright Beginnings Soy Drink  
EleCare for Infants  
EleCare Jr.  
Ensure  
Ensure Plus  
Neocate Infant with DHA and ARA  
Neocate Jr.  
Nutramigen  
Nutramigen with Enflora LGG  
PediaSure  
PediaSure Enteral  
PediaSure Enteral with Fiber  
PediaSure with Fiber  
Similac Alimentum

### **AND**

#### ***Specialized Formulas and Modular Products***

Enfamil EnfaCare 32oz. RTU  
Enfaport  
MCT oil (Nestle Nutrition)  
Enfamil NeuroPro EnfaCare 12.8oz powder  
Phenex-1  
Phenex-2  
Pregestimil  
Similac NeoSure  
Similac PM 60/40

The NYS WIC Program will review all applications to redeem WIC benefits for exempt formulas. The Exempt Formula Application is located on the [NYS WIC Vendors](#) website under Vendor Resources\Vendor Forms.

[\[Return to Table of Contents\]](#)



## **What are the Infant Formula Supplier Requirements?**

Federal law restricts which businesses can supply infant formula to WIC vendors for resale to WIC participants. WIC vendors may only purchase infant formula directly from businesses on the [WIC Infant Formula Supplier List](#). Vendors are required to maintain invoices and purchase slips for all WIC food purchases for three years and to provide to authorized individuals when requested per 10 NYCRR 60 1.8 (a)(15).

Before a business can be included on the WIC Infant Formula Supplier List, the WIC Program must verify that the business is:

- Licensed by the NYS Department of Agriculture and Markets (if required to have a food license); or
- Approved by another state's WIC program (if the business is located in another state); or
- Registered with the NYS Department of Taxation and Finance.

If the vendor wants to use a company that is not on the WIC Infant Formula Supplier List, the vendor may submit that company's name, address, and contact information to the VMA for review. Vendors must not purchase infant formula from that company until the VMA indicates that the request is approved, or until the supplier is added to the WIC Infant Formula Supplier List.

## **Additional Restrictions for WIC Approved Formulas**

- WIC shoppers may not substitute another brand of formula for any reason, even if the approved brand is out of stock. Shoppers who want a different formula should be referred to the WIC local agency.
- WIC shoppers may not purchase approved formula using their eWIC card and then exchange it for other formulas or for cash. Shoppers who request to exchange formula should be referred to the WIC local agency.
- The only allowable exchange is when WIC shoppers return a container that is damaged, past its expiration date at the time of purchase, or contains defective or spoiled formula, and requests to exchange it for an intact, unexpired container of the exact same product.
- Permitting WIC shoppers to purchase an infant formula other than the prescribed brand is a violation of the WIC Vendor Contract and could result in fines and/or disqualification from the WIC Program.
- WIC benefits associated with the eWIC card are considered a prescription for certain types and amounts of formula. WIC shoppers may not "pay the difference," "put a can back," or "receive change back" from a WIC purchase for infant formula.

[\[Return to Table of Contents\]](#)

### **How should vendors stock infant formula?**

- Formula must be kept in cool, dry conditions. The very best temperature range is between 55 and 75°F (12°C and 24°C). Temperatures below 32°F (0°C) or above 95°F (35°C) are unacceptable.
- Extreme hot and cold temperatures can destroy the ingredients and the nutrients in formula.
- It is important to follow proper storage of formula to ensure its highest level of quality, since it may be the only source of nutrition for a baby for the first several months of life.

[\[Return to Table of Contents\]](#)

## INFANT CEREAL

### **Which infant cereals are on the program?**

The NYS WIC Program has a contract with one manufacturer for infant cereal. Under this contract, shoppers are only allowed to purchase the brand of infant cereal identified in their eWIC benefits. The NYS WIC Acceptable Foods Card and the WIC Pictorial Foods Guide both contain additional information on contract infant cereal.

### **What are the restrictions on infant cereal?**

The infant cereal contract has a mandatory restriction: no substitutions are allowed. Due to this restriction:

- WIC shoppers may not exchange infant cereal and must be referred to their local agency.
- The only allowable exchange is when WIC shoppers return a container that is damaged, past its expiration date at the time of purchase, or contains defective or spoiled cereal. In this situation, shoppers may exchange the container for an intact, unexpired container of the same exact product.
- Allowing WIC shoppers to purchase an infant cereal other than the prescribed brand is a violation of the WIC Vendor Contract and could result in fines and/or disqualification from the WIC Program.
- WIC shoppers may not “pay the difference,” “put a box back,” or “receive change back” from a WIC purchase for infant cereal.

[\[Return to Table of Contents\]](#)

## APL, UPCs, AND PLUs

The NYS WIC Approved Product List (APL) is an electronic database that lists all WIC allowable foods. For participants to purchase a product using an eWIC card, the UPC or PLU code for that product must be included in the NYS APL.

Since new food items are added to the NYS APL on a regular basis, it is important that vendors download the most current NYS APL regularly. Stand-Beside terminals **must always** be plugged in and turned on to receive updates to the NYS APL nightly.

Instructions on how to submit UPC information or to review either the full NYS APL or by food category can be found at <https://nyswicvendors.com/upc-resources>. Vendors can also email questions about the APL to [wicfoods@health.ny.gov](mailto:wicfoods@health.ny.gov).

[\[Return to Table of Contents\]](#)

## MAPPING FRESH PRODUCE

The NYS WIC Program will use Product Look Up (PLU) codes set by the International Federation for Produce Standards (IFPS) for **all** fresh produce.

- No store generated PLUs will be included on the NYS APL.
- No UPCs for packaged fresh produce will be included on the APL.

### ***Stores with an IECR (Integrated) Cash Register System:***

- All packaged fresh produce UPCs must be mapped to the most similar PLU included on the APL.
- Contact the store's IECR provider for questions about mapping for the store's IECR system.

### ***Stores with an eWIC Stand-Beside POS Terminal:***

- Vendors with eWIC stand-beside terminals do not map fresh packaged produce UPCs. Cashiers must enter a PLU in the eWIC terminal instead of scanning the barcode.

### **Do vendors have to map canned or frozen fruits and vegetables?**

No, canned and frozen fruits and vegetables do not need to be mapped or entered as PLUs since these items are included on the NYS APL and can be scanned normally.

### **Where can vendors get more information on the NYS APL?**

Vendors can review the full NYS APL as a PDF or Excel spreadsheet OR a shorter list of PLUs. Both Lists can be found at <https://nyswicvendors.com/upc-resources>.

[\[Return to Table of Contents\]](#)

## COMPETITIVE PRICES

### **How are competitive prices determined?**

NYS WIC Program vendors will be assigned to a vendor peer group. The store's shelf prices for WIC foods and formula will be compared to prices for the same types of products from other vendors in the peer group. This price comparison will be made:

- When applying to be a WIC vendor; and
- When the store is monitored by VMA staff.

A group of commonly purchased WIC foods used for this comparison is called a Market Basket. The store's prices on contract formula will also be used for this comparison.

Having competitive prices indicates that the store's prices, on average, are similar to other stores in the vendor peer group.

[\[Return to Table of Contents\]](#)

## NOT-TO-EXCEED AMOUNT

On a monthly basis, the eWIC payment system automatically calculates an average requested amount for each vendor peer group and each food subcategory. These averages are based on actual redemption data, generating more accurate averages because the system contains shelf prices (requested values) for every single item purchased.

To establish the NTE, an adjustment is applied to the average requested amount to allow for variation among stores and among the product types in each subcategory. If a vendor's requested price for a product is higher than the calculated adjustment, the requested price will be automatically adjusted to the NTE at the time of payment.

### **Will transactions be rejected if they exceed the NTE?**

No, transactions that exceed the NTE are automatically adjusted and paid within two business days after the eWIC transaction.

### **How frequently are NTEs updated?**

NTEs are updated at least once a month but are monitored on an ongoing basis and, when appropriate, updated mid-month.

[\[Return to Table of Contents\]](#)

## ABOVE 50 PERCENT VENDORS

### **What is an above 50 percent vendor?**

An “above 50 percent vendor” is an authorized WIC vendor that derives more than 50 percent of its annual Food Sales revenue from WIC food redemptions. Above 50 percent vendors also include new vendor applicants who are expected to meet this criterion based on projected sales.

Food Sales are defined as “the sales of all SNAP eligible foods intended for home preparation and consumption.” A description of Food Sales is included in this section. Please note that infant formula is included in Food Sales.

### **How does the NYS DOH determine above 50 percent status?**

Federal regulations require states that operate a retail food delivery system to evaluate vendors at the time of authorization and then each year to determine if the vendor should be designated as an above 50 percent vendor or regular vendor. Newly authorized vendors must also be reviewed six months after authorization to determine if they have been properly designated as being an above 50 percent vendor or not.

All authorized vendors must maintain a record of all documented Food Sales for a period of three years and must provide this information for evaluation purposes upon request. A documented Food Sales amount is an amount that is supported by written sales or financial statements, reports, tax forms, or other records sufficient for establishing SNAP eligible Food Sales.

If a store owner is requested to provide documentation of the Food Sales amount and are unable to prove that the store is not an above 50 percent vendor or if the store owner does not respond to the request for documentation, the store will be designated as an above 50 percent vendor.

### **How are NTEs calculated for above 50 percent vendors?**

Federal regulations require NTEs for above 50 percent stores be set at the statewide average for all stores. Vendors will automatically be reimbursed for eWIC transactions at the time of purchase.

### **Can above 50 percent vendors offer incentive items to WIC shoppers?**

No, above 50 percent vendors are prohibited from providing any incentive items to WIC shoppers. Federal regulations state that the WIC Program may not authorize or continue the authorization of an above 50 percent vendor, or make payments to an above 50 percent vendor, which provides or indicates an intention to provide prohibited incentive items to WIC shoppers.

[\[Return to Table of Contents\]](#)



# VENDOR BULLETINS

## **What is a Vendor Bulletin?**

Vendor Bulletins are announcements sent by the WIC Program via email Listserv that provide important information to authorized WIC vendors, WIC local agencies, and other stakeholders.

Vendors must maintain an active email address in order to receive Vendor Bulletins and it is the vendor's responsibility to ensure that email settings do not prevent the delivery of Vendor Bulletins. If there is a change in email information, the vendor must inform the NYS DOH by completing the [Vendor Email Update](#) page.

## **Vendor Bulletins may include information regarding:**

- Changes to (or clarifications of) the WIC Acceptable Foods Card and/or Pictorial Foods Guide.
- Changes to (or clarifications of) minimum stocking requirements.
- Policy changes.
- eWIC related activities.

Information should be reviewed immediately and shared with all store employees that handle WIC transactions. Vendors may also access Vendor Bulletins from the [NYS WIC Vendors](#) website.

[\[Return to Table of Contents\]](#)

## VENDOR RECORDKEEPING

### **What records do vendors have to keep?**

Vendors must maintain all WIC Program related records, invoices, and purchase slips for a period of three years.

Some examples of documented foods and formula sales include:

- Inventory records showing all purchases, wholesale and retail, in the form of invoices that identify the amounts and prices of specific WIC foods.
- Other important records necessary to validate the amounts and the prices charged through eWIC redemptions.

### **What are the recordkeeping criteria for invoices and receipts?**

Invoices and receipts must:

- Be completed and prepared by the wholesaler or supplier from whom the vendor made the purchase.
- Include the name and address of the supplier/wholesaler.
- Indicate the date of purchase, name, and address of the vendor or employee who made the purchase.
- Provide an accurate description of the items purchased. Be specific when identifying WIC food items, as they are identified in the WIC Acceptable Foods Card. For example:

*“Milk” must be specified as to the type of milk, such as fluid, dry or evaporated and whether it is whole, low fat or non-fat.*

*“Fruit juice” must be specified as to the type of juice, such as “orange” and the brand of juice must also be noted for all types of juice for which specific brands are listed on the WIC Acceptable Foods Card.*

- Identify the amount of each WIC food item purchased (for example, the number of containers, cans, boxes, ounces, or pounds).
- Indicate the unit price and total cost for each WIC food item purchased. (See the sample of an appropriate wholesaler’s invoice included in this section.)

[\[Return to Table of Contents\]](#)

### **What are the recordkeeping requirements?**

- Invoices, purchase slips, and inventory records must be kept for three years as a condition of participation in the WIC Program.
- Records and receipts must not conceal or contain redacted information.
- Records must be made available to the NYS DOH and the VMA upon request. The State reserves the right to review the store's records of inventory to make sure the store is in compliance.
- Failure to maintain records as described in this section may result in recovery of funds, CMP, or disqualification from the WIC Program.
- Invoices/receipts for infant formula must document the sale of infant formula from an approved infant formula supplier/wholesaler directly to the vendor. Vendors are required to notify the WIC Program of the supplier/wholesaler at the time of application and reapplication. If the supplier/wholesaler changes, vendors must notify the VMA within 15 days of that change.

[\[Return to Table of Contents\]](#)

## Sample Acceptable Wholesaler Invoice

Date:

Wholesaler Name  
Wholesaler Address:

Store Name:  
Store Address:  
Phone #:

:

# OF CASES	COM. CODE	ITEM DESCRIPTION	# UNITS PER CASE	UNIT SIZE	CASE COST	EXTENDED COST	RETAIL PRICE	UPC
1	6463	ENFL PWDR IRON 331	6	14.3 OZ	57.420	57.42	10.99	3008703310100
1	6492	SIM CONC IRON #411	24	13 OZ	57.020	57.02	2.99	2710004501610
1	6533	BN 1 RICE CEREAL	12	8 OZ	12.520	12.52	1.35	1598741236584
1	6534	BN 1 OATMEAL CEREAL	12	20 CT	31.080	31.08	1.35	5231648791351
1	6607	MEGA ULT DIAPER LGE	8	30 CT	31.080	31.08	4.99	4351688794531
2	6657	DRYPERS LG DIAP PP	8	18 OZ	56.880	113.76	5.99	2225536874981
1	6734	KELL CORN FLAKES	24	15 OZ	51.360	51.36	2.99	4441587329821
1	6792	KELL ALL BRAN	12	20 OZ	83.040	83.04	2.89	1334588977202
1	6801	KELL FROST FLAKES	24	18 OZ	39.960	39.96	4.29	3335589471256
1	6872	KEL BTE SZ MINI-WHTS	12	15 OZ	35.520	35.52	4.19	2535165629113
1	6917	GM WHEATIES	16	9 OZ	34.340	34.34	2.69	1113945798132
1	6929 N	GM KIX	16	15 OZ	37.800	37.80	3.79	1113448978531
1	6975 N	GM CHEERIOS	14	13.75 OZ	49.020	40.02	3.79	6665481987132
1	9044	GM RAISIN NUT BRAN	14	13.75 OZ	31.610	31.61	3.49	2223815974231
1	9054	POST HONEYCOMBS	16	10 OZ	39.600	39.60	4.09	6664859720320
1	9141	POST RAISIN BRAN	16	15 OZ	22.040	22.04	2.79	1120064889050
<b>17</b>			<b>234</b>		<b>670.29</b>	<b>718.17</b>	<b>62.66</b>	

[\[Return to Table of Contents\]](#)

## CHANGE IN BUSINESS STRUCTURE NOTIFICATION

### **What should vendors do if there is a change in ownership or business structure?**

Vendors must report all changes in business structure to the VMA within 30 days before the change. All changes in business entity ownership, WIC vendor location, or operations must be reported to the VMA in writing using the [Change in Business Structure Notification](#).

It is the vendor's responsibility to contact the VMA and report changes. Failure to provide notification within 30 days of the change may result in the termination of the vendor contract and/or denial of future authorizations.

### **What changes do vendors have to report?**

Changes to the business structure that must be reported to the VMA within 30 days of the change include:

- New sole owner, partner, or corporate officers
- Changes to existing corporate owners/officers
- Purchase of a corporation or LLC
- Incorporation
- Change in trade name or corporate name
- Change in corporate location
- Change in store location
- Change in store hours of operation
- Change in Federal Employer Identification Number (FEIN)
- Change to Supplemental Nutrition Assistance Program (SNAP) Authorization
- Exceptional circumstances (for example; unanticipated change, such as the death of a sole owner, partner, or corporate officers, or a store closing due to damage)

The NYS WIC Program will determine whether any change in business structure requires a new application.

[\[Return to Table of Contents\]](#)

## NONDISCRIMINATION STATEMENT (NDS)

### **What is the definition of the USDA Nondiscrimination Statement and how do I file a complaint?**

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the [USDA Program Discrimination Complaint Form](#), (AD-3027) found online at: [How to File a Complaint](#), and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

(1) Mail: U.S. Department of Agriculture  
Office of the Assistant Secretary for Civil Rights  
1400 Independence Avenue, SW  
Washington, D.C. 20250-9410

**OR**

(2) Fax: (202) 690-7442

**OR**

(3) Email: [program.intake@usda.gov](mailto:program.intake@usda.gov)

***Please contact the VMA with any questions regarding information in the WIC Vendor Handbook. Thank you.***

[\[Return to Table of Contents\]](#)