

WIC VENDOR HANDBOOK

New York State WIC Program: April 2024



TABLE OF CONTENTS

INTRODUCTION	3
OVERVIEW OF WIC	4
VENDOR MANAGEMENT AGENCY	5
VENDOR APPLICATION	6
VENDOR REAPPLICATION	7
WIC VENDOR CONTRACT	8
CHANGE IN BUSINESS STRUCTURE NOTIFICATION	9
VENDOR PEER GROUPS	10
WIC CLING	11
VENDOR ROLES, RIGHTS, AND RESPONSIBILITIES	12
PROHIBITED VENDOR ACTIVITIES	13
REPORTING PROGRAM COMPLAINTS AND SUSPECTED FRAUD AND ABUSE	14
VENDOR VIOLATIONS AND SANCTIONS	15
FAIR HEARING	19
ELECTRONIC BENEFIT TRANSFER SYSTEM (eWIC)	20
eWIC AT THE REGISTER	22
USE OF COUPONS & BONUSES BY WIC SHOPPERS	24
VENDOR TRAINING	25
VENDOR MONITORING	27
MINIMUM STOCK REQUIREMENTS	28
WIC ACCEPTABLE FOODS	31
WIC2GO	32
INFANT FORMULA	33
INFANT CEREAL	36
APPROVED PRODUCT LIST (APL), UNIVERSAL PRODUCT CODES (UPCs), AND PRODUCE LOOK-UPS (PLUs)	37
MAPPING FRESH PRODUCE	38
COMPETITIVE PRICES	39
MAXIMUM ALLOWABLE REIMBURSEMENT LEVEL (MARL)	40
ABOVE 50 PERCENT VENDORS	41
VENDOR BULLETINS	42
VENDOR RECORDKEEPING	43
NONDISCRIMINATION STATEMENT	47

INTRODUCTION

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

Please use the WIC Vendor Handbook to ensure compliance with all policies, procedures, and State and Federal rules and regulations. Contact the Vendor Management Agency (VMA) with any questions.

eWIC

The New York State (NYS) WIC Program utilizes an Electronic Benefit Transfer (EBT) system for the redemption of WIC benefits called eWIC. For vendors to accept and process the NYS eWIC card, a cash register system that can perform an eWIC transaction is required.

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

OVERVIEW OF WIC

What is WIC?

The Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) provides participants with individually tailored food packages that allow for the purchase of approved formula and foods, nutrition education, breastfeeding support, and referrals to health and social services. The purpose of the program is to ensure the health and well-being of eligible pregnant, postpartum, and breastfeeding women, infants, and children.

WIC is primarily funded by the United States Department of Agriculture (USDA) and is administered by the New York State Department of Health. WIC Program services are provided throughout the state by contracted local agencies, including hospitals, county health departments, and other nonprofit organizations.

Using the WIC Acronym

Vendors may not use the WIC acronym in the vendor'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, United States Department of Agriculture, or the WIC Program.

The WIC acronym and the WIC Logo are registered service marks of the United States Department of Agriculture for United States Department of Agriculture 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 the United States Department of Agriculture 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 Vendor Management Agency and what do they do?

The Vendor Management Agency (VMA), Public Health Solutions (PHS), is contracted by the New York State Department of Health (DOH) to oversee the retail food delivery system. Public Health Solutions has an office in Flushing, NY, as well as satellite locations in Albany and Rochester, NY.

The Vendor Management Agency ensures that there are an adequate number of vendors for participants to redeem their benefits for prescribed WIC foods and formulas. The Vendor Management Agency is also responsible for conducting activities related to the oversight and management of vendors including application processing, authorization, monitoring, and training to ensure compliance with United States Department of Agriculture and New York State Department of Health requirements.

Contact information for Public Health Solutions is located below and can also be found by visiting or the [NYS WIC Vendors](#) website.

Public Health Solutions (PHS)

WIC Program Vendor Management Agency
30-50A Whitestone Expressway, Suite A103
Flushing, NY 11354
Telephone: (646) 973-3942
Fax: (718) 353-3895
Email: vma@healthsolutions.org

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

APPLICATION

How do I apply to be a vendor?

Vendor applicants interested in applying to be a vendor should complete a [Request for Application](#) through the NYS WIC Vendors website and email the Request for Application to the Vendor Management Agency. Once received, the Vendor Management Agency (VMA) will determine if the applicant is within the Open Application Period (OAP) for that geographic area or meets exception criteria.

What is an Open Application Period (OAP)?

An Open Application Period (OAP) is a timeframe identified by New York State when vendor applicants from a specific geographic area can apply to become a vendor. *Requests for an Application* outside an Open Application Period (OAP) will be considered in areas where there is inadequate participant access, or the vendor meets exception criteria as defined by the New York State Department of Health. Visit the [NYS WIC Vendors](#) website for the current Open Application Period (OAP) timeframe.

How will I know my Request for Application was received?

The Vendor Management Agency will provide vendor applicants with a response indicating whether their store is eligible in the Open Application Period (OAP) at the time the Request for Application is received. If yes, the vendor applicant will be sent a New York State WIC Vendor Application and guidance on how to complete the application. If the vendor applicant does not qualify based on geographic area, they will be assessed for inadequate participant access or other exception criteria as defined by New York State. If the vendor applicant does not meet any of acceptable criteria, the Vendor Management Agency will provide the next Open Application Period (OAP) for the vendor applicant's geographic area.

How long will it take the Vendor Management Agency to process a Vendor Application?

Processing timeframes can vary based on the following:

- when the Vendor Management Agency receives a completed application (including all required documents)
- if the application is submitted as a part of the designated Open Application Period (OAP)
- if the vendor meets authorization criteria, participant access, and or exception criteria.

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

REAPPLICATION

What is Reapplication?

Reapplication is the process where existing vendors reapply for WIC authorization at the end of their current contract.

How does the reapplication process work?

The Vendor Management Agency conducts a review of the vendor's performance history.

If the vendor's history demonstrates compliance with all State and Federal regulations, policies, and procedures, the Vendor Management Agency will send the vendor a reapplication packet 120 days before the end of the current contract. The vendor must complete and submit the reapplication packet and all required documents within 30 days of the date of the cover letter included in the reapplication packet. The Vendor Management Agency will review the reapplication packet for completeness; if the vendor meets the New York State WIC vendor authorization criteria, the vendor's reauthorization will be approved.

If the vendor does not meet all authorization criteria as defined by New York State, the vendor will receive a Contract Expiration letter within 30 days of the contract end date.

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 Vendor Management Agency within 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 the expiration of the vendor's contract. If the WIC Vendor Contract expires, the vendor may submit a *Request for Application*. See "Application" information on page 6.

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

WIC VENDOR CONTRACT

What is a WIC Vendor Contract?

A WIC Vendor Contract is a binding agreement between the vendor and the Vendor Management Agency. By signing the contract, the vendor agrees 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 New York State Department of Health. The WIC Vendor Contract can only be signed by the vendor's owner, a corporate officer, or another representative authorized to enter into a legally binding agreement and is valid for a maximum of three years.

The vendor must meet the authorization criteria throughout the contract period. During the contract period, the Vendor Management Agency will monitor the vendor at any time, and as often as necessary, to make sure the vendor is following all Program policies, procedures, and State and Federal rules and regulations.

Can a WIC Vendor Contract be transferred to another individual?

No, the WIC Vendor Contract is not transferable to another vendor or business entity. See page 10 for information on Change in Business Structure Notification.

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

The WIC Vendor Contract Period (VCP) is a standard contract cycle that aligns all the vendor contracts within a geographic area. Vendors in the same geographic area will have the same contract start and end dates and will be eligible (assuming authorization criteria is met) to reapply for authorization at the same time.

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

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 Vendor Management Agency in writing using the [Change in Business Structure Notification](#) at least 30 days **before** the change. 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.

A vendor operating under new ownership must not 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 changes do vendors have to report?

Changes to the business structure that must be reported to the Vendor Management Agency 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)

What happens after a vendor submits the Change in Business Structure Notification to the Vendor Management Agency?

The Vendor Management Agency will determine if the change requires a vendor to submit a new application and will provide guidance on any other actions required.

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

VENDOR PEER GROUPS

What are Vendor Peer Groups?

Vendor peer groups are groups of vendors who are alike in ways that impact food prices. All vendors are assigned to a vendor peer group.

Vendor peer group assignment is 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 the New York State WIC Program to set maximum prices for each WIC allowable food and formula, 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 Vendor Management Agency monitoring visit. The Vendor Management Agency 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 and submit the [Request for Peer Group Reassignment](#). 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 to all vendors by the Vendor Management Agency to identify the vendor as authorized to accept eWIC. The cling must be posted prominently at the front entrance of the store and to help shoppers identify where they may shop to redeem their WIC benefits. The WIC cling is the only sign that is allowed to be used to identify the store as WIC authorized and may not be shared with other stores. The WIC cling must be removed and destroyed if the business is sold or is out of business and closes; or if the store's WIC authorization expires or is terminated.

Example of the WIC Cling:



**WE ACCEPT
ACEPTAMOS
WIC**

This institution is an equal opportunity provider.
Esta institución es un proveedor que ofrece igualdad de oportunidades.



VENDOR ROLES, RIGHTS, AND RESPONSIBILITIES

Vendor Roles

Vendors play an important role in the WIC Program by:

- Making sure participants have access to safe and nutritious foods
- Respecting WIC shoppers 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

Vendors have 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 New York State WIC Vendor Contract)

Vendors must:

- Follow all WIC Program rules, regulations, policies, and procedures as outlined in the New York State WIC Vendor Contract, WIC Vendor Handbook, Vendor Bulletins, and any additional authorized materials issued by the New York State Department of Health
- Accept all communication from the Vendor Management Agency and New York State via electronic mail
- Clearly display the price of all WIC food items at all times
- Accept all eWIC transactions during hours of operation
- The eWIC Stand Beside point of sale terminal must have power and connectivity at all times to receive the nightly Authorized Product List (APL) updates
- If using an eWIC Stand Beside point of sale terminal a dedicated, hard wired internet connection or analog phone line must be used to maintain eWIC readiness at all times
- 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

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 cardholder 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 foods or formulas that are not approved on the New York State WIC Approved Product List.
- Issue foods or formulas that are approved on the New York State WIC Approved Product List (APL) but are not available in the participant's benefits balance.
- Ask WIC shoppers to share their benefits balance
- Confiscate the eWIC card or keep a participant's eWIC card for any reason
- Ask for the WIC shopper's eWIC card PIN
- Deny WIC shoppers 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 shoppers more than other customers
- Charge WIC shoppers any fees associated with operating, maintaining, or processing eWIC transactions, i.e., this includes bag fees
- Substitute infant formulas
- Charge WIC shoppers' money for WIC foods that are available in the participant's benefits balance (*see exception below)
- Use the assigned WIC stand beside machine at any other location than the vendor's physical address on record with the Vendor Management Agency
- Refuse to allow the purchase of an authorized food item available in the shopper's benefit balance

***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.

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

REPORTING PROGRAM COMPLAINTS AND SUSPECTED FRAUD AND ABUSE

Vendors and participants must understand and follow the rules and regulations of the WIC Program. Participants and vendors who violate program rules and regulations may be suspended from the program.

How can vendors file a complaint about a participant?

In cases where participants may not understand program rules, how to use their eWIC card or complete a WIC transaction, or there is any type of educational issue, vendors may submit complaints to the Vendor Management Agency using the [New York State WIC Program Complaint Form](#).

How can vendors report suspected participant or vendor fraud or abuse?

Suspected program fraud (intentional violation of program rules and regulations) or abuse (violent language or behavior) 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.

Suspected fraud and abuse may also be reported directly to the United States Department of Agriculture 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
- **Website:** www.usda.gov/oig/hotline.htm

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

VENDOR VIOLATIONS AND SANCTIONS

The Bureau of Special Investigations (BSI)'s mission is to minimize fraud, waste, and abuse within the New York State WIC Program through the prevention, detection, investigation, and prosecution of those who abuse and defraud the program. The Bureau of Special Investigations (BSI) works to maximize WIC Program integrity through the investigation of vendors, participants, and WIC employees based on complaints as well as other industry-standard methods. For vendors, this includes routine compliance buys which are conducted through unannounced visits to the stores.

The Bureau of Special Investigations (BSI), New York State Department of Health, and the Vendor Management Agency work collaboratively to monitor program violations and fraudulent activity.

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

If vendor owners, officers, managers, agents, or employees do not follow all rules and regulations (called a violation), the vendor may be subject to:

- a warning letter,
- a fine,
- a claim
- a Civil Money Penalty (CMP), or
- disqualification from participating in the WIC Program

A Civil Monetary Penalty (CMP) is calculated using a formula in federal regulation which is: 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.

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**

(5) A pattern of claiming reimbursement for the sale of an amount of a specific supplemental food item that exceeds the vendor'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**

Per 10 NYCRR 60-1.8, any 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 NYS 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 under the authority of section 12 of the Public Health Law. Be advised that this regulation may be amended, and all food vendors are responsible for adhering to this regulation and any changes made to it.

(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 cardholder or the cardholder's authorized representative at the time of the purchase;

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

(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. For examples, see the "Common Vendor Abuse Sanctions for Conferences" chart on the next page.

At a vendor conference:

- violations will be fully described
- the New York State Department of Health Commissioner's designee will assess a fine and/or additional training for the vendor.
- If fined, the fine will be paid to New York State
- the vendor must contact the Vendor Management Agency to schedule the mandatory training if required.
- If the vendor does not meet the terms of the Stipulation and Order, the vendor will be terminated.
- 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 action is taken.

**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 cardholder or the cardholder'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 a 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 the conference may result in the doubling of 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**

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

FAIR HEARING

A vendor or vendor applicant can request a Fair Hearing for certain actions taken by the New York State WIC Program or the Bureau of Special Investigations (BSI).

Actions include, but are not limited to:

- Failure to comply with Federal and State Regulations
- Two consecutive failed monitoring visits
- Three consecutive “no shows” for training
- Denial of a Vendor’s application
Failure to maintain all vendor authorization criteria throughout the three-year WIC Vendor Contract period

In the above scenarios, the Vendor Management Agency or Bureau of Special Investigations (BSI) will provide written notice to the vendor or vendor applicant of their right to request a fair hearing and how to request a Fair Hearing.

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

ELECTRONIC BENEFIT TRANSFER SYSTEM (eWIC)

What is eWIC?

eWIC is the Electronic Benefit Transfer (EBT) system used for the redemption of WIC food and formula benefits.

What is an eWIC card?

The eWIC card is like a debit card and is a payment instrument with a magnetic strip that allows transactions between the cardholder's benefit balance and the vendor's Point of Sale (POS) device. The eWIC card is issued by a local agency to a WIC participant and can be used by the participant or designee to purchase approved foods at a vendor.

Only one eWIC card is issued to each family and is loaded with their WIC benefits. These benefits become available within a pre-determined date range and do not have to be used at one time. When participants make purchases, the items are removed from the card balance. Any items left over in the card balance are not carried over for use during the next cycle and will expire.

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

No ID is required, WIC shoppers just need the eWIC card and their Personal Identification Number (PIN).

Can vendors ask WIC shoppers to share their eWIC card number or PIN?

No, vendors must never ask for the eWIC card number or PIN and must not enter the PIN number for WIC shoppers.

Can vendors ask WIC shoppers to leave their eWIC cards at the store or with a store employee?

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

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.

What happens if a WIC shopper forgets their PIN number?

The shopper can reset their PIN by calling the Customer Service number on the back of their card, through the WIC2Go mobile app or through their WICconnect account. Note: the WIC shopper gets **four (4)** chances to enter the correct PIN number before the account locks.

How often can WIC shoppers use their eWIC card?

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

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.

Can WIC shoppers use our store's self-checkout registers?

Self-checkout registers must be certified by New York State WIC staff before they can be used. Contact your Vendor Management Agency to request a certification visit.

Can a vendor manually enter the eWIC card number instead of having the cardholder swipe it?

No, this may only be done if the card number on the magnetic strip is too worn to be read. The shopper will need to request a new card from their local agency.

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

eWIC AT THE REGISTER

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 Terminal

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 vendor'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 a double scan for vendor's that use an electronic inventory system. Vendors currently operating a State-provided SNAP Stand-Beside terminal must be aware that the WIC Stand-Beside is 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 eWIC 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. New vendors using IECR systems **must** have a certification of the register system performed by the New York State Department of Health prior to accepting eWIC. Contact the Vendor Management Agency for more information.

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 display a mid-transaction receipt for the WIC shopper to review to verify the 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

Self-Check-out Registers:

Vendors must pass a **separate**, individual certification of self-checkout registers before conducting eWIC transactions. This certification is separate from the certification of the vendor's POS registers. Contact the Vendor Management Agency for additional information regarding the 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, vendors must offer WIC Program shoppers the same courtesies that are offered to other, non-WIC customers. Vendors must offer WIC foods and formulas to WIC 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 comply with this requirement
- Vendors must treat WIC and non-WIC shoppers the same and include WIC shoppers in in-store promotions
- Vendors must offer WIC shoppers the same incentive items, vendor discounts, coupons, or other promotions that are 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?

Vendor training is a standardized training designed by New York State Department of Health and provided to vendors by the Vendor Management Agency to make sure that vendors, their representatives, and employees understand the rules and regulations of the New York State WIC Program. A representative from the vendor (for example, the owner, manager, head cashier, or bookkeeper) must participate in interactive training on WIC procedures during preauthorization and at least once every 12 months. The representative from the vendor is responsible for training other employees who do not participate in training.

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
- Online/virtual training
- Newsletters, Vendor Bulletins, and telephone contacts
- Information posted to the [NYS WIC Vendors](#) website

What are the types of vendor training?

- Initial training: provided to new vendors during the authorization process
- Routine training: provided to existing vendors at least once every 12 months

Topics covered during training include:

- Purpose of the WIC Program
- WIC acceptable foods
- Minimum stock requirements
- Infant formula supplier requirements
- WIC transaction procedures
- Claims procedures
- WIC Program abuse, violations, penalties and sanctions, and complaints
- Incentive item requirements for A50 Vendors
- Important changes since the last training session

How will vendors be scheduled for training?

The Vendor Management Agency will inform vendors of scheduled and rescheduled training sessions by electronic communication stating the place, date, and time of the training. Virtual/online training is an option offered by the Vendor Management Agency. Multiple training sessions will be offered.

Failure to attend one of the scheduled training opportunities may result in the application being denied by the WIC Program; or the termination of a vendor's contract. Vendors will have the right to request a fair hearing as a result of a denial or termination.

Will I receive proof that I completed a training?

Yes, upon completion of the vendor training, all vendors receive a signed, electronic *Certificate of WIC Training* as proof of attendance.

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

VENDOR MONITORING

What is vendor monitoring?

Vendor monitoring is a comprehensive on-site review conducted by the Vendor Management Agency to make sure the vendor is compliant with all policies, procedures, and State and Federal regulations, including current eWIC processes. Vendor monitoring is continuous and conducted at least once a year. Vendors must allow the Vendor Management Agency to conduct on-site inspection visits.

What can vendors expect during a monitoring?

During a monitoring, the vendor can expect the Vendor Management Agency to:

- Request to speak with the vendor owner, manager, or another responsible representative
- Make sure that the Minimum Stock Requirements (MSR) are met
- Complete test transactions on vendors with integrated cash register systems to ensure produce items are correctly mapped
- Review shelf prices and determine, on average, price reasonableness of WIC acceptable foods in comparison to other vendors in the peer group
- Provide the opportunity to communicate face to face and give guidance to help vendors understand all program requirements
- Make sure the vendor's WIC Cling is posted in a visible location for the public to see and provide a WIC Cling if needed
- Respond to claims of abuse from vendors, shoppers, or other sources, if necessary
- Review completed monitoring documentation, provide a summary report at the end of the monitoring and provide guidance when additional information is required
- Conduct follow up visits to determine if violations from the previous monitoring(s) have been corrected

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

MINIMUM STOCK REQUIREMENTS

What are minimum stock requirements?

Minimum stock requirements (MSR) 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 vendor 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 (both milk and soy based); and
- Agree to order formulas and medical foods upon request by the Vendor Management Agency

Pharmacies

- Stock contract infant formula (both milk and soy based); and
- Agree to order non- contract formulas and medical foods upon request by the Vendor Management Agency

New York State WIC Program - Minimum Stock Requirement Grocery Stores - 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 [†]
	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 <i>(see WIC Acceptable Foods Card)</i>	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	<i>(See WIC Acceptable Foods Card)</i>	15-16 oz.	12 Cans - 2 Varieties
Peanut Butter	<i>(See WIC Acceptable Foods Card)</i>	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 (\$30 total value)	Vegetables	Fresh, Frozen, Canned	3 Varieties - 1 must be Fresh
	Fruits	Fresh, Frozen, Canned	3 Varieties - 1 must be Fresh
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 (Concentrate or Powder)	Enfamil Infant Concentrate	13 oz.	24 Cans
	Enfamil Infant Powder	12.5 oz.	12 Cans

**New York State WIC Program - Minimum Stock Requirement
Pharmacies - Effective November 2021**

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
Infant Formula Soy (Powder)	Similac Soy Isomil	12.4 oz.	6 Cans

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

WIC ACCEPTABLE FOODS

What are WIC acceptable foods?

WIC acceptable foods are foods and formulas that WIC shoppers are allowed to purchase using their eWIC card. Shoppers can choose from a list of WIC acceptable foods based on what is available in their WIC benefit balance.

How do vendors know what foods are WIC acceptable?

The WIC Acceptable Foods Card identifies foods that WIC shoppers are allowed to purchase with their WIC benefits. The Approved Products List (APL) uses UPCs to identify all WIC allowable products.

- The WIC Acceptable Foods Card can be used during an eWIC transaction to answer any questions WIC shoppers have on which foods are allowable
- Vendor staff should have a good understanding of the WIC Acceptable Foods Card
- The WIC Acceptable Foods Card is available in English and 20 other languages on the [NYS WIC Vendors](#) website. Click the *WIC FOODS CARDS TRANSLATIONS* dropdown for all language options.
- Vendor Bulletins are used to notify vendors of all changes or updates to the WIC Acceptable Foods Card
- A complete list of acceptable UPCs can be found on the NYS WIC Vendors website



Can WIC shoppers purchase cheaper store brand items instead of name brand products?

Yes, WIC shoppers are not limited to purchasing only name brand items and may purchase other brands if the item is approved and on the Approved Product List (APL). Vendors must never tell WIC shoppers cheaper brands are not WIC eligible and must not direct them to buy name brand items.

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

WIC2Go

What is WIC2Go?

WIC2Go is a participant mobile application that allows participants to check their benefit balance, scan items to see if they are WIC eligible, locate vendors, and more. The app is available in the  and  and NYW WIC Vendors website at <https://nyswicvendors.com/wp-content/uploads/2022/01/Prepackaged-Product-WIC2Go-Scanner.pdf>.

Can a vendor use the WIC2Go app?

Yes. Users without an active WIC account can access many features in the app including WIC program resources and Universal Product Code/Approved Product List information.

Can participants scan fresh produce using the WIC2GO app?

No. Fresh produce is allowable but shows as “Not WIC Approved” in the WIC2Go app due to mapping – see more on produce mapping on page 38. If a participant asks - fresh produce (both organic and non-organic) is WIC approved even though the app says it is not.



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

INFANT FORMULA

The New York State WIC Program allows two types of formulas:

- Contract Infant Formula
- Non-Contract Formula

All formulas that may be issued by the New York State WIC Program are listed on the [Approved Formulas in the New York State WIC Program Formulary](#) document. A version of this document with pictures was developed as a visual resource for participants and vendors and is available on the [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. These formulas are listed in the “Contract Formulas” section at the top of the formulary documents referenced above.

What is a Non-Contract Formula?

Non-contract formula refers to any product on the *Approved Formulas in the New York State WIC Program Formulary* that is not listed in the contract formulas section and includes specialized formulas.

Which formula benefits can a vendor accept?

All vendors (grocery and pharmacies) may accept WIC benefits for all contract and non-contract infant formulas listed in the [Approved Formulas in the New York State WIC Program Formulary](#) document.

Pharmacies and Pharmacies Located inside Grocery Stores (also known as Embedded Pharmacies)

Authorized WIC pharmacies and WIC pharmacies located inside a grocery store may **ONLY** redeem WIC benefits for authorized infant formulas listed on the formulary (link above) and **cannot** redeem WIC food benefits at the pharmacy register. If you have a pharmacy embedded in your grocery store, WIC food benefits **MUST** be redeemed at a register other than the pharmacy register, or you will not be reimbursed for these food items.

Can a vendor break apart a 6-pack of WIC-eligible nutritionals (e.g., Pediasure, Ensure, Bright Beginnings, Boost) to sell individually?

No. Participants’ benefits are issued in 6-packs and the pricing is based on a UPC for the 6-pack, NOT an individual unit. Breaking apart the 6-pack would overcharge the participant’s benefits and would cause the item to ring out incorrectly, creating a loss for the vendor.

Infant Formula Supplier Requirements

Federal law restricts which businesses can supply infant formula to vendors for resale to participants. Vendors may only purchase infant formula directly from businesses on the WIC Infant Formula Supplier List. Vendors who purchase any infant formula from an entity not included on the authorized WIC Infant Formula Supplier List, will be terminated from the program. It is the vendor's responsibility to ensure all infant formula purchases are made with approved suppliers at a physical location that has been authorized. Vendors are required to maintain invoices and purchase slips that meet the requirements specified in this Handbook on page 43 for all WIC food and formula purchases for three years and to provide to authorized individuals when requested per 10 NYCRR 60 1.8 (a)(15).

Requests to add new suppliers to the approved infant formula supplier list may be submitted by vendors using the Infant Formula Supplier Request form found on the [NYS WIC Vendors website](#). NYS will then review and approve the request. Vendors must not purchase infant formula from a supplier until the Vendor Management Agency indicates that the request is approved, or until the supplier is added to the [WIC Infant Formula Supplier List](#) which is located on the NYS WIC Vendors website, on the Foods & Formula tab. Contact the Vendor Management Agency for additional information and guidance.

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 must contact their WIC local agency to change the formula on their eWIC card. In the event of a formula recall, New York State Department of Health will provide specific directions regarding product exchanges and substitutions.
- WIC shoppers may not purchase approved formula using their eWIC card and then return or exchange it for other formulas or cash. Shoppers who request to exchange formula must contact their WIC local agency to request formula changes.
- 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 a defective or spoiled formula, and may exchange it for an intact, unexpired container of the exact same product.
- 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.

- Allowing WIC shoppers to purchase an infant formula other than the prescribed brand is a violation of the WIC Vendor Contract.

How should vendors stock infant formula?

- Formula must be kept in cool, dry conditions. The 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 the 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 New York State WIC Acceptable Foods Card and the WIC2Go app can assist shoppers in selecting the allowable 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 return or exchange infant cereal purchased with WIC benefits.
- 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.

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

APPROVED PRODUCT LIST (APL), UNIVERSAL PRODUCT CODES (UPC), AND PRODUCE LOOK-UPS (PLU)

The New York State WIC Approved Product List (APL) is an electronic database that lists all WIC allowable foods. For WIC shoppers to purchase a product using an eWIC card, the Universal Product Codes (UPC) or Produce Look-Ups (PLU) code for that product must be included in the New York State Approved Product List (APL).

New food items are added to the New York State Approved Product List (APL) regularly, and an automatic download occurs for vendors with integrated cash register systems. The automatic download will occur for vendors with stand beside systems as long as the terminal is **plugged in 24 hours/day** and turned on to receive the New York State Approved Product List (APL).

Instructions on how to submit Universal Product Codes (UPC) information or to review either the full New York State Approved Product List (APL) or by food category can be found [here](#). Vendors can also email questions about the Approved Product List (APL) to wicfoods@health.ny.gov.

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

MAPPING FRESH PRODUCE

The New York State WIC Program uses the 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 New York State Approved Product List (APL)
- No UPCs for packaged fresh produce will be included on the Approved Product List (APL)

Vendors with an Electronic Cash Register System (ECR):

- All packaged fresh produce UPCs must be mapped to the most similar PLU included on the Approved Product List (APL).
- Vendors should contact the store's ECR provider for questions about mapping fresh produce to the store's ECR system.

Vendors 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 New York State Approved Product List (APL) and can be scanned normally. For more information on mapping fresh produce, visit the [NYS WIC Vendor Website- UPC Information](#).

Where can vendors get more information on the New York State Approved Product List (APL) ?

Vendors can review the full New York State Approved Product List (APL) as a PDF or Excel spreadsheet **OR** a shorter list of PLUs by food category. Both Lists can be found [here](#).

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

COMPETITIVE PRICES

How are competitive prices determined?

The New York State Department of Health routinely compares the shelf prices of commonly purchased WIC foods to other vendors within a peer group (see page 10 for more information on peer groups). A group of commonly purchased WIC foods and contract formula is used for this comparison and is called a Market Basket.

This price comparison will be made:

- When applying to be a WIC vendor; and
- When the vendor is monitored by Vendor Management Agency staff

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

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

Maximum Allowable Reimbursement Level (MARL)

A Maximum Allowable Reimbursement Level is the highest amount a vendor can be paid for a WIC item. These amounts are determined on a monthly basis; the eWIC payment system automatically calculates an average requested amount for each food subcategory for each vendor peer group using redemption data.

To establish the MARL amount, an adjustment is applied to the average requested amount to allow for variation among vendors and 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 MARL at the time of payment.

Will transactions be rejected if they exceed the MARL?

No, transactions that exceed the MARL are automatically adjusted to the MARL and paid within three business days after the eWIC transaction, just like all other eWIC transactions.

How frequently are MARLs updated?

MARLs are updated at least once a month but are monitored on an ongoing basis and adjusted more frequently as necessary.

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

ABOVE 50 PERCENT VENDORS

What is an Above 50 percent vendor?

An “Above 50 percent vendor” is a vendor that derives more than 50 percent of its annual Food Sales revenue from WIC food redemptions and includes new vendor applicants who are expected to meet this criterion based on projected sales. Above 50 percent vendors are assigned to the same peer group. For more information on peer groups, see page 10.

Food Sales are defined as “the sales of all SNAP-eligible foods intended for home preparation and consumption.” Infant formula is included in Food Sales.

How does the New York State Department of Health determine Above 50 percent status?

Food sales are evaluated annually to determine Above 50 percent status for authorized vendors. Newly authorized vendors are evaluated at the time of authorization and then six months after authorization to determine if they should be designated as an Above 50 percent vendor.

To properly determine Above 50 percent status, vendors must maintain a record of food sales for three years and must provide this information to the Vendor Management Agency or New York State Department of Health staff upon request. If a vendor does not respond with this documentation, the vendor will be designated as an Above 50 percent vendor.

How are MARLs calculated for Above 50 percent vendors?

Federal regulations require MARLs for above 50 percent vendors to be set at the statewide average of the non-above 50 percent vendors. Above 50 percent vendors will automatically be reimbursed for eWIC transactions at the time of purchase.

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

Above 50 percent vendors may only offer incentive items **with prior approval** from New York State Department of Health, including food merchandise or services that the vendor obtained at no cost or that cost the vendor less than \$2 for incentive items to WIC shoppers. Information on allowable incentive items can be found on the United States Department of Agriculture [Food and Nutrition Service website](#).

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

VENDOR BULLETINS

What is a Vendor Bulletin?

Vendor Bulletins are announcements sent by the New York State 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 to receive Vendor Bulletins. It is the vendor's responsibility to ensure that email settings do not prevent the delivery of Vendor Bulletins. When there is a change in email information, the vendor must inform the New York State Department of Health by completing the page or contacting the [Vendor Management Agency](#).

Vendor Bulletins may include information regarding:

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

Vendor Bulletins should be reviewed immediately and shared with all vendor employees who handle WIC transactions. Vendor Bulletins can be found on the [NYS WIC Vendors](#) website under Vendor Communications.

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

VENDOR RECORDKEEPING

What are the record keeping requirements?

- Invoices, purchase slips, and inventory records must be kept for a minimum of three years as a condition of participation in the WIC Program; vendors must retain their own records, and not be reliant on their Supplier(s) to produce the records when they are requested by the State.
- Inventory records showing all purchases, wholesale, and retail, in the form of invoices that identify the amounts and prices of specific WIC foods and formula.
- Other important records necessary to validate the amounts and the prices charged through eWIC redemptions.
- Records and receipts must not conceal or contain redacted information.
- Records must be made available to the New York State Department of Health and the Vendor Management Agency upon request. The State reserves the right to review the vendor's records of inventory to make sure the vendor is complying.
- Failure to maintain records as described in this section may result in recovery of funds, Civil Monetary Penalty (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 New York State WIC Program of the supplier/wholesaler at the time of application and reapplication. If the supplier/wholesaler changes, vendors must notify the Vendor Management Agency within 15 days of that change.

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.
- Include the purchasing vendor's name and address.
- Indicate the date of purchase and/or date of delivery.

- 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).

pa New York State WIC Program will not accept invoices/receipts:

- Missing the name and address of the Authorized Infant Formula Supplier for formula purchases
- Missing full and accurate description of items purchased
- Missing unique item code (see example of a non-compliant/unacceptable invoice/receipt included at the end of this section)
- Containing redacted information
- Which do not represent a completed transaction

EXAMPLE OF COMPLIANT INVOICE/RECEIPT

Example of Compliant Invoice

Authorized Supplier, Inc.
100 Formula Way
Brooklyn, NY 11216

1. Includes Name & Address of the authorized infant formula supplier.

Invoice

Date: 4/4/2023
Invoice #: 158373

2. Includes Name & Address of the specific WIC Vendor (purchaser)

Bill To
WIC Family Pharmacy
123 WIC Ave
Brooklyn, New York 11216

Ship To
WIC Family Pharmacy
123 WIC Ave
Brooklyn, NY 11216

Qty	Item	Description	Unit	UPC	Price	Rep Noe	Amount
3	100108	ENFAMIL INFANT POWDER (6 X 12.5 OZ)		300871365421	108.00		324.00
3	461146	ENSURE HIGH PROTEIN MILK CHOCOLATE 8 OZ (4 X 6 PACK) BOTTLE			38.00		114.00
3	680507	ENSURE VANILLA 8 OZ (24 PACK) BOTTLE			35.00		105.00
2	680514	ENSURE MILK CHOCOLATE 8 OZ (24 PACK)		070074407012	35.00		70.00
2	680521	ENSURE STRAWBERRY 8 OZ (24 PACK) BOTTLE			35.00		70.00
5	700501	ENSURE VANILLA 8 OZ (4 X 6 PACK) BOTTLE		070074407111	37.00		185.00
4	700503	ENSURE STRAWBERRY 8 OZ (4 X 6 PACK) BOTTLE		070074407050	37.00		148.00
2	700504	ENSURE MILK CHOCOLATE 8 OZ (4 X 6 PACK) BOTTLE		070074407012	37.00		74.00
3	700505	ENSURE PLUS VANILLA 8 OZ (4 X 6 PACK) BOTTLE		070074407074	45.00		135.00

3. Contains accurate description and quantity of items purchased, unique product/item code, unit price and total cost.

Tel: 123-456-7890 Fax: 098-765-4321

Total

\$1,225.00

Thank you for your business!
All purchases are final, we do not accept any returns.

EXAMPLE OF NON-COMPLIANT INVOICE/RECEIPT

25000

STYLE 1803

NAME					DATE	
ADDRESS					8/9/17	
[REDACTED]					food covi	
SOLD BY	CASH	C.O.D.	CHARGE	ON ACCT.	MDSE. RETD.	PAID OUT

QUAN.		DESCRIPTION	PRICE	AMOUNT
10	1	Enfamil	9295	92950
10	2	pep galon	675	6750
10	3	pep new galon	695	6950
5	4	campen	995	4975
5	5	coza 2qt	1295	6475
4	6	white 2qt	1295	5180
7	Vendor/Supplier			
8	Re: Vendor # [REDACTED]			1287.80
9				
10	AUG 23 2018			
11	DATE RECEIVED			
12	Initials [REDACTED]			
13	Bur. of Special Investigations			

RECEIVED BY: [Signature]

NONDISCRIMINATION STATEMENT (NDS)

What is the definition of the United States Department of Agriculture 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, this institution is prohibited from discriminating on the basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity.

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (e.g., Braille, large print, audiotape, American Sign Language), should contact the responsible state or local agency that administers the program or United States Department of Agriculture's TARGET Center at (202) 720-2600 (voice and TTY) or contact United States Department of Agriculture through the Federal Relay Service at (800) 877-8339.

To file a program discrimination complaint, a Complainant should complete a Form AD-3027, United States Department of Agriculture Program Discrimination Complaint Form which can be obtained online from any United States Department of Agriculture office, by calling (866) 632-9992, or by writing a letter addressed to United States Department of Agriculture. The letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted to United States Department of Agriculture 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:**
(833) 256-1665 or (202) 690-7442; or

email:

program.intake@usda.gov This institution is an equal opportunity provider.

Please contact the Vendor Management Agency with any questions regarding information in the WIC Vendor Handbook. Thank you.

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