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EDMUND G. BROWN JR.
Governor

May 11, 2011

To: All Funded *Network for a Healthy California (Network)* Contractors

SUBJECT: PL 11-02 RESTRICTION OF PURCHASE AND DISTRIBUTION OF NUTRITION EDUCATION REINFORCEMENT ITEMS

On February 18, 2011, Governor Jerry Brown issued a memo directing all State Agencies and Departments to stop the purchase of various “gifts” and/or “giveaway” items which have been used to promote State Programs. The memo identified these items as S.W.A.G (Stuff We All Get). In the *Network*, these items are commonly referred to as Nutrition Education Reinforcement Items (NERI).

Recently, the California Department of Public Health (CDPH) provided further guidance to CDPH programs in order to comply with the directive. The guidance states that all contractors and subcontractors immediately:

- Stop and/or cancel any pending purchase requests and/or orders of any NERI/S.W.A.G items.
- Cancel, if possible, any NERI/S.W.A.G orders that were processed prior to February 18, 2011 but not yet received.
- Remove any Scope of Work language that allows for the purchase of NERI/S.W.A.G or any other promotional items on pending (in process) and future contracts. No action is required on existing contracts fully executed on or before February 18, 2011. This directly affects *Network*-funded projects' FFY2012 budgets and scope of works. Please remove language that allows for the purchase of NERI.
- Effective immediately, DO NOT distribute, dispose, or destroy any existing NERI/S.W.A.G inventories.

Examples of restricted items are listed below. The list is only a guide and not intended to be all inclusive.

- Mugs or Cups.
- Lapel or Stick Pins.
- Sticky Note Pads. Excludes items ordered as office supplies.
- Pens, Pencils or any writing instrument. Excludes pens and pencils ordered as office supplies.

- Pocket Calculators.
- Clothing (i.e., T-Shirts, Hats, Aprons). Excludes statutorily or safety required uniforms (i.e., law enforcement).
- Key Rings, Chains, Tags or FOBs. Excludes Key FOBs used for State Vehicles.
- Tooth Brushes.
- Toys, stuffed animals, stress balls, puzzles or small items intended for distribution.
- Promotional banners and/or flags. Excludes "Official" (US, California, POW) flags and/or banners used for display in State facilities or events.
- Other small "hand out" items (i.e., bags, umbrellas, soft sided lunch boxes, pocket protectors).

Existing Inventory

Network contractors were recently notified of the delivery schedule for the NERI order placed in October 2010 for aprons, hats, and t-shirts. In order to comply with the Governor's directive, these items will be placed on hold at the warehouse and will not be available to order or distribute until further notice.

Network contractors should retain and maintain all existing NERI/S.W.A.G inventories where they are currently stored until further notice. DO NOT distribute, dispose, or destroy any existing NERI/S.W.A.G inventories.

Please contact your Program Manager or Contract Manager if you need further guidance.



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