



# Regulatory Alert 2013-02 Stakeholder Workgroup

Thursday, July 18, 2013

10:30 a.m.

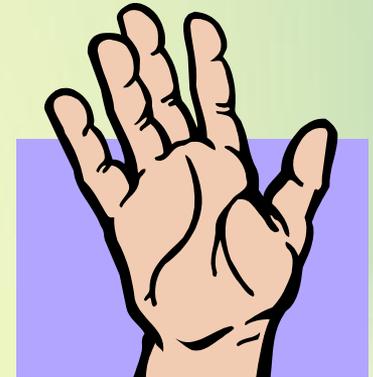


# Webinar Tools

- \*6 mutes and unmutes your phones



- Raise your hand during the feedback periods to ask questions/provide input



- <http://www.cdph.ca.gov/programs/wicworks/Pages/WICRegulations.aspx>



# Agenda

- To review the proposed regulation amending the July 5, 2011 WIC Authorized Food List Shopping Guide to no longer allow Infant Fruits and Vegetables in pouches
- To receive Stakeholder input regarding this proposed regulation



# Timeline



State of California—Health and Human Services Agency  
 California Department of Public Health



July 2, 2013

EDMUND G. BROWN JR.  
 Governor

REGULATORY ALERT 2013-02

## NOTICE OF PROPOSED CHANGES TO THE CALIFORNIA WIC PROGRAM

### Purpose

For the California Supplemental Nutrition Program for Women, Infants and Children (WIC Program) to inform WIC stakeholders of the WIC Program's plan to amend the list of authorized supplemental foods for the WIC Program, adopted into regulations in Regulatory Bulletin 2012-02. This amendment revises the Infant Fruits and Vegetables category "Cannot Buy" section to no longer allow products sold in pouches. This amendment is proposed pursuant to Health and Safety (H&S) Code Section 123322 and in accordance with the federal and state requirements governing the WIC Program (included below in Authority).

- Attachment 1 of this notice provides reasons for the proposed action.
- Attachment 2 of this notice details how this proposed action will be implemented.

### Stakeholder Workgroup Information

In accordance with Health and Safety Code section 123322, the WIC Program will meet by webinar consultation with stakeholders on July 18, 2013 to receive input on the amendment to the list of authorized supplemental foods for the WIC Program, revising the Infant Fruits and Vegetables category "Cannot Buy" section to no longer allow products sold in pouches. If you are interested in participating in the stakeholder workgroup, please send an e-mail by close of business on July 9, 2013 with the subject line reading "Stakeholder RSVP for Regulatory Alert 2013-02" to [WICRegulations@cdph.ca.gov](mailto:WICRegulations@cdph.ca.gov), with the following information included in the body of the e-mail:

Name:  
 Company Name (if applicable):  
 Address:  
 E-mail Address:  
 Stakeholder group represented: (Stakeholders can include, but are not limited to: currently authorized WIC vendors, owners or representatives of a non-WIC authorized store, manufacturers, WIC Local agency representatives, WIC participants, advocates, and consumer groups.)

The WIC Program will contact you by July 12, 2013 with details on the time and how to attend the webinar workgroup meeting.

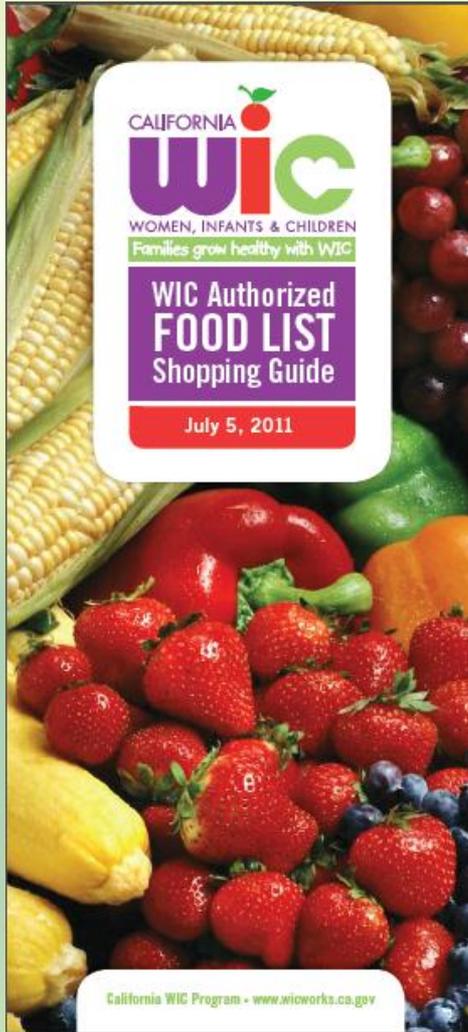
- Release Regulatory Alert 7/2/13
- Stakeholder Workgroup Webinar 7/18/13
- Comment period 7/2–7/26/13
- Final action on WIC website
  - no later than 120 days from the end of the comment period



# Feedback



# Regulatory Alert 2013-02



- Amends the list of authorized supplemental foods for the WIC Program to prohibit Infant Fruits and Vegetables in pouches from being purchased.



# Attachment 1

## Statement of Reasons

- <http://www.cdph.ca.gov/programs/wicworks/Documents/Regulatory%20Alert/WIC-RegulatoryAlert-2013-02.pdf>
- California Code of Regulations, Title 22, §40715, requires that the Department consider the following criteria in addition to the federal minimum nutrient requirements:
  - Cost of the food
  - Appropriateness of the food to the participant's category
  - Statewide availability of the food
  - Nutrient content of the food



# Attachment 1

## Statement of Reasons

- Cost Analysis
  - Using IRI data the Department calculated the average of each package type in the Infant Fruits and Vegetables Category by:
    - Sorting 4 ounce products
      - glass and plastic containers
      - pouches
    - Removing outlier products (upper and lower 10%) in each package type
    - Calculating the average price package types
  - Glass/plastic average = \$0.70
  - Pouches average = \$1.42



# Feedback



# Attachment 1

## Statement of Reasons

- Appropriateness of the food to participant's category
  - USDA has determined infant fruits and vegetables are appropriate for infants 6 to 12 months of age
- Statewide availability
  - Infant fruits and/or vegetables are available statewide
- Nutrient content of the food
  - USDA has determined that infant fruits and vegetables contain appropriate nutrients for infants 6 to 12 months of age.
  - Infant fruits and vegetables packaged in pouches are nutritionally identical to those sold in glass or plastic containers.



# Feedback



# Attachment 2 Implementation

- Sample Food Instrument

INDIVIDUAL NO.	PARTICIPANT / PARENT / GUARDIAN	FIRST DAY TO USE	LAST DAY TO USE	SERIAL NO.
231900713IG	ISABELLE GALVAN	OCT 28 13	NOV 27 13	269534015

 CALIFORNIA <b>wic</b> WOMEN, INFANTS & CHILDREN	<b>Pay to the order of: WIC Authorized Vendor</b>	<b>700- 269534015</b> <small>90-1342 1211</small>
<b>What to buy:</b> 14 (4 OZ) INFANT FRUITS AND VEGETABLES OR 18 (3.5 OZ) INFANT FRUITS AND VEGETABLES ***POUCHES NOT ALLOWED*** 1 (8 OZ) INFANT CEREAL		EXACT PURCHASE PRICE: <div style="border: 1px solid black; width: 50px; height: 20px; margin: 0 auto;"></div> <small>*MUST NOT EXCEED MAXIMUM ALLOWABLE DEPARTMENT REIMBURSEMENT RATE</small> FOOD ITEM NUMBER
<b>State of California WIC Program</b> <small>VOID IF NOT DEPOSITED WITHIN 45 DAYS OF "FIRST DAY TO USE." NOT VALID IF ALTERED.</small>		<b>NON-NEGOTIABLE</b> <small>AUTHORIZED SIGNATURE (SIGN AT PURCHASE)</small>

⑆0700⑆ ⑆121113423⑆ 269534015 ⑆



# Feedback



# Important Dates

- **July 26, 2013:** Comments are due.  
Send them to [WICRegulations@cdph.ca.gov](mailto:WICRegulations@cdph.ca.gov).
- Final action on WIC website
  - no later than **120 days** from the end of the comment period



# Final Action

www.wicworks.ca.gov



The screenshot shows the website interface for the California Department of Public Health (CDPH) WIC program. At the top, there is a search bar and navigation links for Content, Footer, and Accessibility. The main navigation menu includes Home, Programs, Services, Health Information, Certificates & Licenses, Publications & Forms, and Data. The page title is "Women, Infants and Children Program". The main content area features a description of WIC as a federally-funded health and nutrition program, a "News & Updates" section with several items, and a "Program Information" section with various links. A red arrow points to the "WIC Statutes and Regulations" link in the Program Information section, which is marked as "New".

**en Español**

- Su salud en su idioma

**Most Popular Links**

- Birth, Death, & Marriage Certificates
- Licensing and Certification
- WIC

**Quick Links**

- About Us
- Decisions Pending & Opportunities for Public Participation
- Diseases & Conditions
- Job Opportunities
- Local Health Services
- Newsroom
- Public Availability of Documents

**Related Links**

- California Health and Human Services Agency
- Department of Health Care Services (includes Medi-Cal)

Home > Programs > Women, Infants and Children Program

## Women, Infants and Children Program

WIC is a federally-funded health and nutrition program for women, infants, and children. WIC helps families by providing checks for buying healthy supplemental foods from WIC-authorized vendors, nutrition education, and help finding healthcare and other community services. Participants must meet income guidelines and be pregnant women, new mothers, infants or children under age five. In California, 84 WIC agencies provide services locally to over 1.45 million participants each month at over 650 sites throughout the State.

In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age or disability.

**News & Updates**

- Savvy Shopper Campaign **!New**
- eWIC Updates (Coming Soon)
- WIC Electronic Benefit Transfer (EBT) System Planning Project
- Breastfeeding Times
- latest breastfeeding news from California WIC
- World Health Organization (WHO) Growth Charts
- wichealth.org Online Participant Education Available
- California Baby Behavior Campaign
- Breastfeeding Peer Counseling Program

**Program Information**

- About WIC & How to Apply
- Welcome to WIC Video
- Contact WIC
- Organizational Chart (PDF, New Window)
- Directions to State WIC Office (Google, New Window)
- Find a Local WIC Agency (New Window)
- List of Authorized Vendors (Excel, New Window)
- California WIC State Plan (New Window)
- WIC Statutes and Regulations **!New**



# Thank you!

