



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



July 20, 2009

**ARNOLD SCHWARZENEGGER**  
Governor

**VENDOR ALERT 2009-13**

**TO:** ALL WIC VENDORS  
**SUBJECT:** USE OF THE WIC ACRONYM AND LOGOS

**Purpose**

I am writing to inform you of an updated policy on the use of the Women, Infants and Children (WIC) acronym and logo. On January 16, 2009, U.S. Department of Agriculture (USDA) Food and Nutrition Services (FNS) provided All States Memorandum (ASM) 09-06. The ASM 09-06 supplements the June 2, 1992 USDA FNS Instruction 800-2 WIC Program - Use of WIC Acronym and Logo. This Vendor Alert updates and supersedes Vendor Alert 2007-10, entitled Use of the Logo for the Women, Infants, and Children (WIC) Supplemental Nutrition Program and WIC Program Outreach by Vendors.

**Background:  
Food and  
Nutrition  
Services  
Instruction  
800-2**

USDA states, in its June 2, 1992 Food and Nutrition Services (FNS) Instruction 800-2 that, "A WIC food vendor is not permitted, without specific State agency authorization, to use either the acronym 'WIC' or the WIC logo, including close facsimiles thereof, in total or in part, either in the official name in which the vendor is registered or in the name under which it does business, if different. The purpose of this restriction is to avoid giving the impression to participants that the business is owned and operated by the WIC State agency and/or that the business is officially endorsed and preferred by the State. In the event of dispute, determination as to whether a vendor's Acronym or Logo is impermissibly similar to the WIC acronym or logo shall be made by the WIC State agency, which shall respond in writing to the WIC food vendor as to its finding in the matter." The guidance contained in FNS Instruction 800-2 is still in effect.

**Background:  
All States  
Memorandum  
09-06**

ASM 09-06, Clarification on the Use of the WIC Acronym and Logo, clarifies existing policy on the use of the WIC Acronym and Logo in three areas:

- 1) Infant formula marketing – USDA is requiring State WIC Programs to include in all food manufacturer contracts, including rebate contracts for infant formula and other foods, specific language regarding use of the WIC logo and acronym. The required language to be contained in these types of contracts is specified in ASM 09-06.



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**Background:  
All States  
Memorandum  
09-06  
(Continued)**

2) Vendor names and vendor advertising – USDA continues to prohibit use of the WIC acronym or logo in the vendor business name and any infringement thereof, as determined by the WIC Program. USDA permits State WIC Programs the discretion on whether to allow vendors to use the WIC acronym in advertising or other promotion materials but only to inform the public that the vendor is WIC-authorized. If a State WIC Program chooses not to exercise this discretion, then USDA prohibits use of the WIC acronym in advertising and other promotional materials.

3) Brand identification channel strips or shelf talkers – USDA continues to prohibit directly applying stickers, tags, or labels with the WIC acronym or logo to any food product. USDA permits State WIC Programs the discretion on whether to allow vendors the use of channel strips or shelf talkers with the WIC acronym or logo.

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**Vendor  
Implications**

The Vendor Agreement has been revised to incorporate the updated policy on use of the WIC acronym and logo. The new Vendor Agreement has been reviewed and approved by USDA. The following requirements will be specified in the new Vendor Agreement, effective October 1, 2009 for all authorized vendors:

- Vendors are required to accept that the federal WIC acronym and logo are registered service marks (1,630,468 and 1,641,644 respectively) of USDA. Vendors also must accept that the federal WIC acronym and logo and the California WIC logo are the property of the federal and state governments and their use is restricted.
  - Vendors are not permitted to use in any manner the federal WIC acronym or the WIC logo or close facsimiles thereof, in total or in part. Vendors must agree to accept the determination of the WIC Program that a vendor has used an acronym or logo that is a close facsimile to the federal WIC acronym or logo.
  - Vendors shall not use the WIC acronym, federal WIC logo, or California WIC logo, or close facsimiles thereof, in total or in part, either in the official name in which the vendor is registered or in the name under which it does business, if different. This includes, but is not limited to, using the letters "W", "I", and "C" in that order next to one another in the vendor's name, or these letters in that order but not next to one another, with the letters made to stand out in some fashion, such as with a different color or size than other letters. Vendors must agree to accept the determination of the WIC Program that the vendor's name is a close facsimile of the WIC acronym.
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**Vendor  
Implications  
(Continued)**

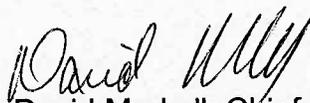
- Vendors cannot attach or affix in any manner the WIC acronym, the federal WIC logo, or the California WIC logo on any food item container.
- Vendors must agree to use the California WIC logo only through use of materials produced by the California WIC Program such as shelf talkers, posters, decals or stickers.
- Vendors must agree to not reproduce or use the California WIC logo except as specified in the "Graphic Standards Manual for the California WIC Program's Authorized Vendors" available on [wwix.ca.gov](http://wwix.ca.gov). The California WIC logo shall only be reproduced in the following two circumstances: in dated, general circulation newspaper ads or inserts that advertise the vendor's store; or as contained within a participant outreach message. This requirement is specified in greater detail in the new Vendor Agreement.
- Vendors must agree to adhere to these requirements or the WIC Program will terminate their Vendor Agreement and authorization to accept and redeem food instruments.

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**Questions**

If you have any questions regarding this Vendor Alert, please contact your WIC Vendor Consultant directly or call (916) 928-8705.

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David Markell, Chief  
Vendor Management Branch  
California WIC Program