
SECTION: PARTICIPANT RIGHTS

SUBJECT: Treatment of Individuals

ITEM: Use of the Nondiscrimination Statement on Print and Media Materials

Policy

To ensure that WIC program requirements and benefits are consistently applied to all applicants and participants regardless of race, color, national origin, sex, age or disability, the local agency (LA) shall include a nondiscrimination statement on all materials used for certification and eligibility, program outreach, program promotion and participant rights that are distributed, posted or aired for public viewing.

Required Procedures

- I. The following nondiscrimination statements are approved by the United States Department of Agriculture (USDA):
 - A. In English
 1. Standard version:

“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.

To file a complaint of discrimination, write USDA, Director, Office of Adjudication: 1400 Independence Avenue, SW, Washington, D.C. 20250-9410 or call toll free (866) 632-9992 (Voice). Individuals who are hearing impaired or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339; or (800) 845-6136 (Spanish). USDA is an equal opportunity provider and employer.”
 2. Short version:

“This institution is an equal opportunity provider.”
 - B. In Spanish
 1. Standard versión:

“De acuerdo con la ley federal y las políticas del Departamento de Agricultura de los EE.UU. (USDA, sigla en inglés), se le prohíbe a esta institución que discrimine por razón de raza, color, origen, sexo, edad, o discapacidad.

Para presentar una queja sobre discriminación, escriba a USDA, Director, Office of Adjudication, 1400 Independence Avenue, SW,

Washington, D.C. 20250-9410, o llame gratis al (866) 632-9992 (voz). Personas con discapacidad auditiva o del habla pueden contactar con USDA por medio del Servicio Federal de Relevó (Federal Relay Service) al (800) 845-6136 (español) o (800) 877-8339 (inglés).”

2. Short versión:

“USDA es un proveedor y empleador que ofrece oportunidad igual para todos.”

II. Statement inclusion

- A. The standard nondiscrimination statement shall be included on any printed WIC Program materials used for certification and eligibility, program outreach, referrals, program promotion and participant rights intended for public information, public education, or public distribution.
 - 1. Examples include applications, publications, informational materials, posters, outreach materials, handouts, referral materials, videos, leaflets, brochures, and flyers.
 - 2. Where space restraints make it infeasible to include the standard long statement, the short version may be used to satisfy the nondiscrimination statement requirement.
- B. The nondiscrimination statement does not have to be read in its entirety for radio and television public service announcements (PSA) because PSAs are generally short in duration. Instead, the short version is sufficient.

III. Statement exclusion

- A. The nondiscrimination statement is not required on items such as cups, baby bibs, buttons, tote bags, magnets, nutrition education and breastfeeding promotion material, other incentive items, pens that identify the State WIC Program.
- B. Nutrition education and breastfeeding promotion and support materials that strictly provide a nutrition message and simply carry the WIC logo with no other mention of the WIC Program are not required to display the nondiscrimination statement.

IV. Public Service Announcement, Paid Television or Radio Advertising

- A. A public service announcement (PSA) is a non-commercial advertisement typically on television or radio and broadcast for the common good at no charge. Paid television and radio advertisements require a fee for broadcasting.
- B. As WIC PSAs are generally short in duration the entire standard non-discrimination statement does not have to be read in its entirety. Instead, the shorter statement, “WIC is an equal opportunity provider” is sufficient

to meet the federal nondiscrimination requirement.

C. The California Department of Public Health's (CDPH) Office of Public Affairs requires that all PSAs, paid television and radio advertising, outdoor print ads, videos/websites and collateral materials that are produced and/or paid for with CDPH funds shall also include the following statement(s):

1. Public Service Announcements – Television and radio:
 - “Brought to you by the California Department of Public Health.”
 - “Brought to you by the State of California.” (For campaigns that include funds from another state agency)
2. Paid television or radio advertising:
 - “Sponsored by the California Department of Public Health.”
 - “Sponsored by the State of California (For campaigns that include funds from another state agency)
3. Outdoor print ads:
 - “California Department of Public Health.”
4. Videos/Websites:
 - “California Department of Public Health.” Individual program names/logos may be included, as appropriate.

Note: The LA should include its agency or organization contact information as part of the tag line as well as the state WIC logo and organization logo (if applicable.)

Authority

7 CFR 246.8(a)(1), (a)(3), and (4)(c)
CA Government Code, Section 7290-7299.8

WRO All States Memorandum 818C

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