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California Department of Public Health



GAVIN NEWSOM
Governor

September 30, 2020

NOTICE OF UPDATED TEMPORARY FOOD DELIVERY SYSTEM REGULATIONS As of September 30, 2020

Effective Date

The Temporary WIC Food Delivery System Regulations below amend and supersede all previous versions and are effective September 30, 2020. These temporary regulations will remain in effect until 30 days after the end of the nationally-declared public health emergency under section 319 of the Public Health Service Act (42 U.S.C. 247d), the termination of the State of Emergency declared by the Governor of California on March 4, 2020, the rescission of Executive Order N-40-20, or the amendment or termination of these temporary changes by the Director of the California Department of Public Health, whichever occurs sooner.

Authority

The California Department of Public Health (CDPH) is extending the effective period of the temporary minimum stocking requirements, pursuant to:

- (1) [Executive Order N-40-20](#), which allows temporary changes to CDPH's regulations governing food delivery systems; and
- (2) Waivers approved by the United States Department of Agriculture, Food and Nutrition Service (USDA/FNS), as posted on the [USDA/FNS website](#) and/or the [California WIC Program website](#) and extended pursuant to [WIC Policy Memorandum #2020-6](#), which provide program flexibilities in response to the significant impacts of COVID-19 on WIC Program services.

Regulation Updates

These temporary regulations revise and replace the July 1, 2020 Temporary Food Delivery Regulations. For easy reference, prior versions of the Temporary Food Delivery System Regulations can be found on the WIC [Laws and Regulations](#) webpage; however, these prior versions are no longer in effect.



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Temporary Food Delivery System Regulations

CDPH is making the following temporary changes to the Food Delivery System regulations in Article 4 of the California Women, Infants, and Children Program Bulletin Regulations:

Minimum Stocking Requirements

- (a) Until 30 days after the end of the nationally-declared public health emergency under section 319 of the Public Health Service Act (42 U.S.C. 247d), the termination of the State of Emergency declared by the Governor of California on March 4, 2020, the rescission of Executive Order N-40-20, or the amendment or termination of these temporary changes by the Director of the California Department of Public Health, whichever occurs sooner, all stocking requirements for vendors and vendor applicants, as outlined in WIC Bulletin Regulations section 71100, Minimum Stocking Requirements, are suspended. All vendors and vendor applicants shall use best efforts to maintain a variety of WIC authorized supplemental foods on store shelves in the public area of the vendor's or vendor applicant's store where merchandise is available for purchase.

Questions and Additional Information

If you have any questions, please contact CDPH at WICregulations@cdph.ca.gov.



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