



California
Department of
Health Services
DIANA M. BONTÁ, R.N., Dr. P.H.
Director

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

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GRAY DAVIS
Governor

GROCER ALERT 2003-07

TO: ALL WIC GROCERS

SUBJECT: WIC PROGRAM POLICY REGARDING SOLICITATION OF WIC PARTICIPANTS

Purpose

I am writing to provide authorized grocers with guidance regarding solicitation of Women, Infants and Children Supplemental Nutrition Program (WIC) participants in the vicinity of distribution clinics.

Background

This Grocer Alert restates information contained in our November 14, 1996 letter to all authorized WIC grocers and includes reference to the updated California Code of Regulations, Title 22, Chapter 6, Section 40741, subdivision (a)(13). In the past, participants and local agency personnel have expressed concerns regarding aggressive solicitation by WIC grocers in the vicinity of WIC local agency clinic sites. Participants have reported levels of intimidation that restricted their ability to enter WIC clinic buildings, resulting in delays to clinic operations and cancellation and rescheduling of missed appointments.

The WIC program, in order to provide effective and efficient administration, has set standards to ensure the general welfare and safety of its participants while they are engaging in WIC program business. The WIC program has adopted regulatory authority to disqualify authorized grocers for:

"Influencing or attempting to influence participants' store selection through solicitation on or in the vicinity of a local clinic distribution site" [California Code of Regulations, Title 22, Chapter 6, Section 40741, subdivision (a)(13).



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WOMEN, INFANTS, AND CHILDREN (WIC) SUPPLEMENTAL NUTRITION BRANCH
3901 Lennane Drive, P.O. Box 942732, Sacramento, CA 94234-7320
(916) 928-8500 Internet Address: www.dhs.ca.gov

Summary

To explain and clarify this policy, the California WIC program is adhering to the following definitions of the terms “vicinity” and “solicitation” as used in the above-cited regulation:

- Vicinity means any area near, in the neighborhood of, or in the surrounding areas of the clinic site.
- Solicitation is approaching with information or otherwise enticing any WIC participant or their representative to attempt to influence his/her decision to choose a particular authorized grocer for purchasing WIC-authorized foods.

Any violation of this policy may result in the WIC program's decision to deny renewal of the Vendor Agreement or disqualify an authorized grocer. To ensure your continued authorization as a WIC grocer, please make certain that you and your employees understand and properly apply all of the requirements of the WIC program.

Questions

Thank you for your attention to this matter. If you have any questions regarding compliance with any of the WIC guidelines, which could affect your WIC grocer authorization status, please contact your WIC Grocer Consultant at (916) 928-8705.

David Markell, Chief
Food Management and
Integrity Section
WIC Supplemental Nutrition Branch