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GAVIN NEWSOM
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May 24, 2022

VENDOR ALERT 2022 – 05

TO: ALL WIC VENDORS

SUBJECT: GUIDANCE TO VENDORS ON INFANT FORMULA

Purpose The California Department of Public Health, Women, Infants and Children Division (CDPH/WIC) is notifying all authorized vendors that CDPH/WIC is aware of vendor concerns about the infant formula shortages occurring at state and national levels and has added additional formula options for participants.

Background On February 13, 2022, Abbott announced that it is voluntarily recalling infant formula produced at its Sturgis, Michigan facility. This recall continues to affect some formulas issued and redeemed by participants in California. For additional information, please visit Abbott's Recall Information Site: www.similacrecall.com

Guidance to Vendors WIC vendors may follow infant formula manufacturer(s) recommendation to set purchase limits on infant formulas, so long as the purchase limit is applied consistently to both WIC and non-WIC shoppers. Vendors may not apply purchase limits solely to WIC shoppers.

CDPH/WIC understands that during this unusual nationwide supply chain disruption, vendors may experience challenges with meeting the minimum stocking requirements for infant formula. Until further notice, CDPH/WIC will not be monitoring minimum stocking requirements for infant formula. Vendors are encouraged to keep store shelves stocked with infant formula to the best of their ability.

CDPH/WIC has added additional WIC authorized formulas and formula container sizes to the Authorized Product List (APL) to address participants' formula needs. To ensure participants are able to access these additional formula products as soon as they become available, it is important that WIC vendors continue to update their store(s) APL daily.

For more information, please see the flyer titled [Temporary Infant Formula Options on the APL](#).



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As a reminder, price gouging is illegal during a declared State of Emergency. According to the Attorney General, price gouging refers to sellers greatly increasing prices for essential consumer goods and services to take advantage of consumers during an emergency.

Authority

Federal regulations (7 C.F.R. §246.12(h)(3)(iii)) require that vendors must offer WIC participants, parents or caretakers of infants or of child participants, and proxies the same courtesies offered to other customers. The WIC Vendor Agreement (Article III(1)(n)) requires that vendors must offer WIC participants the same courtesies offered to non-WIC customers.

For information regarding price gouging, please see the [FAQs about Price Gouging in California](#) provided by the California Attorney General.

Questions

For additional questions you may also contact your WIC Vendor Consultant or call toll-free (855) WIC-STOR or (855) 942-7867 or contact the WIC Vendor Management Branch by email at WICVENDORINFO@cdph.ca.gov.



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