

# **WIC Food Packages....Time for a Change**

## **Overview**

### **Frequently Asked Questions**

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#### **How are the provisions in the interim rule different from those in the proposed rule?**

Certain modifications were made based on public comment and further review and determination by FNS. Among the modifications, the interim rule:

- Increases fruit and vegetable vouchers to \$10 for fully breastfeeding women
- Commits to an annual adjustment of the value of the fruit and vegetable vouchers for inflation.
- Requires State agencies to allow participants to use their cash value vouchers to purchase any WIC-eligible fruits and vegetables.
- Allows State agencies the option of providing some (not more than 1 can) infant formula to a breastfeeding mother, on an individual basis, during the infant's first month.
- Adds to the definition of whole grain that the primary ingredient by weight must be a whole grain.
- Requires that at least one half of the total number of breakfast cereals on the State's authorized food list meet the whole grain requirement.
- Allows State agencies to submit proposals for cultural food substitutions.
- Allows infants to receive WIC-eligible medical foods.
- Extends the implementation timeframe for all provisions.
- Eliminates provision for "pilot" of partially breastfeeding packages.

#### **How does an interim rule differ from a final rule?**

An interim rule has the full force and effect of a final rule yet allows the Department to obtain feedback on the provisions while implementation goes forward.

#### **How long is the interim rule comment period?**

The interim final rule comment period ends on February 1, 2010. The comment period is long enough to allow comments based on actual implementation of the requirements.

#### **What happens after the interim rule comment period closes?**

An analysis of the comments received is prepared and a final rule is developed.

#### **When will State agencies implement the new food packages?**

State agencies must be in compliance with the new provisions no later than October 1, 2009.

**What are the consequences for State agencies that do not meet the implementation deadline?**

State agencies that do not meet the implementation deadline will be considered out of compliance with Federal regulations. Nutrition Services and Administration funding could be withheld until State agencies come into compliance.

**Is funding available to State agencies for implementation of the changes?**

State agencies are expected to use routinely available funding sources, such as Nutrition Services and Administration funds, to implement the new food packages.

**Can States agencies make incremental changes to the food packages (i.e., add bread and grains one year, add soy beverage another year)?**

No. During the phase-in period, State agencies are required to issue food benefits based on either the new food packages or current food packages but may not combine the two. For example, a State agency may not add whole wheat bread and fresh fruits and vegetables to the current foods and quantities available under the children's food package. The State agency may, however, phase-in the new food packages on a participant category basis. To minimize participant and vendor confusion, once the State agency begins issuing the new food packages, it must be done on a Statewide basis.

**When will the new foods be available for participants?**

The changes will be phased in between February 2008 and October 2009 by WIC State agencies. State agencies will determine their specific implementation timeframe of the new food packages based on the State assessment of changes required to its management information system, the training needs of staff, vendors and participants, and development of a new State food list.

**Does the cost neutral requirement apply to States when they implement the food package changes?**

USDA was required to develop new food packages that were relatively cost neutral. WIC State agencies receive an annual grant that they must operate within while complying with program requirements. As such, each WIC State agency must determine how it will implement the new packages within its grant level.

**How do the new WIC food packages reflect the recommendations of the Institute of Medicine (IOM)?**

The new WIC food packages largely reflect the recommendations of the IOM, with certain cost adjustments determined necessary by the Department to maintain cost neutrality.

**How do the new food packages provide greater consistency with the Dietary Guidelines for Americans?** The new WIC food packages include fruits and vegetables, and whole grains for the first time. Reductions are made to the amounts of certain foods (milk, juice, eggs) to be more consistent with recommendations in the Dietary Guidelines for Americans and WIC's role as a supplemental nutrition program.

**How do the new food packages provide greater consistency with infant feeding practice guidelines?** Under the new food packages, the introduction of complementary foods is delayed from four to six months of age and infant formula amounts are modified. Infant foods are added and juice eliminated in the packages for older infants in order to promote healthy dietary patterns.

**How do the new food packages address public health nutrition-related issues?** The revised food packages for women and children provide less saturated fat and cholesterol, more fiber, and fruits and vegetables. The food packages for breastfeeding infant-mother pairs provide stronger incentives for continued breastfeeding, including providing less formula to partially breastfed infants and additional quantities and types of food for breastfeeding mothers.

**How do the new food packages reinforce the nutrition education messages provided to participants?** The new food packages are more consistent with the nutrition education messages provided to participants, i.e., --“eat more fruits and vegetables”; “lower saturated fat”; “increase whole grains and fiber; drink less sweetened beverages and juice; “babies are meant to be breastfed.”

**How do the new food packages appeal to WIC's culturally diverse populations?** The new food packages provide more participant choice and a wider variety of foods than the previous food packages. Foods such as tortillas, brown rice, soy-based beverage, canned salmon, and a wide choice of fruits and vegetables will provide State agencies increased flexibility in prescribing culturally appropriate food packages.

**How do the new food packages support breastfeeding?**

The new food packages for breastfeeding infant-mother pairs are revised to provide stronger incentives for continued breastfeeding. For example, the new food package for fully breastfeeding women provides greater amounts of foods, including a higher dollar value for fruits and vegetables. Fully breastfeeding infants receive baby food meats in addition to greater amounts of baby food fruits and vegetables. Less infant formula is provided to partially breastfeeding infants so that they may receive the benefits of breastmilk. A minimal amount of infant formula is provided to partially breastfeeding infants in the first month after birth in order to help mothers build and maintain their milk supply.

**Why are some foods, i.e., dairy, juice, eggs, reduced in the new WIC food packages?**

Reductions are made to the amounts of certain foods (milk, juice, eggs) to be more consistent with recommendations in the Dietary Guidelines for Americans and WIC's role as a supplemental nutrition program.

### **Why are the amounts of infant formula reduced in some food packages?**

Infant formula amounts are reduced to reflect the nutrition needs of infants at different ages and feeding methods (breastfed versus formula fed). Infant formula for infants 6 -12 months of age is replaced by baby foods—fruits, vegetables, meats.

### **Why is medical documentation required for children to receive soy-based beverage?**

Requiring medical documentation ensures that a child’s medical provider is aware that the child may be at nutritional risk when milk is replaced by other foods, and is consistent with recommendations of the IOM.

### **Why wasn’t yogurt included in the new food packages as recommended by the IOM?**

It is important that revisions to the WIC food packages be cost neutral to protect the program’s ability to serve the greatest number of eligible women, infants, and children. Therefore, the Department was unable to offer yogurt in the WIC food packages.

### **In addition to fresh, are canned and frozen fruits and vegetables allowed?**

Yes. Canned and frozen fruits and vegetables are allowed. Dried fruits and vegetables are also allowed in food packages for women.

### **How do manufacturers get products approved?**

Procedures for determining WIC-eligibility of a food and requesting that a food be added to a State’s approved WIC food list remain the same and are described on the FNS website at [www.fns.usda.gov/wic/benefitsandservices/foodpkgevaluation.HTM](http://www.fns.usda.gov/wic/benefitsandservices/foodpkgevaluation.HTM)

### **Is there going to be a master list of all WIC-eligible foods?**

Although Federal regulations specify the minimum nutritional requirements for the WIC foods, State agencies have a considerable amount of latitude in determining which foods to include on State authorized foods lists. State agencies make such decisions based on participant acceptance, product distribution within a State, cost, and administrative feasibility. Because State agencies are required to identify WIC-eligible foods, which vary from State to State, there is no consolidated list available. Due to the large number of locally and regionally available foods, including store brands and generics, and the frequent changes in formulation of foods by manufacturers, it is administratively difficult to maintain a national list of all possible WIC-eligible foods.