

## Orientation for Retail Vendor Applicants 2025-2026



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## Orientation to NC WIC Program

What is WIC?

What is the role of vendors?

How to become a WIC vendor

Guidance for completing required forms

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## What is WIC?

- The Special Supplemental Nutrition Program for Women, Infants and Children
- Federally funded by the United States Department of Agriculture (USDA)
- State-administered by the NC Department of Health and Human Services
- WIC clinical services provided by contracted public health agencies
- NC WIC-authorized vendors are contracted with The NC Department of Health and Human Services and Local WIC Agencies

#### WIC Works!

- In NC, every WIC dollar spent on a pregnant woman saves multiple dollars in newborn health care costs
- Children on WIC have better diets, particularly for vitamin C, thiamin, protein, niacin and vitamin B<sub>6</sub>



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## How Stores Become Authorized WIC Vendors

- Vendors work primarily with the Local WIC Agency
  - Orientation and training
  - Completing required forms in DocuSign
  - Technical assistance
  - Monitoring
- Local WIC Agency submits required vendor forms to the State WIC Agency
- Vendor is authorized by State WIC Agency

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## Types of Vendors

- Vendors under Corporate Agreement
  - 20 or more WIC-authorized stores
  - Food Lion\*
- Harris Teeter\*
- Ingles\*
- Lowe's\*
- CVS Wal-Mart\*
   Target Publix\*
- Target - Walgreens
- $\boldsymbol{\star}$  Pharmacies within the corporate store that is also WIC approved
- Vendors not under Corporate Agreement

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- Attend training by Local WIC Agency
- Meet all selection criteria

## Vendor Applicant's Responsibility. Train all staff handling eWIC

- Complete required forms accurately and completely using DocuSign
- Understand and follow all Federal and State regulations and rules
- transactions

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### Local WIC Agency's Responsibility

- Inform Vendor Applicant there is a deposit and monthly lease fee required for a standbeside device
- Provide orientation and training to store owner, manager or designee
- $\bullet \;\;$  Respond to questions about required forms and application process
- Review required forms for completeness
- In a timely manner:
  - Perform Pre-authorization Monitoring
  - Email required forms to State WIC Agency Vendor Consultant
  - Ensure Vendor is set up to accept eWIC prior to final authorization
    - State Agency staff will complete L<sub>2</sub> certification testing once equipment has been received by vendor or FIS has determined the vendor's cash register system meets the eWIC requirements

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### Local WIC Agency's Responsibility continued

Local Agency staff will also:

- Inform Vendor of Vendor ID number
- Provide a supply of NC WIC Transaction Guides and
- · Address any questions from vendor

		Selection	Criteria
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- Established by U.S. Department of Agriculture and NC WIC Program
  - ✓ 20 items
- Vendor Manual pages 7-8

## Supplemental Nutrition Assistance Program (SNAP)

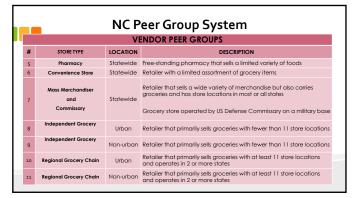
- Must be authorized as SNAP vendor
- Cannot become WIC authorized vendor if currently disqualified from SNAP or paying a civil money penalty for which the disqualification period would still be running
- SNAP is also known as Food and Nutrition Services in NC

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### Competitive Pricing and Price Limitations

- Peer group structure
  - Peer groups have not-to-exceed (NTEs) prices for each WIC supplemental food and contract formula







	Store	Types
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- **Pharmacy** pharmacy retailer that sells limited variety of food
- Mass Merchandiser retailer that sells a wide variety of merchandise, but also carries groceries and has outlets in most or all states
- Commissary grocery store operated by US Defense Commissary within the confines of a military installation
- Convenience Store retailer with limited assortment of grocery items

## Store Types continued

- Independent Grocery a vendor that primarily sells groceries in fewer than eleven store locations
- Regional Grocery Chain a vendor that primarily sells groceries in eleven or more store locations whose parent company operates in more than two states

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## **Geography**

- Geography determined by using Rural Urban Commuting Area (RUCA) file and documentation from USDA Economic Research Service (ERS)
  - Classifies census tracts using measures of population density, urbanization, and daily commuting; and
  - Identifies urban, large rural, small rural, and isolated areas.

### Not-to-Exceed (NTE) Prices

- NTEs are set at 2 standard deviations above the average price for supplemental foods within a vendor peer group. NTEs are not set for exempt infant formula, WIC-eligible nutritionals or fruits and vegetables purchased with cash-value Benefits (CVBs)
  - ✓ Calculated for each WIC supplemental food
  - ✓ Based on redemption of all vendors in the peer group
  - ✓ Obtained from the eWIC system
  - $\checkmark$  Different NTEs for different sizes of the same food even if it is the same brand
- Foods and Contract Formula

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## NTEs vs. Current Shelf Price

- Vendors **must** charge current shelf price
- Vendors DO NOT have to charge the NTE
- Charges for WIC transactions must be less than or equal to charges to regular customers
- Vendors cannot set their prices at the NTE and charge other customers less. This is a federal violation for which a vendor can be disqualified

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## Minimum Redemption

- Vendor must redeem at least \$2,000 annually in WIC supplemental food sales
  - If not, the Vendor Agreement will be terminated
  - The store must wait 180 days to reapply

- NTEs are set for milk-based and soy-based formulas
- Milk-based powder:
- Soy-based powder:
- (Brands must be NC contract formula)

\*\* Minimum Inventory item

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### WIC Approved Foods with No NTE

- NTEs do not apply to exempt infant formula or WIC-eligible nutritionals
- Open market system (shelf price)
- Exempt infant formula and WIC-eligible nutritionals can be found on the Vendor Connection webpage
- NTEs do not apply to fruits and vegetables purchasable with cash-value benefits (CVBs)

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### Purchasing and Providing Infant Formula From State-Approved Sources

- WIC Reauthorization Act of 2004 requires vendors to purchase infant formula from a State-approved source
- Infant formula, exempt infant formula, and WIC-eligible nutritionals provided to WIC customers must be purchased directly from the State-approved sources
- Must keep invoices and receipts showing sources of formula
- Failure to do so will result in termination of the WIC Vendor Agreement

WIC Price Lists	
Price List Submission	
Vendor applicants must submit price lists at initial	
authorization which have prices at or below the NTE for their assigned peer group	
<ul> <li>Authorized vendors must submit a price list if requested by the State WIC Agency</li> </ul>	
25	<u> </u>
Anniliant Brian Mont Ba At On Balanch NTF	
Applicant Prices Must Be At Or Below NTE	
PRICE OF WIC FOODS > NTE = WILL NOT BE AUTHORIZED	
Occasion to the second series of the second series	
Opportunity to resubmit within 30 days to become authorized	
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Resubmitted Price List	-
w.v.	
• Written denial	
•Must wait <b>90 days</b> to reapply	



## Predominantly WIC Vendor (PWV)

- A predominantly WIC vendor, also known as a PWV, is a vendor that derives more then 50% of their food sales from WIC food benefits.
- PWVs cannot be authorized NC WIC vendors
  - If a vendor applicant is expected to be a PWV, the application will be denied
  - If a vendor becomes a PWV anytime during authorization, the Vendor Agreement will be terminated
  - Must wait 90 days to reapply
- · Selection Criteria Listed in Vendor Agreement

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# Predominantly WIC Vendor (PWV) continued

- State WIC Agencies are required to identify vendors that derive more than 50% of their annual food sales revenue from WIC food redemption
- The USDA classifies these vendors as Above 50% Vendors
- In North Carolina, these stores are called Predominantly WIC vendors (PWVs)
- State WIC Agency collects data to determine total SNAP-eligible food sales as part of the PWV identification process

## SNAP-eligible Food Sales Records

- Vendors must maintain a record of all SNAP-eligible food sales
- SNAP-eligible food sales are sales of those foods that can be purchased with SNAP (Food Stamp) benefits
- Vendors are required to provide the State WIC Agency, upon request, a statement of the total amount of revenue derived from SNAP-eligible food sales and written documentation to support the amount of sales claimed

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### PWV Identification

- What is SNAP-eligible?
  - Any item that may be purchased with Supplemental Nutrition Assistance Program (SNAP) benefits
- Food Sales
  - The sale of all foods that could be purchased with SNAP benefits.
  - Food Sales Fact Sheet

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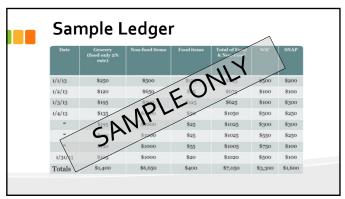
## Appropriate Documentation

- Each year select vendors are asked to submit SNAPeligible food sales as part of PWV determination
- Request sales records, financial statements, reports, tax documents or other verifiable documentation
- Keep a monthly copy in files

## Verifiable Documentation of SNAP-eligible Food Sales

- •Ledger Totals
- ✓ Daily, Weekly or Monthly cash register receipts totaled in a ledger (DO NOT send actual cash register receipts)
- ✓ Some registers have the ability to separate out different types of items
- √ It is highly recommended that Vendors maintain this type of system. Makes this annual process easier.
- Sales and Use Tax returns are not always sufficient for documenting complete SNAP-eligible food sales
  - √ These returns may be used along with ledger totals to verify a vendor's documentation of SNAP-eligible food sales

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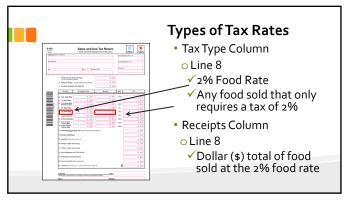


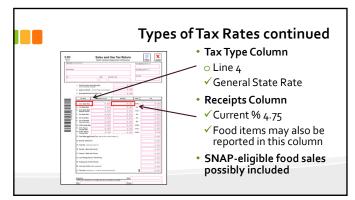
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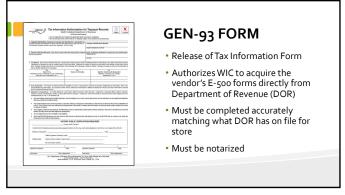


## Different Types of Documentation

- Sales and Use Tax Return
- If your store files electronically, it is recommended that you keep a copy for your records as this documentation may be requested as additional documentation
- Additional information may still be requested from the State WIC Agency if these forms are submitted as documentation









## **Submitting False** Information

- · Vendors must not submit false, erroneous, or misleading information to the State or Local WIC Agency
- Failure to comply will lead to denial of a vendor applicant's authorization or termination of an authorized vendor's WIC Vendor Agreement
- The store must wait 1 year to become eligible to reapply for WIC vendor authorization

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### Equitable Treatment

- Section 246.12(h)(3)iii of the Federal WIC Regulations requires WIC-authorized vendors to offer WIC customers the same courtesies that are offered to other (non-WIC) customers
  - ✓ WIC customers cannot be excluded from in-store promotions
- Failure to provide the same courtesies to WIC customers is a violation of Federal WIC Regulations, thereby constituting a vendor violation
  - ✓ Discrimination on the basis of WIC participation
  - ✓ May result in disqualification

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#### Definitions

- Incentive item an item or service provided by a vendor to attract customers or encourage customer loyalty
- · Vendor discount an in-store promotion that reduces the price or increase the quantity of a given product; a vendor discount could also result from the use of a coupon
- In-store promotion a sales promotion in which a vendor may offer incentive items, vendor discounts or coupons in order to increase sales of certain items or to encourage customer loyalty to the vendor

- Incentive items must be approved by the North Carolina WIC Program prior to providing them to WIC customers
- The North Carolina WIC Program may approve incentive items-including food, merchandise or services-that a vendor obtained at no cost or that cost a vendor less than \$2.00. Vendors may also provide food sales or specials (vendor discounts) that involve no cost or cost the vendor less than \$2.00

### Approval for Incentive Items

- To obtain approval to provide incentive items to WIC customers, a vendor must submit a written request directly to the North Carolina State WIC Agency.
- WIC vendors cannot offer incentive items to WIC customers without approval from the State WIC Agency

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## Approval for Incentive Items continued

- Following is a list of prohibited incentive items:
  - Assistance applying for WIC benefits
  - Transportation for WIC customer to and/or from vendor premises
  - $\stackrel{\cdot}{\mathsf{Delivery}} \, \mathsf{of} \, \mathsf{WIC} \, \mathsf{supplemental} \, \mathsf{foods} \\$
  - Lottery tickets
  - Cash gifts
  - Any other service that results in a conflict of interest, any item that incurs a liability to the WIC Program or violates any Federal, State or Local law or regulation

### In-Store Promotions and Coupons

- Allowing WIC customers to use vendor discounts in WIC purchases reinforces wise food purchasing practices
- Vendor staff/cashiers should be well-informed about the use of different types of in-store promotions and coupons
  - ✓ Understand the temporary nature of some offers in order to reduce confusion at the point of sale
  - √ Know how to properly transact eWIC using in-store promotions and coupons

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### Types of In-Store Promotions and Coupons

- Buy One, Get One Free (BOGO)
- Buy One, Get One at a Reduced Price
- Free Ounces Added to Food Item by Manufacturer (Bonus Size Items)
- Transaction Discounts
- Store Loyalty/Rewards Cards
- Manufacturers' Cents Off Coupons

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In-Store Promotions: BOGOs and eWIC Per the USDA WIC EBT Operating Rules:

- In a true BOGO, the free item cannot be deducted from the WIC customer's benefit balance or reported to the State Agency
- If a food item is advertised as "Buy one, get one free" with the disclosure that each item is sold for half the advertised price, both food items shall be redeemed using WIC benefits and shall reflect an item price of half the advertised price in the transaction
  - ✓ Quantity discount
  - ✓ If using this methodology for BOGOs, vendors must put this disclosure in store advertising

#### Sales Tax & Cash Back

- Sales Tax on Manufacturers' Coupons
  - ✓ Not permitted to tax WIC items, so cannot charge WIC customers tax on manufacturer's coupons
- Cash Back
  - ✓ Not permitted as a result of vendor discount in any WIC transaction

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### Automated Clearing House (ACH)

- Vendors will receive payment for all eWIC transactions processed in their store through an Automated Clearinghouse (ACH) system in which payments are directly deposited into their bank account
- With eWIC, most items will have an NTE
- If a vendor submits an item price that is above the NTE (for the items with NTEs), their payment will be decreased to the NTE amount for the item

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# Changes in Vendor Bank Accounts

- Vendor applicants that need a stand-beside device, must submit their most current banking information to the eWIC contractor (FIS)
  - -Vendors can contact FIS at 1-800-894-0050
     Monday- Friday from 8:00 AM to 5:00 PM
     CT for account changes or updates
- Vendor applicants with integrated cash register systems will provide banking information to their third-party processor to ensure payment for eWIC transactions



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## FIS Retailer Helpdesk

- FIS Retailer Helpdesk for stand-beside device assistance:
  - Retailer Helpdesk: 1-844-230-0836 (available 24/7)
  - Email: <u>merchant.services.support@fisglobal.com</u>

- Vendors may not ask the WIC customer to make up the difference in price for eWIC transactions
- Vendors are responsible for keeping their prices at or below the NTE for their peer group

### Split Tender Transactions

- Customer can pay for an amount that exceeds the CVB maximum
  - ✓Example: \$10.00 CVB
  - √ Total cost of WIC fruits and vegetables is \$10.25. Customer can pay 25¢ plus tax on the 25¢ or use other acceptable methods to pay for the outstanding balance, e.g SNAP which is not taxable
  - ✓ Vendor submits an eWIC transaction for \$10.00 in CVBs

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### Food Substitution

- Vendors must properly transact the WIC supplemental foods that are listed on the customer's food benefit balance
- Vendors cannot substitute one food subcategory for another unless granted a waiver by the State WIC Agency
  - Federal violation that carries 1-year disqualification
    - Example: Substituting 1% Milk/Skim Milk for 2% Milk or Whole Milk

## Use of Scanning Sheets Prohibited

- Vendors <u>cannot</u> use a collection of UPC barcodes on Scanning Sheets, cash registers, computers, tablets, cell phones or any other similar electronic devices to transact eWIC
- Failure to comply with this policy could result in termination of their WIC Vendor Agreement



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### Ideas

- Keep a copy of the North Carolina WIC Vendor Transaction Guide at each register
- Prevent mistakes with good training
- Review common errors with staff on a regular basis

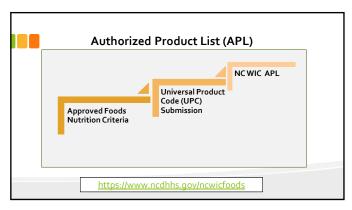
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# Questions



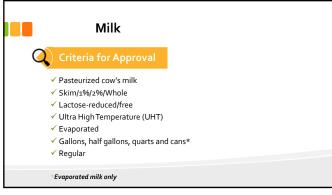


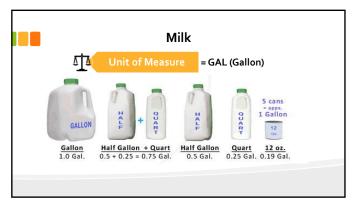




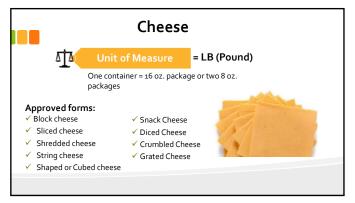
Supplemental Food Category		nula fed (FF)	Partially (mostly)	breastfed (BF/FF)	Fully brea	stfed (BF
rood Category	Food Packages:		Food Packages			
	I-FF &	Food Packages	I-BF/FF & III BF/FF	Food Packages	Food	Food
	III-FF	II-FF &	(A: o to 1 month)	II-BF/FF & III	Package	Package
	A: o - 3 months	III-FF	B: 1 - 3 months	BF/FF	I-BF	II-BF
	B: 4 - 5 months	6 - 11 months	C: 4 - 5 months	6 - 11 months	o - 5 months	6 - 11 month
WIC Formula	A: FNB = 806 fl oz. B: FNB = 884 fl oz.	FNB = 624 fl oz.	A: <104 fl oz. B: FNB = 364 fl oz. C: FNB = 442 fl oz.	FNB = 312 fl oz.		
Infant Cereal		24 OZ.		24 OZ.		24 OZ.
Infant food fruits and vegetables		128 OZ.		128 OZ.		256 oz.
Infant food						77.5 OZ.

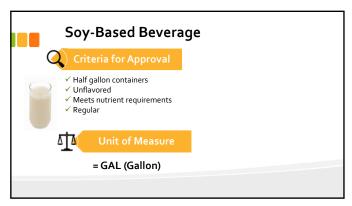
Supplemental Foods for Children and Women Food Packages IV, V, VI and VII					
Supplemental Food Category	Children		Women		
Cucyury	Food Package IV: 1 - 4 years	Food Package V: Pregnant and Partially Breastfeeding	Food Package VI: Postpartum	Food Package VII: Fully Breastfeeding	
Juice, single strength	128 OZ.	144 02.	96 oz.	144 02.	
Milk, fluid	16 qt.	22 qt.	16 qt.	24 qt.	
Breakfast cereal	36 oz.	36 oz.	36 oz.	36 oz.	
Cheese	N/A	N/A	N/A	1 lb.	
Eggs	1 dozen	1 dozen	1 dozen	2 dozen	
Fresh fruits and vegetables	\$26.00 in cash-value benefits	\$47.00 in cash-value benefits	\$47.00 in cash-value benefits	\$52.00 in cash-value benefits	
Whole wheat or whole grain bread	2 lb.	1 lb.	N/A	1 lb.	
Fish (canned)	N/A	N/A	N/A	30 oz.	
Mature Legumes and/or peanut butter	1 lb. dry or 64 oz. canned or 18 oz.	1 lb. dry or 64 oz. canned and 18 oz.	1 lb. dry or 64 oz. canned or 18 oz.	1 lb. dry or 64 oz. canned and 18 oz.	

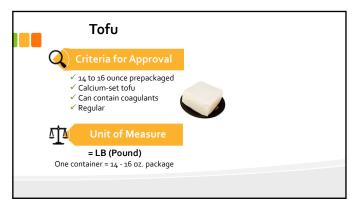


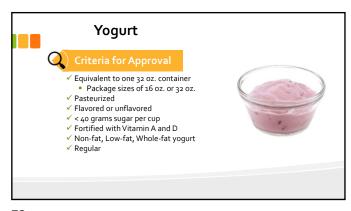




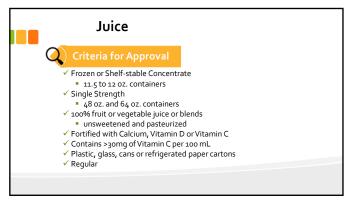


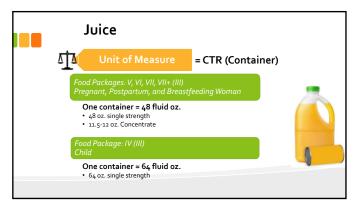


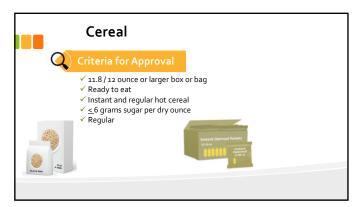


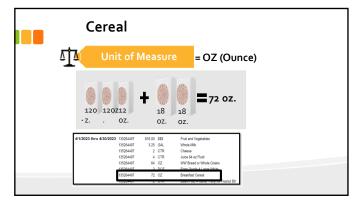


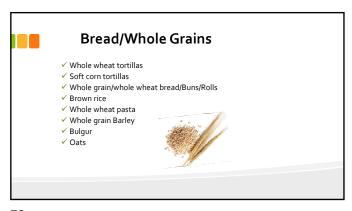


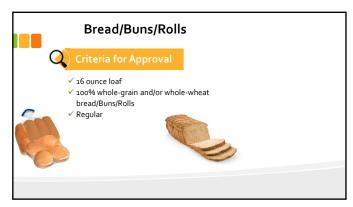


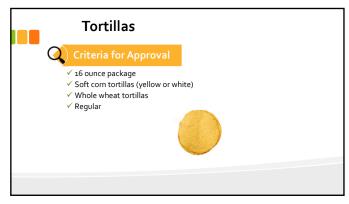


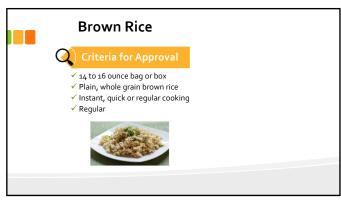






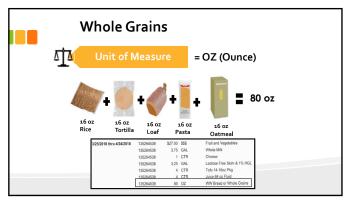


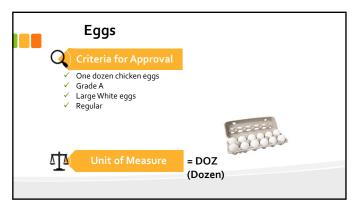


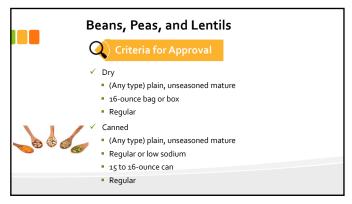


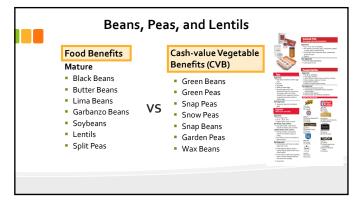




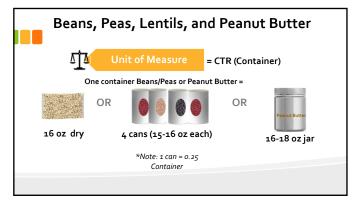




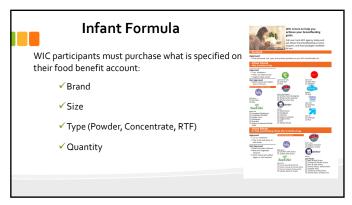








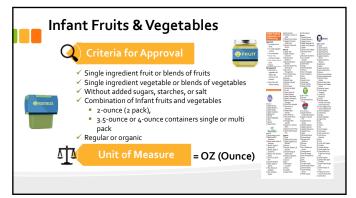




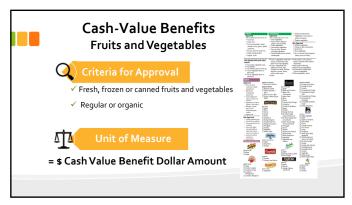


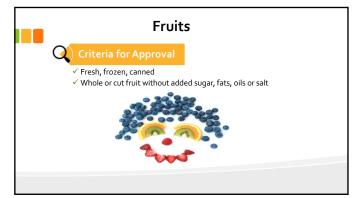






	Shopping for Infant Foods				
		Amount Listed	Is Equal To		
	Infant Fruits & Vegetables	128 OZ	<b>32</b> 2oz. 2-packs or 4-oz containers of infant fruits and vegetables.		
		18 3.5oz. 2-pack containers of in and vegetables.	<b>18</b> 3.5oz. 2-pack containers of infant fruits and vegetables.		
			16 4oz. 2-pack containers of Infant fruits and vegetables.		
	Infant Meats	77.5 OZ	31 2.5oz. containers of infant meats.		









### **Fruits and Vegetables**



#### **NOT** Approved

- Dried herbs used for flavoring
- Infant fruits and vegetables\*
- Mature legumes (dry or canned beans, peas, lentils)\*
   Ornamental or decorative fruits or vegetables
- Catsup or other condiments
- Dried fruits or vegetables
- Salsa
- Sauerkraut

- Pickled vegetables, olives
- Fruit and/or vegetable juices\*
- Fruit baskets
- Fruit leathers and fruit roll-ups
- Fruit or vegetable items on party trays
- Fruit or vegetable items on salad bars
- \* See other approved criteria: 'Infant fruits and vegetables'; 'Beans, Peas, Lentils' and "Juice".

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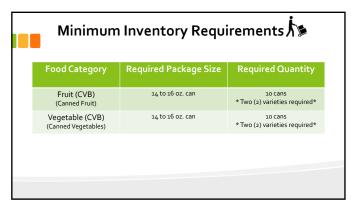
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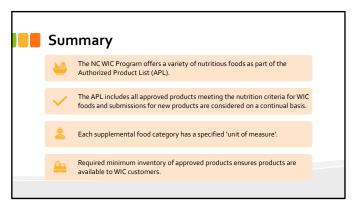
Minimum Inventory Requirements 🕍					
Food Category	Required Package Size	Required Quantity			
Milk (Skim/1% Milk <u>AND</u> Whole Milk)	Gallons	Skim/1% milk = six (6) gallons Whole Milk =two (2) gallons *2 types required*			
Cheese	One (1) pound = 16 oz.	Two (2) pounds of one approved type			
Juice (Single Strength*) *concentrated juice does not have inventory requirement	48 oz. container <u>AND</u> 64 oz. container *2 sizes required*	48 oz. container = four (4) containers 64 oz. container = four (4) containers			
Cereal	12+ oz. package	Six (6) packages *required to have 2 types whole grain cereal*			

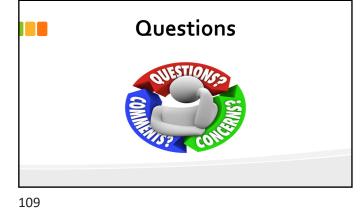
Minimum Inventory Requirements 🏂					
Food Ca	tegory	Required Package Size	Required Quantity		
Bre	ad	16 oz. loaf of bread, 16 oz. package of tortillas	Two (2) loaves or packages <u>OR</u> One (1) loaf & one (1) package		
Brown	n Rice	14 to 16 oz. package	Two (2) packages		
Eg	gs	One (1) dozen	Two (2) packages		
Beans, Pea	es, Lentils	One (1) pound dry beans, peas, lentils	Two (2) packages of dry beans, peas, lentils *Only one 1 (one) approved type required*		
Peanut	Butter	16 to 18 oz. containers	Two (2) containers		
Fis	sh	5 to 6 oz. containers	Six (6) cans		

Minimum Inventory Requirements 🔊		
Food Category	Required Package Size	Required Quantity
Infant Formula (contract milk-based <u>AND</u> soy-based powder infant formula)	11.0 – 14.0 0Z. Cans	Milk-based Infant Formula = Eight (8) cans Soy-based Infant Formula = Four (4) cans
Infant Cereal	8 oz. container	Six (6) boxes  *only one (1) approved type required*
Infant Fruits and Vegetables (Fruit <u>AND</u> vegetable)	3.5 to 4 oz. containers	64 ounces total (or ~16-18 containers)  *required to have one (1) type o
		fruit and one (1) type of vegetable*









### After Authorization

- Process EBT transactions accurately, in a timely manner, and in accordance with the terms of the North Carolina WIC Vendor Agreement. Maintain compliance with the EBT Processor Vendor Agreement, the FNS EBT operating rules, standards and technical requirements, WIC Program Rules, and state and federal regulations, and statutes
- Maintain certified eWIC system that is available for WIC redemption processing during all hours the store is open
- Request eWIC Processor re-certify the vendor's eWIC system if it is altered or revised in any manner that impacts eWIC redemption

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# After Authorization continued

- Should a vendor that uses stand-beside device(s) to transact eWIC decide to upgrade to an integrated system, the vendor must:

  1. Inform the eWIC processor before making any change, so that it can be determined if the system needs to be certified and testing can be performed to establish connectivity.

  2. Inform the State WIC Agency so that Level III certification testing can be performed prior to use of the system in the store.
- Testing performed with the eWIC processor for a new system that a vendor chooses to use does not supersede the L $_3$  certification testing that must be performed by the State WIC Agency.
- These procedures also apply to vendors who alter the integrated system that they currently use or decide to use a different integrated system altogether.

- The State WIC Agency, not the eWIC processor, must grant final approval before a new system or system that has been altered is used by a vendor
- Vendors must inform the State WIC Agency if their integrated cash register system will be altered or revised in any manner that impacts eWIC redemption. This is a requirement detailed in the Terms of Vendor Agreement. Failure to do so may result in the termination of their WIC Vendor Agreement

### After Authorization continued

### Integrated Vendors:

There is no need for WIC customers to separate their items when transacting WIC benefits. Do not make them separate their WIC items from non-WIC items. All items can be rung up together; however, the WIC customer must swipe their eWIC card <u>first</u> before any other tender type is applied to ensure that the proper items are deducted from the WIC customer's benefit balance before another tender type is used for purchase.

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# After Authorization continued

- It is important to continue to follow policies and procedures to maintain authorization
- Federal regulations provide process to support program integrity

	1
WIC Certification Testing	
•	
<ul> <li>After authorization State WIC Agency staff will complete L<sub>3</sub> WIC Certification testing</li> </ul>	
<ul> <li>FIS connectivity testing is not certification testing</li> </ul>	
113 connectivity testing is not certification testing	
115	
Termination of WIC Vendor Agreement	-
<ul> <li>Change in ownership will result in termination of the WIC Vendor Agreement by the State WIC Agency</li> </ul>	
<ul> <li>Change in store location of more than three miles from the store's</li> </ul>	
previous location will result in termination of the WIC Vendor Agreement by the State WIC Agency	
<ul> <li>Cessation of operations, withdrawal from the WIC Program or disqualification from the WIC Program will result in termination of</li> </ul>	
the WIC Vendor Agreement by the State WIC Agency	
116	
	1
Business Integrity Standards	
<ul> <li>May not have any owners, officers or managers who have been convicted of or had a civil judgment entered against them in the last six years for any activity indicating a lack of business integrity</li> </ul>	
Convictions or civil judgments include, but is not limited to: fraud,	
antitrust violations, embezzlement, theft, forgery, bribery, falsification or destruction of records, receiving stolen property,	
making false claims, or obstruction of justice	



# Conflict of Interest

A vendor shall not have any owner(s), officer(s) or manager(s) who are employed, or who have a spouse, child, or parent employed by the State WIC Program or the Local WIC Program serving the county in which the vendor conducts business

- A vendor shall not have an employee who handles transactions of WIC food or cash-value benefits who is employed by or has a spouse, child or parent who is employed by the State WIC Agency or Local WIC Agency
- Ask your staff if they have a spouse, child or parent who works for the WIC program
  - If they do, report it to your vendor contact at your Local WIC Agency

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### ■ Violations and Sanctions

- A violation is an infraction of WIC Program regulations or other requirements
- A sanction is an administrative action taken as a result of a pattern of violations and may include:
  - ✓ Disqualification or civil money penalty in lieu of disqualification



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### Violations

Any intentional or unintentional action of a vendor's owners, officers, managers, agents or employees, with or without knowledge of management, that violates the WIC Vendor Agreement or federal or state statutes, regulations, policies or procedures governing the Program

# Types of Violations

- Federal violations for which vendors are subject to disqualification
  - √ Federal violations carry longest disqualification periods
  - √ Found through compliance buys and inventory audits
- State violations for which vendors are subject to disqualification
  - Usually found during compliance buys and Local WIC Agency monitoring

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### Vendor Violations and Sanctions

- 10A NCAC 43D.0710 states a vendor shall be disqualified from the WIC Program for:
  - One year for three occurrences within a 12-month period of failure to properly transact WIC food benefits by manually entering the EBT card number or entering the PIN into the POS instead of the WIC customer, scanning the UPC or PLU codes from UPC codebooks or reference sheets when completing a WIC customer's EBT transaction, not entering the correct quantity and item price, or not providing the WIC customer with a receipt that shows the items purchased and the customer's remaining food benefit balance.

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# Vendor Violations and Sanctions, continued

### As a Reminder:

- \* 10A NCAC 43D.0708 (20)(j) states that the vendor must:
  - Scan or manually enter Universal Product Codes (UPC) only from approved supplemental foods being purchased by the WIC customer in the types, sizes, and quantities available on the WIC customer's EBT account. The vendor shall not scan codes from UPC codebooks or reference sheets;
- This requirement is also listed in the current Terms of Vendor Agreement.

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### Vendor Violations and Sanctions, continued

- 180 days for three occurrences within a 12-month period of failure to make EBT point of sale equipment accessible to WIC customers to ensure that EBT transactions are completed in accordance with 10A NCAC 43D .0708(20).
- 90 days for three occurrences within a 12-month period of failure to comply with minimum lane coverage criteria required by 7 CFR 246.12(z)(2) and 10A NCAC 43D .0708(20)(c).

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### Pattern of Occurrences

- The nature of the violation and the number of violations determine the sanction imposed
- A pattern of occurrences for the same violation can result in disqualification
- The number of occurrences needed to establish a pattern depends on the violation

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### Examples of Patterns of Violations

- Three occurrences within a 12-month period of failure to stock required minimum inventory  $\ensuremath{\mbox{\sc h}}$
- Two occurrences of vendor overcharging within a 12-month period
- Three occurrences of not making eWIC equipment accessible to the WIC customer
- Three occurrences within a 12-month period of failure to mark the current shelf prices of all WIC supplemental foods

# Compliance Buys and Audits

- State WIC Programs are required to identify and investigate high-risk vendors
- NC sometimes works with the U.S. Office of Inspector General for investigations
- See Vendor Manual

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# Compliance Buys

- Undercover purchases by a compliance investigator
- May make multiple visits over one year
- Vendors may receive a letter from the State WIC Agency if problems are noted



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# Vendor Overcharging

- Intentionally or unintentionally charging more for supplemental food provided to a WIC customer than a non-WIC customer or charging more than the current shelf price for supplemental food provided to a WIC customer
- Overcharging is a serious federal violation that can lead to vendor disqualification
- This violation is uncovered during compliance buys
- Vendor overcharging is  $\ensuremath{\text{NOT}}$  the same as charging over the NTE

Overcha	rgin	g?
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- A vendor looks at the NTE to determine what they could charge the WIC customer for a gallon of whole milk. The current shelf price is \$2.79. They charge the WIC customer \$3.69 for the gallon of whole milk because that is the current NTE for the month. Is this vendor overcharging?
- A vendor charges a WIC customer \$6.50 for WIC approved cheese.
   The current shelf price is \$6.50. The NTE is \$6.29. Is this vendor overcharging?

### Inventory Audits

- A vendor must make available at any reasonable time and place **ALL**:
  - Program-related records of vendor
    - Purchase records, Sales records, Bank statements, Credit card statements, or any other personal or business financial documents that pertains to their business
- **MUST** be retained for 3 years or until audit pertaining to these records is resolved, whichever is later

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# Purchase Documentation Requirement

- Specific requirements for purchase documentation of WIC supplemental foods
- Invoices, receipts, purchase orders, and any other proofs of purchase for WIC supplemental foods must include the following:
- The name of the seller and be prepared entirely by the seller or on the seller's business letterhead;
- The date of purchase and the date the authorized vendor received the WIC supplemental food at the store if this date is different;
- 3. A description of each WIC supplemental food item purchased, including brand name, unit size, type or form, and quantity.

- Claiming reimbursement for the sale of an amount of a specific supplemental food item which exceeds the store's documented inventory of that supplemental food item for six or more days within the 6o-day period. The six or more days do not have to be consecutive
- Inability to provide records or providing false records is also a violation

### Vendor Claims

- Overpayment to a vendor as determined by an inventory audit or compliance buy investigation requires repayment to the WIC Program
- The State WIC Agency assesses a claim against the vendor in the amount of the overpayment
- Vendors can request a conference to review the claim, but this action cannot be appealed

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### Claims Assessed for Vendor Violations

- If a vendor is assessed a claim, the vendor must reimburse the State WIC Agency in full or agree to a repayment plan within 30 days of written notification of the claim
  - $\checkmark$  Failure to do so will lead to termination of the Vendor Agreement
- A vendor applicant cannot be authorized if any of the vendor applicant's owners, officers or managers currently have or previously had a financial interest in a WIC Vendor that was assessed a claim by the WIC Program and the claim has not been paid in full

# **Disqualification**

- Ranges from 60 days to permanent
- WIC status may impact status with SNAP (formerly the Food Stamp Program)
- Vendor has right to appeal



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**Routine** 

Monitoring

### • Includes, but is not limited to:

- Review of formula invoices and receipts
- Price checks
- Treatment of WIC customers
- Inventory of WIC approved foods subject to minimum inventory requirement
- Ensure stand-beside equipment for use in transacting eWIC is accessible, if necessary
- Visits are documented and if violation(s) found:
  - An occurrence is noted
  - The vendor must take steps to correct the violations
  - Will be monitored again within 21 days

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# Reporting Customer Service Issues (Complaints)

- Vendors should report customer service issues (complaints) to the Local WIC Agency concerning:
  - WIC customer inappropriate behavior
    - Vendors are not required to tolerate behavior from a WIC customer that they would not tolerate from other customers
  - Complaints about other vendors
- May use form in the Vendor Manual

	TITLE	
INCIDENT SATE:		
	SATE:	
IS ISSUE CONFIDENTIAL	d One Ole	
ISSUE REPORTED BY.  C Family Thelequent  C WIC Staff  C Vandor  C Other  Anonymous	Verdir D Connects	
ISSUE REPORTED ABOX  Family Perfoquent  WAC Stuff  Vendor  Policy Procedure  Other	Family ID User ID Vendor ID Connects Connects	
ISSUE TYPE		
ASSIGNED TO:  CITEDS VINC Agency  CLOSES VINC Agency  CHOICE  DESCRIPTION OF ISSUE	Name of Local Agency	
DESCRIPTION OF ISSUE	ise.	
SECTION III RESOLUTIO	N OF ISSUE(IS)	
SECTION III RESOLUTIO		
SECTION III RESOLUTIO	N OF ISSUE(IS)	
SECTION IS RESOLUTIO	ns cer sasus(s)	
SECTION IS RESOLUTIO	ns or issue(is)	
SECTION IS RESOLUTIO	ns cer sasus(s)	
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- Vendors to be authorized through corporate agreements must complete:
  - Application (DHHS 3282) completed through the vendor portal
     Verification of Attendance
- Verification of Attendance
   All other retail stores must receive and complete:
   Agreement (DHHS 2768) ending date 9/30/2027
   Terms of the WIC Vendor Agreement
   Application (DHHS 3282)
   Price List (DHHS 2766)
   Above Fifty-Percent Vendor Self Declaration form

  - Verification of AttendanceVendor Site Survey



Completing Required Forms in DocuSign Received through DocuSign

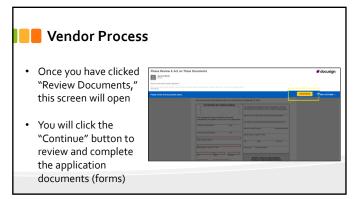
- Vendor Agreement (DHHS 2768) ending date 9/30/2027
- Terms of the WIC Vendor Agreement
- Application (DHHS 3282)
- Price List (DHHS 2766)
- Above Fifty-Percent Vendor Self Declaration form

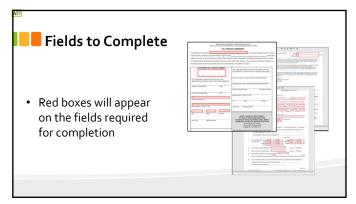
Received from Local Agency

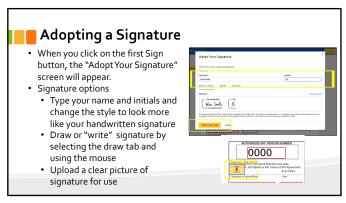
- Verification of Attendance
- Email form

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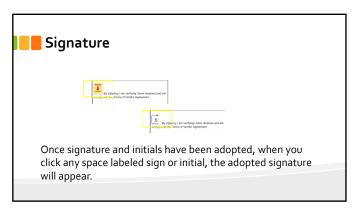


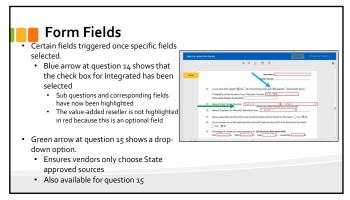


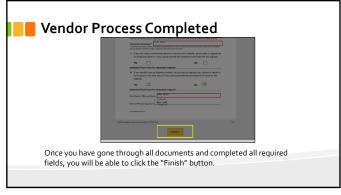




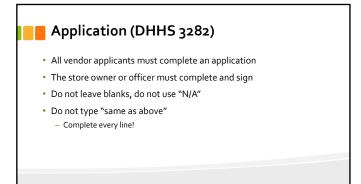
WJ1 Need to update all references of the Vendor Agreement to include the new office's address:
1914 Mail Service Center
1915 Health Services Way
Raleigh, NC 27699-1914
Jordan, Wyatt R, 2025-08-27T16:19:16.468

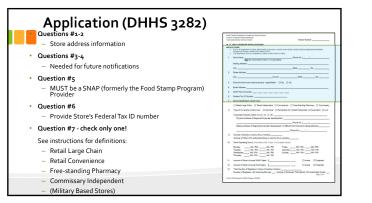


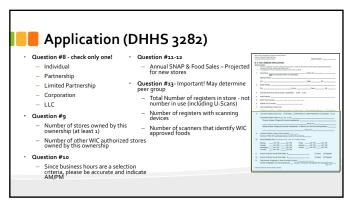


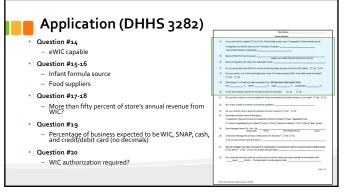


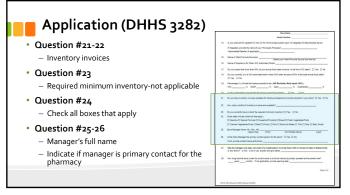


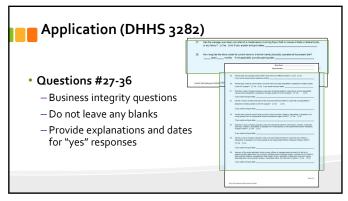


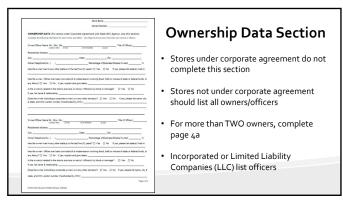


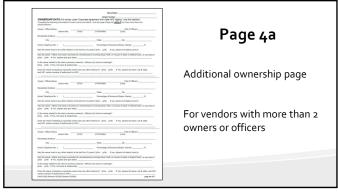


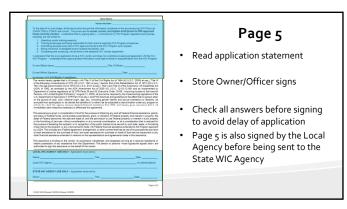








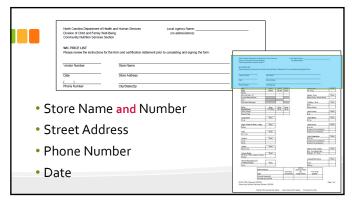




# WIC Price List (DHHS 2766)

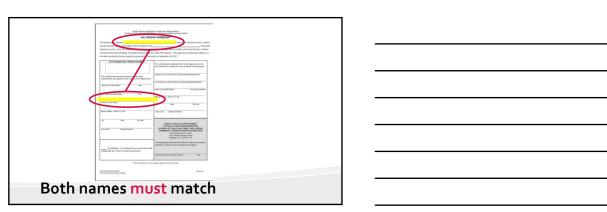
- Must be completed individually by each:
  - -Independent stores
  - -Convenience stores
  - -Commissaries
- Role of Price List
  - A criteria for selecting authorized vendors

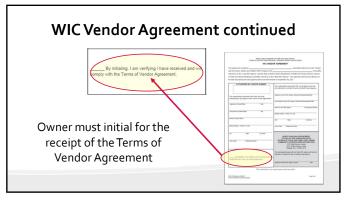
161











# ID Requirement

The State WIC Agency requires that vendor applicants submit a copy of their driver's license or state issued ID with their application.

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# Technical Assistance Local WIC agency is the primary contact for technical assistance regarding: - WIC-approved foods - Completing required forms - eWIC transaction issues • Triage form to be completed (refer to Vendor Manual) - Customer service issues (complaints)

# Training Employees

- Vendor owners/managers are responsible for training all cashiers on WIC as it pertains to the following:
  - WIC-approved foods
    - WIC Vendor Transaction Guides
  - Allowing same courtesies to WIC customers as non-WIC customers
  - Processing eWIC transactions

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### Assurance of Civil Rights Compliance

This assurance is given in consideration of and for the purpose of obtaining any and all Federal financial assistance, grants, and loans of Federal funds, reimbursable expenditures, grant, or donation of Federal property and interest in property, the detail of Federal personnel, the sale and lease of, and the permission to use Federal property or interest in such property or the fundation of a sale of the purpose of assisting the recipient, or in exception of the public interest to be served by such sale, lease, or furnishing of services to the recipient, or in exception of the public interest to be served by such sale, lease, or furnishing of services to the recipient, or in exception of the public interest to be served by such sale, lease, or furnishing of services to the recipient, or a proposed of the purpose of food, and cash assistance for purpose of food, and cash assistance for purpose of food service equipment or any other financial assistance extended in reliance on the representations and agreements made in this assurance.

This assurance is binding on the vendor, its successors, transferees, and assignees as long as it receives assistance or retains possession of any assistance from the Department. The person or persons whose signatures appear below are authorized to sign this assurance on the behalf of the vendor.

USDA Nondiscrimination Statement  accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited  from discriminating on the basis of race, cotor, rational origin, sex (including gender identity and sexual orientation), disability, age, or replication for prior or vil rights activity.
Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (e.g., Braille, large print, audiotape, American Sign Language), should contact the responsible state or local agency that administers the program or USDA's TARGET Center at (202) 720-2800 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339.
To file a program discrimination complaint, a Complainant should complete a Form An 3027, USDA Program Discrimination Complaint Form which can be obtained ordine at:

