

FFY 2024

# VENDOR HANDBOOK

GEORGIA WIC PROGRAM



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# INTRODUCTION

## The Vendor Handbook

The Georgia Special Supplemental Nutrition Program for Women, Infants and Children (Georgia WIC) Vendor Handbook is an addendum to and incorporated into the Vendor Agreement. Retail grocery vendors, pharmacy vendors and military commissaries must adhere to all information provided in the most recent edition of the Vendor Handbook to ensure compliance with federal and state regulations, rules, policies, and procedures. The vendor's role is important to the success of Georgia WIC. Vendors must assure that only prescribed foods are sold to participants. Prices charged by the vendor must be reasonable and competitive. Competitive prices will enable Georgia WIC to maximize services to its citizens.

## Georgia WIC

WIC is a federally funded special supplemental food program intended to provide supplemental foods, nutrition education, and nutrition counseling to Georgia's citizens. WIC saves lives and improves the health of nutritionally at-risk women, infants, and children. Since its beginning in 1974, the WIC program has earned the reputation of being one of the most successful federally funded programs in the United States. Collective findings of studies, reviews, and reports illustrate that the WIC program is cost-effective in protecting and improving the nutritional status of low-income women, infants, and children.

A list of some of the positive health outcomes associated with WIC participation follows:

- Reduces fetal deaths and infant mortality
- Reductions in the rate of low-birth-weight infants
- Increases in pregnancy duration
- Improves the growth of nutritionally at-risk infants and children
- Decreases in the incidence of iron deficiency anemia in children
- Improves the dietary intake of pregnant and postpartum women and improves weight gain in pregnant women
- Increases early initiation into prenatal care
- Increases the number of children who have a regular source of medical care
- Helps children get ready to start school
- Improves intellectual development
- Improves children's diets.

Georgia's health professionals determine who is eligible to participate in the WIC program according to criteria established by federal regulations. These health professionals also provide nutrition education, counseling and prescribe nutritious foods. Instruments used to obtain the supplemental foods are called WIC food instruments, which are redeemed through WIC authorized vendors statewide.

# VENDOR AUTHORIZATION AND PARTICIPATION

## Process for Vendor Selection and Authorization

The WIC program is funded by federal tax dollars. Because of this, serving as an authorized WIC vendor is a public trust. Vendor authorization is the process by which the State Agency assesses, selects, and enters into agreements with stores that apply or subsequently reapply to be authorized as WIC vendors. Authorization to participate in the program as a vendor is a privilege, not a right. As a steward of public funds, Georgia WIC must balance the need for participant access with the duty to obtain the lowest fair prices for WIC foods and to prevent fraud.

### **Number and Distribution of Authorized Vendors**

The Georgia Women, Infants and Children Program shall not discriminate against an applicant or vendor on the basis of race, color, national origin, age, sex (including gender identity and sexual orientation), disability or other impermissible basis as set forth in applicable state or federal law. Federal regulations require that Georgia WIC establish standards for vendor authorization to secure a sufficient number and distribution of vendors that will ensure reasonable participant access and permit effective management of the program. Georgia WIC may establish criteria to limit the number of stores it authorizes as long as the limiting criteria are applied consistently.

The primary method for regulating the number of authorized vendors is through the use of a vendor-to-participant ratio. The vendor-to-participant ratios are determined prior to each application/authorization period. For vendor authorization, exceptions to the vendor-to-participant ratio conclusions may be considered under the following circumstances:

- The need to ensure that each food instrument issuance clinic site in the state has an authorized vendor within a 16-mile radius for metro designated counties or 20-mile radius for non-metro designated counties.
- The need to provide adequate service to participants in a population center of at least ten (10) individuals who have no access to an authorized vendor within a 20 mile radius of the population center.
- The need to provide adequate service to participants when circumstances make it necessary. Those circumstances may include, but are not limited to, the following:
  - A. New clinic site opening;
  - B. Participant caseload increases;
  - C. New participant population center recognized;
  - D. Store closings, either voluntary or due to catastrophe;
  - E. Problems with WIC Program compliance;
  - F. Problems caused by non-compliance with Supplemental Nutrition Assistance Program (SNAP) regulations.

### **Application Acceptance Periods; Re-application Limitations After Application Denial**

Applications for WIC vendor authorization will only be accepted during the following periods: Between October 1<sup>st</sup> to December 31<sup>st</sup> and March 1<sup>st</sup> to May 31<sup>st</sup> of each federal fiscal year. Exceptions will be made at the discretion of the Georgia WIC Program to ensure participant access.

If an application for authorization is denied, the applicant will be barred from reapplication for period of one (1) year with the exception of the Denial Reasons listed below. Denial periods vary based on the reason that an application is denied. At the time that a notification of Denial is issued, applicants will be notified of their reapplication date. Irrespective of the reason for denial, once denied, an applicant who wishes to be reconsidered must allow their Denial Period to expire and re-submit a new application after that date has passed. Applications are not re-considered until new application materials have been submitted.

1. **Processing eWIC transactions prior to Authorization.** The denial period is three (3) years.
2. **Business Integrity and Related Denials.** For Business Integrity or Integrity-related reasons, the denial period will be two (2) years.
3. **All Other Reasons for Denial.** The denial period is one (1) year.

### **Selection Criteria and Continuing Compliance with Selection Criteria**

The selection criteria represent the minimum requirements to be considered for authorization as a Georgia WIC vendor. All applicants<sup>1</sup> and vendors must meet or exceed **all** of the selection criteria at the time of authorization and maintain compliance throughout the agreement period. Vendors are also required to adhere to **any** changes in the selection criteria made by Georgia WIC during their agreement period, or face termination. Georgia WIC may reassess any authorized vendor at **any** time during the vendor's agreement period using the selection criteria in effect at the time of reassessment and must terminate the agreement of any vendors that fail to meet the current criteria.

Georgia WIC will deny an application or terminate the vendor agreement if it is determined that the applicant provided false information in connection with the application.

During the application process, Georgia WIC may request additional information that must be provided within the time period specified in the request.

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<sup>1</sup> An applicant is defined as: anyone deemed associated with the ownership, management or operation of the applicant entity, including owners, officers, partners and, stockholders, registered agents, the immediate family of owners, officers, or partners. Any facts leading the agency to suspect that an applicant or vendor has a business or close personal connection with a WIC vendor that has a sanction history will be thoroughly investigated.

All requested information must be provided in order to process the application. This includes, but is not limited to, Bill of Sale, Articles of Incorporation, Driver's License or State issued ID card, Social Security card, food sales, etc. Applications will not be processed until all information is received by Georgia WIC. Vendor applications that are held pending receipt of additional information will expire ten (10) days after the date of the written request for information.

Failure or difficulty in meeting any of the selection criteria may be used as just cause for denial of a vendor application for authorization. Applicants who are denied authorization may reapply after the expiration of the appropriate denial period.

### **Exception to WIC Limiting and Selection Criteria**

The Georgia WIC Program reserves the right to make exceptions to (waive) the limiting and/or vendor selection criteria to address inadequate participant access to supplemental foods. However, competitive pricing and meeting the minimum WIC approved food stocking requirements are **not** waivable, per federal regulations 7 CFR § 246.4(a)(14)(ii).

#### **Inadequate Participant Access**

Federal regulations require that the State Agency ensures that all WIC participants have adequate access to purchase their WIC food items. By ensuring adequate access to authorized vendors, the Program assists WIC participants in meeting their nutritional goals. Participant access is not defined as participant convenience or preference. Inadequate participant access would cause a hardship to participants. Denial based upon the selection criteria may be waived (see "Exception to WIC Limiting and Selection Criteria"). The Georgia WIC Program will review participant access on a case-by-case basis.

Inadequate participant access is determined and documented on a case-by-case basis when considering whether the Georgia WIC Program should:

1. Retain a retail store in lieu of termination or disqualification;
2. Make an authorization exception decision;
3. Waive the selection criteria for the initial authorization of an applicant.
4. Provide financial assistance to obtain eWIC capability (i.e. provide a Point of Sale device for WIC transactions) and assist with ongoing maintenance and operational costs.

Inadequate participant access will be determined at the discretion of Georgia WIC when:

1. In a county identified as metro or including a metropolitan area, there is no authorized grocery vendor within 16 driving miles or geo-mapping distance from another authorized grocery vendor.
2. In a county defined as non-metro or rural, there is no authorized grocery vendor within 20 driving miles or geo-mapping distance from another authorized grocery vendor.
3. Geographic barriers exist that would prevent participants access to authorized vendors within the designated driving distance.



Georgia WIC must authorize an appropriate number and distribution of vendors to ensure adequate participant access to supplemental foods. Two of the six mandatory vendor selection criteria, as well as all Georgia WIC criteria, must be waived to authorize vendor applicants needed for participant access. For more information, see the chart below.

<b>Selection Criteria</b>	<b>Must Be Waived</b>
Minimum variety and quantity of supplemental foods (MSR)	No
Competitive price (CPSC)	No*
Current SNAP disqualification/CMP for hardship	Yes
Business integrity	Yes
Incentive items	No
EBT Capability	No**
All State agency criteria	Yes

\* Georgia WIC will work with vendors that do not meet CPSC to negotiate the best possible prices for supplemental foods.

\*\* This selection criteria applies only after EBT implementation. Georgia WIC must follow WIC EBT regulations and guidance related to equipping vendors that are needed for participant access.

**Note:** Should an applicant location be identified as an area where there is inadequate participant access, it does not absolve an applicant from the responsibility to comply with the terms of the application process as outlined, as a condition of authorization.

### **How to Become a WIC Vendor**

To become an authorized WIC vendor, vendor applicants must comply with the selection criteria established by the USDA and the Georgia WIC Program.

The established selection criterion for authorized WIC vendors is as follows:

1. Complete, Accurate and Truthful Information and Documents. All applicants and vendors must provide complete, accurate and truthful information and supporting documents during the application process or whenever requested. If it is later discovered that an applicant or vendor has misrepresented or omitted material information or documents, the application will be denied, or the vendor agreement will be terminated. Failure to submit any documents or information requested by Georgia WIC within the required time frame will also result in a denial of the application or termination of the vendor's agreement.
2. Previous Sanction or Violation History with SNAP or WIC Program. Applicants who have pending or current Terminations or Disqualifications (or were assessed Civil Money Penalties in lieu of

Disqualification) that have not expired will not be authorized. Applicants who were assessed a Civil Money Penalty In lieu of Disqualification will not be authorized during the time period corresponding to the original Disqualification. Similarly, vendors who submit new applications after violations have been identified (during the course of an audit, investigation, etc.) or who may be awaiting the outcome of an appeal will not be authorized. If it is later determined that an applicant had unexpired sanctions at the time of authorization, the vendor agreement will be terminated immediately.

3. Previous Applicant History. An applicant's prior application history with the program will be reviewed. Applicants whose information or documents are inconsistent with a previously submitted application or applicants who have engaged in serious fraudulent conduct or misrepresentation in connection with a previous application will be thoroughly investigated and will be denied if it is determined that the previous circumstances still exist. An applicant whose denial period has not expired may not be considered for authorization until after the denial period has expired and a new application has been submitted.
4. Competitive Prices. All applicants and vendors are required to submit and maintain prices that are at, or lower than, other vendors currently participating in the program.

**Applicant** – The prices, for the products listed on the application, will be reviewed and compared against the maximum prices allowed in the proposed Peer Group for vendors currently participating in the program. If a prospective vendor's prices **are more than ten (10) percent higher** than the maximum prices of actual vendors in the applicant's proposed Peer Group **on more than three (3) items** – the applicant will be notified that its pricing is not competitive and the applicant may receive technical assistance. Applicants will be given one (1) additional opportunity to re-submit prices after the initial notification. Upon the second submission, those applicants failing to submit prices that are lower than the allowable maximums will be denied authorization.

If this is a cost plus 10% store, the final price must be submitted on the price list as well as posted on the shelf or on signage in the aisle. This is the pricing that is used to determine competitiveness.

**Authorized vendor** – Vendors are required to submit and maintain prices that are at, or lower than other vendors currently participating in the program, within their designated peer group. Vendors must submit shelf pricing twice a year or semi-annually, at a minimum. If a vendor's prices **are more than ten (10) percent higher** than the maximum prices of others in its Peer Group **on more than three (3) items** – the vendor will receive a written notification that its pricing is not competitive. WIC vendors are required to maintain competitiveness during the entire agreement period. Vendors may be assessed at any time and those whose prices remain non-competitive for three (3) additional assessments, the vendor agreement will be terminated for a period of twelve (12) months.

A cost plus 10% store must post the final price on the shelf or on signage in the aisle. Pricing must be submitted for all WIC eligible items sold or anticipated being sold at the store location.

5. Acquisition of permit as a vendor in the Supplemental Nutrition Assistance Program (SNAP) and Compliance with the Supplemental Nutrition Assistance Program (SNAP) Regulations. All vendors and applicants must acquire and maintain authorization as a SNAP retail provider. All applicants and vendors must adhere to the SNAP program rules and must remain in good standing. Information submitted by the SNAP program will become a part of an applicant or vendor file and communication from the SNAP program that indicates a vendor's non-compliance with its rules and regulations will form the basis for a denial or removal from Georgia WIC Program. Applicants and vendors with a history of non-compliance with SNAP's rules and regulations will be denied or removed from the Program. Also, Georgia WIC will not authorize or reauthorize any applicant once the program has been notified that a retailer has been assessed a Civil Money Penalty (CMP), disqualified or terminated by SNAP. Failure to maintain a SNAP permit for any reason whatsoever, including terminations due to voluntary withdrawal or for non-redemption will result in a denial or termination from Georgia WIC unless necessary to ensure participant access. Retailers who have been assessed a Civil Money Penalty from SNAP will also be denied or terminated from Georgia WIC. Pharmacies and military commissaries are exempt from this requirement.
6. Authorized SNAP Vendor. Be an authorized Supplemental Nutrition Assistance Program (SNAP) retailer (pharmacy vendors and military commissaries are exempt from this requirement). A vendor applicant shall not become authorized as a WIC vendor if the store is currently disqualified from SNAP or the store has been assessed a SNAP civil money penalty for hardship and the disqualification period that otherwise would have been imposed has not expired.
7. Business Integrity. All new applicants and vendors must demonstrate business integrity. Georgia WIC will consider business integrity and history of the following: owners, corporate officers, partners and affiliates, or the immediate family of owners, corporate officers, or partners. Georgia WIC will also consider the business integrity and history of anyone involved in the operation of the business or the corporate entity, including managers, stockholders or registered agents. Any of the foregoing people that have a history of fraud, embezzlement, trafficking or has engaged in any activity that Georgia WIC deems to be indicative of a lack of business integrity will not be authorized. This includes but is not limited to the following:
  - a. Criminal conviction or civil judgments during the past six (6) years against the applicant, the applicant's owners, officers or managers for any activity indicating a lack of business integrity such as fraud, antitrust violations, embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, receiving stolen property, making false claims, or obstruction of justice.
  - b. Official records of removal from other federal, state or local programs will also be considered.
8. Business Integrity/Background Checks. All new applicants will be subject to background checks to determine the applicant's business integrity as part of the screening process. Georgia WIC may rely on an investigation using outside sources or upon information already known in a vendor or applicant's file. For each of the following people, entities or locations - owners, corporate officers, partners and affiliates, or the immediate family of owners, corporate officers, or partners and anyone involved in the operation of the businesses or the corporate entity, including managers, stockholders or registered agents, the below information must be disclosed:
  - i. Criminal records (current charges and/or past convictions or forfeited collateral for any crime).

- ii. Official records of removal from other Federal, State, or local programs including whether above mentioned people or corporation ever had a license denied, withdrawn, or suspended or been fined for license violations, such as, business, pharmacy or health licenses. This includes instances where there has been a relinquishment of a license or voluntary withdrawal from a program.
  - iii. Judicial determinations in civil litigation reflecting adversely on the integrity of the above-mentioned people, corporation, or affiliate(s).
  - iv. Evidence of attempt to circumvent disqualification from WIC or SNAP a civil monetary penalty imposed for violations of WIC or SNAP.
  - v. Evidence of prior fraudulent behavior of the above-mentioned people, corporation, or their managers.
  - vi. Other evidence reflecting the business integrity history of the above-mentioned people, corporation, or affiliate(s).
  - vii. Previous involvement with any business who has submitted an application (regardless of subsequent authorization) to the WIC or SNAP program and the outcome of such application.
  - viii. Previous violation history or Above-Fifty Percent assignment of the retailer.
9. Minimum Inventory of WIC-Approved Foods. Each vendor is required to stock and maintain daily the minimum inventory of approved WIC foods as well as a substantial amount of non-WIC foods. The inventory must be in the store or the store's stockroom. WIC minimum inventories must be within the manufacturer's expiration dates during the application process, including the pre-authorization visit, for the following WIC approved food items: **Milk, Eggs, Infant formula, and any potentially hazardous foods** (*meaning foods with time and/or temperature controls for the safety of the product*) **that are labeled "Keep Refrigerated"**. Expired foods do not count towards minimum inventory and is a sufficient ground for denying the application. **Note:** All observed concerns with sanitation and food safety will be immediately reported to the Georgia Department of Agriculture and may result in an application denial.

The minimum inventory requirements can be found at <http://dph.georgia.gov/vendor-information>. **Pharmacies and military commissaries are exempt from minimum inventory requirements.** The vendor must carry other foods outside of the WIC minimum inventory and WIC approved foods. It is expected that all applicants will meet and maintain minimum inventory requirements after the date stated on their application and at all times after the pre-approval visit is conducted. Applicants who have not met their minimum inventory requirements after their pre-approval visit has been conducted may make a written request for a second visit. Applicants must provide detailed reasons and corroborating evidence to support their reasons at the time the request is made. Requests will be granted for those who can show that: (1) sufficient merchandise was ordered but the supplier (due to no fault on the part of the retailer), was unable to deliver the merchandise; or (2) sufficient merchandise was in stock within forty-eight (48) hours of the visit but through unexpected customer purchases were depleted before the pre-approval visit; or (3) merchandise became damaged or destroyed after delivery; or (4) for other reasons beyond the control of the retailer.

10. Authorization Training. A vendor applicant must attend training and pass the post-training evaluation with a score of 80 or above. Georgia WIC will provide an initial training session in an interactive format, in person or virtual, prior to authorization, and at least once every two or three years thereafter during the corresponding vendor re-authorization period. Georgia WIC will

provide vendors with at least one alternate date on which to attend interactive training. Attendance at training will be documented, a checklist of items discussed must be signed by the vendor and a Post Vendor Training Evaluation test will be given. A passing score of eighty (80) points or higher is required to become authorized. Vendor applicants cannot attend the initial authorization training session until an application for authorization has been submitted and the vendor has registered to attend.

Upon request, the Georgia WIC Program will provide language assistance or accommodation to ensure meaningful access to training for vendor applicants and vendors with a language barrier or a disability.

An owner, manager, or other authorized store representative must complete training approved by Georgia WIC Program on eWIC procedures. The vendor must ensure that all cashiers and staff are fully trained on eWIC requirements, including training in the acceptance and processing of eWIC transactions.

11. Pre-approval visits. Only those vendor applicants that pass initial screening will receive on-site or virtual pre-approval visits from Georgia WIC representatives to verify the information listed on the application and inventory. For non-corporate vendors, pre-approval visits will not be conducted until the vendor has attended training and passed the evaluation with a score of 80 or above. For corporate vendors, only one (1) authorized representative from the store is required to attend training. At least one (1) pre-approval visit is required for each applicant location to verify the items listed on the application. The first pre-approval visit will be conducted at the date and time announced by the Georgia WIC staff. Georgia WIC reserves the right to follow up on any items in the application or observed on site at any time during the application process and may conduct additional visits to the applicant's store as required without notice. Georgia WIC may conduct a portion of the pre-approval visit virtually as an alternative to an onsite visit to facilitate the approval process. Failure to cooperate with Georgia WIC during the pre-approval process will result in application denial.
12. Re-Scheduling Announced Pre-approval visits. In the event that an applicant suspects that they may not be prepared for their announced pre-approval visit, they may re-schedule the visit twice during the application process. The applicant must contact the Georgia WIC office **IMMEDIATELY** to prevent denial of the application by calling 1-866-814-5468 or (404) 657-2900. The vendor will only be allowed to change this date twice—but must be completed within a thirty-day period or the application will expire and be denied.
13. Non-Profit Vendor. Non-profit vendors are not authorized in Georgia.
14. Required Minimum Store Hours. To ensure adequate access to food items for participants, the store (with the exception of military commissaries and pharmacies) must be open for business at least eight (8) hours per day, six (6) days per week, and must be open during the hours specified on the Vendor Application. In the event an applicant or vendor's hours are changed, they must notify Georgia WIC within twenty (20) days of the change. Military commissaries and pharmacies must be open for business at least five hours per day, five days per week. There should be no barriers to participant entry to the store during opening hours (e.g. required store membership or controlled access or entry to the store).
15. Suitable Store Location. For new stores applying to Georgia WIC for the first time, the minimum

square footage requirement for vendors is 3,000 square feet of continuous retail food sales space open to the public, excluding all administrative and storage space.

**Note:** Not all areas of an applicant or vendor's store are counted towards the minimum square footage requirement. The square footage areas that are not "continuous retail food sales space open to the public" and are used for other purposes that are irrelevant to the purpose of the Georgia WIC Program **will not be** considered as a part of the minimum square footage requirement.

See Federal Regulations 7 C.F.R. § 246.12, which states: "Retail food delivery systems are systems in which participants, parents or caretakers of infant and child participants, and proxies obtain authorized supplemental foods by submitting a food instrument or cash-value voucher to an authorized vendor." The program utilizes grocers as part of its retail food delivery service.

No portion of the store may be located inside of a separate building, nor may any portion be located inside of a facility that is not food retail in nature (e.g. suite on the upper floors of an office building, inside of a community center, daycare, floral shop, etc.). The applicant must provide proof of a lease for at least a three-year period, or proof of ownership of the store location. There must be a store sign to identify the store with the name of the business clearly marked.

16. Licensed by the Georgia Department of Agriculture. Each store must have a valid Retail Food Sales Establishment License in the current owner's name and be in compliance with all state, municipal, and local sanitation standards. A current Health certificate must be posted in the store. Pharmacies and military commissaries are exempt from this requirement. Stores that are on the border of Georgia and another state must have a comparable food sales establishment license from that other state's Department of Agriculture. **Note:** All observed concerns with sanitation and food safety will be immediately reported to the Georgia Department of Agriculture.
17. Compliance with Georgia WIC Program Policies and Procedures. For existing vendors, any violations found during the re-authorization process may result in denial of the application for re-authorization. Vendors and applicants will be required to comply with all federal and state WIC policies.
18. Store Acquisition. Georgia WIC will not approve or continue the authorization of a store location that was sold or assigned to circumvent an unexpired sanction, claim or civil money penalty. Nor will Georgia WIC approve or continue the authorization of a store location that was later transferred to anyone involved in the ownership, operation, management or corporate structure (including registered agent) of location with unexpired sanctions, claims or civil money penalties.
  - a. The transfer or sale of a retail location with unexpired sanctions, claims or civil money penalties will be closely investigated before the location is authorized. In the event a vendor purchases or acquires a retail outlet that was in the process of being disqualified or which was disqualified from the WIC Program at the time of acquisition, the vendor's application for that outlet location shall not be considered until Georgia WIC makes a determination that the sale was a bona fide, arms-length transaction and that no one involved in the ownership, management, operation or corporate structure (including registered agents) will remain involved in the newly purchased store. If it is later determined that the applicant failed to abide by this provision, the vendor will be immediately terminated and subject to a claim.

- b. Ownership transfers of an authorized location to anyone related to the ownership, management or operation<sup>2</sup> of vendor retail outlet having unexpired sanctions, claims or civil money penalties at the time of the transfer is prohibited. If it is later determined that there was a failure to abide by this provision, the vendor will be immediately terminated and subject to a claim.
19. Above 50% Criterion. All applicants, except pharmacies and military commissaries, will be assessed to determine whether they derive, or have the potential to derive, more than fifty (50) percent of their eligible food sales revenues from WIC food instruments. Vendors that meet the above 50% criterion will not be authorized unless denial of authorization for that applicant would result in inadequate participant access.
20. Infant Formula Suppliers. All vendor applicants are required to purchase infant formula solely from the suppliers selected and approved by Georgia WIC. The Program does not allow vendors to purchase infant formula from other program vendors. Only purchases from the approved list of manufacturers, distributors and wholesalers will be permitted. Records of infant formula purchases must be maintained for a minimum of three (3) previous years plus the current year (or until any pending investigations are closed). In the event of an investigation, only purchase invoices from those permitted suppliers will be considered as legitimate. The list of authorized manufacturers, distributors and wholesalers are posted on the Georgia WIC vendor website. The program may also require vendors to supply the program with written permission to confirm their infant formula purchase history with suppliers.
21. WIC Acronym and Logo. A WIC vendor or applicant may not use the WIC acronym, the WIC logo, or close facsimiles thereof, in total or in part, either in the official name in which the vendor is registered or in the name in which it does business. The WIC vendor or applicant may not use the WIC acronym, the WIC logo, or close facsimiles thereof, in total or in part, in an unauthorized manner on packages, product labels, proprietary materials including pamphlets and brochures, or in any form of marketing, promotional material or advertisement of the store.
22. Purchase Invoice Receipts. Vendor Applicants must submit, upon request, purchase invoice receipts, bills of lading or recent invoices that show the purchase of items intended for sale in their stores. Failure to submit the requested documentation within the time frame stated in the request will result in denial of the vendor application.
23. Automatic Clearing House (ACH) Application. Vendors who are authorized for participation in Georgia WIC will receive an ACH enrollment form. Vendors will have five (5) business days from the date of receipt of the form to enroll. Failure to enroll in ACH within the allotted timeframe **may** result in termination of the vendor agreement.
24. Provision of Incentive Items. Georgia WIC will not authorize or continue the authorization of a vendor that advertises, promises, provides, or indicates an intention to provide prohibited incentive

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<sup>2</sup> A person associated with the ownership, management or operation of the applicant/vendor entity, includes owners, officers, partners and, stockholders, registered agents, the immediate family of owners, officers, or partners. Any facts leading the agency to suspect that an applicant or vendor has a business or close personal connection with a WIC vendor that has a history of violations will be thoroughly investigated.

items to customers. Incentives include, but are not limited to, free or complimentary gifts, home delivery of foods, store memberships, and other free or discounted services.

25. Pharmacies. A vendor who is placed in the Pharmacy Peer Group is only permitted to redeem special infant formulas and medical foods as specified on the Georgia WIC vendor website. All Pharmacy peer group vendors must be licensed and remain in good standing with the Georgia State Board of Pharmacies to provide prescription drugs and special medical foods in Georgia. Pharmacies are not required to maintain a SNAP permit, nor are they required to undergo an Above Fifty-Percent assessment.
26. Sign a WIC Vendor eWIC Agreement with the eWIC processor or a third-party processor (TPP) certified by the eWIC processor.
27. Be eWIC capable and pass certification testing performed by the Georgia WIC Program, when requested.

### **Vendor eWIC Enablement and Certification**

In order to process eWIC transactions, vendors must obtain and be certified to use the appropriate Point-of-sale (POS) terminal(s) and/or software. Georgia has selected Conduent as the eWIC processor to facilitate all vendor enablement and certification processes. Conduent will contact vendors to discuss any follow up needed from the results of the vendor survey completed, obtain additional information and documents required for certification of the vendor's integrated POS system, and arrange for the setup of the single function equipment and any associated software required to process eWIC transactions in Georgia, as applicable.

**To become authorized as a Georgia WIC vendor, a retail location must have their integrated POS system certified to accept eWIC by Conduent or a third- party processor certified by Conduent. or acquire a single function device provided by Conduent during the time specified by the Georgia WIC Program (statewide eWIC implementation) will result in termination of the vendor's WIC Vendor Agreement unless the vendor is needed for participant access. If the vendor location is needed for participant access, the location will be provided single function stand- beside equipment, following the guidelines for minimum lane coverage.**

Vendors in need of assistance with the certification process, including completion of contract documentation and set up of single function devices, may contact Conduent using the information listed below.

**Retailer Helpdesk** (available 24 hours a day, 7 days a week): 1-844-309-5652

**Email Address:** [austinebt@conduent.com](mailto:austinebt@conduent.com)



Vendors should also contact Conduent for:

- Assistance with updating contract documentation (only applicable to vendors with stand beside devices provided by Conduent),
- Transaction history, settlement information, disputes, and reconciliation procedures,
- Support on system adjustments and resolution of out-of-balance conditions,
- POS terminal and scanner training, troubleshooting and replacement (only applicable to vendors with stand beside devices provided by Conduent).

Vendors with integrated systems should contact their third party-processor (TPP), if they need assistance with the areas listed above.

Please send eWIC program-related questions to the Georgia WIC Vendor Relations Unit at 404-657-2900 or via email at [wic-vendor.relations@dph.ga.gov](mailto:wic-vendor.relations@dph.ga.gov). Program vendor staff will answer your questions promptly.

### **The Authorized Product List (APL)**

To appropriately configure an eWIC system to approve WIC supplemental foods for purchase, vendors must be provided the authorized product list also known as the APL. The APL file is a list of authorized food items established by Georgia WIC.

The first production level APL will be provided to vendors with integrated systems in early May 2022. Updates will be made to the APL, as necessary, prior to the go-live date for eWIC in the pilot region and provided to vendors accordingly.

The APL file must be downloaded daily to the vendor's cash register system to ensure accurate WIC eligible food items are available for purchase.

- Integrated vendors will obtain the file from Conduent's FTP site.
- Stand beside devices are configured to automatically receive the APL file if they are left on and have connectivity (via analog phone line or wired internet connection).

Regardless of the type of eWIC system used, vendors must ensure that the APL is downloaded to each eWIC device/outlet in their store at least once every 24 hours.

### **Produce Mapping**

1. Georgia WIC is requiring integrated vendors to map produce to a Georgia WIC approved Price Look-Up (PLU) code.
2. Any WIC approved fresh fruit or vegetable without an International Federation of Produce Standards (IFPS) approved PLU must be mapped to an IFPS-approved PLU. This includes produce items with a UPC bar code.
3. It is the store's responsibility to map all required fresh fruits and vegetables. If produce mapping is not completed, the WIC transaction will decline.
4. Stores should reach out to their Electronic Cash Register (ECR) provider for instructions on how to map produce items.

### **Guidelines for Processing eWIC Transactions**

Vendors must process eWIC transactions, accurately, in a timely manner and in accordance with the terms of the Georgia WIC Vendor Agreement, the eWIC Processor Vendor Agreement, the FNS EBT operating rules, standards and technical requirements, WIC Program Rules, and state and federal regulations, and statutes.

Transaction processing with the eWIC card is a more streamlined process because there are no printed FIs/CVV's to complete. It is important that a vendor owner, manager or other authorized store representative complete training on eWIC procedures prior to using the system. Furthermore, the vendor must ensure that all cashiers and staff are fully trained on eWIC requirements, including training in the acceptance and processing of eWIC transactions. The procedures used for eWIC processing are determined by the type of POS system used by the vendor.

### **Integrated Retailers**

Retailers use eWIC software to submit transactions through a certified Third-Party Processor (TPP) such as, Fiserv Solutions, Inc. (First Data Corporation) or Worldpay US, Inc. A TPP is a full-service provider for transaction processing, reconciliation and settlement for all payment types supported by the retailer (including eWIC). TPPs charge retailer fees based on the type of service selected (i.e., per transaction fee). Questions regarding settlement or transaction processing should be directed to your TPP or corporate office.

### **Integrated eWIC Purchase Flow**

1. An APL is downloaded nightly to the retailer's ECR system.
2. Items are scanned (no need to separate WIC items).
3. The universal product codes (UPCs) and price look-up codes (PLUs) are verified against the APL file.
4. Items are checked against the WIC family's benefit balance.
5. Items scanned are transmitted to Conduent's WIC Connect system for approval.
6. WIC Connect responds with approval and remaining benefit balance.
7. Once completed, if there are any non-WIC items remaining, the WIC family will be given the opportunity to pay the remaining balance with another form of tender.

**Note:** Depending on the retailer's ECR system, the card swipe and PIN entry could occur at the beginning, middle or end of initiating the WIC purchase transaction.

The transaction guidelines for integrated systems may vary slightly based on the POS system used. Vendors with integrated systems should refer to the guidance provided for their POS system for more comprehensive instructions on how to transact eWIC using their system.

### **Single Function Stand Beside POS Retailers (GA WIC provided equipment)**

Single Function Stand Beside devices are often utilized by small chains or single store merchants.

The full cost of WIC single-function equipment will be borne by Georgia WIC prior to statewide implementation. There is no equipment cost to the retailer for an initial single function point-of-sale (POS) terminal lane or lane(s) if minimum lane coverage analysis reveals additional lanes must be equipped, for a maximum of 4 lanes. Each stand beside in the lane requires dedicated power and an analog phone line or wired internet connection. Equipment maintenance and retailer support is provided at no cost. There is no fee to the merchant for transaction processing.

There is a need to scan items twice at the POS and in the retailer's ECR system. The eWIC stand beside device can only process Georgia WIC transactions. All items purchased with WIC benefits will be a separate transaction from non-WIC items purchased by the WIC customer.

All retailers authorized after statewide implementation must demonstrate they are eWIC capable.

#### Stand Beside POS Terminal - eWIC Purchase Flow

1. Cardholder swipes their eWIC card.
2. Cardholder will then enter his/her PIN.
3. Cashier scans the UPCs or enters the PLUs into the stand beside POS terminal and scans each item on the register as well.
4. Cashier enters or confirms the food item price on the stand beside.
5. Cashier completes the transaction on the stand beside POS terminal.
6. The stand beside POS terminal prints a receipt that has the remaining benefit balance details for the cardholder.

#### **Receipt of Purchase Requirements**

The printed receipt provided to the WIC customer is a record of what was purchased at the vendor's store. Vendors must provide WIC customers with printed receipts in accordance with receipt requirements listed in the *USDA, FNS, WIC EBT Operating Rules* which can be accessed using the link below:

<https://www.fns.usda.gov/sites/default/files/wic/WIC-EBT-Operating-Rules-September-2014.pdf>

#### **Additional eWIC Transaction Requirements**

When performing eWIC transactions the vendor must:

1. Provide to the WIC customer only the approved Georgia supplemental foods, fruits, and vegetables contained in the APL, after it has been determined that the WIC customer has an available balance on the date of the transaction.
2. Refrain from scanning codes from UPC codebooks or reference sheets.
3. Transmit the current shelf price of all WIC-approved supplemental foods purchased in the correct sizes, quantities and the total dollar amount of all WIC-approved supplemental foods purchased.
4. Ensure that the checkout process for eWIC allows a reasonable degree of security for protecting the PIN used by the WIC customer.
5. Perform eWIC transactions using cashiers in standard checkout lanes. **GA WIC has opted to not utilize/implement self-checkout at this time. eWIC transactions will not be operable in self-checkout lanes.**

#### **Payments to Vendors for eWIC Transactions**

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, each food item will have a maximum allowable reimbursement level. The maximum allowable reimbursement level is also known as the Not to Exceed (NTE) amount. If a vendor submits an item price that is above the NTE, their payment will be decreased to the NTE amount for the item. Vendors are required to provide their bank account information to the eWIC processor to ensure payment for eWIC transactions.

A sample of the Georgia eWIC card is shown below.



## Lost eWIC Cards

To report a lost or stolen card, call Customer Service number 1-844-309-5653. If found, return to: P.O. Box 81129, Austin, TX 78708.

## eWIC System Installation, Upgrades and Maintenance

Vendors must also comply with the following policies regarding eWIC system installation, upgrades and maintenance:

1. Connect the vendor's POS system for each eWIC device/outlet covered by the WIC vendor agreement to the state's eWIC system at least once each 24-hour period to download reconciliation files and the Georgia WIC Authorized Product List (APL).
2. Maintain a Georgia eWIC processor certified POS eWIC system that is available for WIC redemption processing during all hours the store is open.
3. Request the Georgia eWIC processor to re-certify the vendor's POS system if the vendor alters/revises the system in any manner that impacts the eWIC redemption/claims process after initial certification is completed. The following applies:
  - If the POS eWIC system is reconfigured or modified by the vendor and/or other parties in such a way that the eWIC POS system no longer exhibits the required system accuracy,

integrity, or performance required and under which requirements the eWIC POS system was certified, the state will not accept a redemption.

- The vendor is liable for all costs of all recertification events. Failure to seek recertification when the vendor's POS system is altered/revised shall subject the vendor to the financial liabilities for all transactions processed. For vendors with integrated systems, obtain eWIC card readers to support eWIC transactions within their store(s). The vendor must ensure that the eWIC card readers they obtain meet all eWIC and Georgia eWIC processor requirements. The vendor must: Purchase eWIC card terminals that are capable of properly reading eWIC card transactions. Ensure that the eWIC terminal(s) will be supported by integrated software that is fully capable of supporting WIC in-lane transactions.
  - The vendor's POS system must meet state certification requirements, including interoperability and Georgia eWIC processor requirements, prior to being placed in operation to accept eWIC transactions.
  - Acknowledge that the performance of maintenance, cost of maintenance, and cost of future replacement of terminals is the vendor's sole responsibility.
4. Not charge to the Georgia WIC Program:
- Third-party commercial processing costs and fees incurred by the vendor from eWIC multi-function systems and equipment.
  - Commercial transaction processing cost and fees imposed by a TPP, that the vendor elects to use to connect to the eWIC system of the state.
  - Interchange fees related to eWIC transactions.
  - Ongoing maintenance, processing fees or operational costs for vendor systems and equipment used to support eWIC after the WIC Program has implemented eWIC statewide, with the exception of vendors needed for participant access who require WIC-specific point-of-sale (POS) machines, accessories, and replacements or repairs associated with such devices.

Sign the WIC Vendor eWIC Agreement of the state WIC Program's eWIC Processor or TPP that has been certified by the state WIC Program's eWIC Processor. Failure by a vendor to sign and retain a WIC Vendor eWIC Agreement with the eWIC Processor or TPP will result in termination of the WIC Vendor Agreement. For any period of time during which a vendor becomes aware that or anticipates that it will not maintain the required WIC Vendor eWIC Agreement with the eWIC Processor or TPP, vendors must provide written notice to the Georgia WIC Program immediately, and no later than 24 hours from the time the vendor becomes aware of or anticipates such period of time during which they will not maintain a WIC Vendor eWIC Agreement. Vendors in need of assistance with the vendor enablement or certification process may contact the state's eWIC processor.

Vendors will also contact the state's eWIC Processor for:

- Assistance with setting up a stand-beside POS system.
- Assistance with updating stand-beside contract documentation.
- Stand-beside POS maintenance, training, troubleshooting, and replacement.
- Transaction history, settlement information, disputes, and reconciliation procedures.
- Support on system adjustments and resolution of out-of-balance conditions.

## Invoice Assessment

Applicants and vendors must submit, upon request, invoices, receipts, or bills of lading which show the purchase of **all** items intended for sale in their stores. This includes WIC food items, non-WIC food items, household products, and miscellaneous items. Invoices must reflect the name and address of the wholesaler, supplier or distributors, date of the purchase, list of the items purchased, size, stock number, quantity, unit price and total dollar amount for the quantity purchased. Itemized cash receipts must include the name and address of the store or a code number by which the store can be identified, the date of purchase, description of the items purchased, unit price and total purchase price. Affidavits or oral statements are not acceptable as proof of inventory.

Failure to submit the requested documentation within the time specified will result in denial of the vendor application or termination of the vendor agreement.

## Peer Groups

The Georgia Woman, Infants and Children Program maintains a vendor peer group system. A vendor peer group system is a means of classifying authorized vendors into groups based on common characteristics that affect food prices. The purpose of peer groups is to facilitate the application of competitive price criteria at vendor authorization and during the food instrument redemption process. The Georgia vendor peer grouping criteria is approved by the United States Department of Agriculture (USDA). Each vendor is assigned to one of ten (10) peer groups. Vendors are assigned to peer groups during the selection and authorization process utilizing five (5) criteria:

- (1) Business Economic Markets (BEAs) – Geographic Measure
- (2) Sub-Markets (e.g., Metro or Non-Metro) – Geographic Measure
- (3) Type of Store (e.g., Supermarket or Non-Supermarket) – Size Measure
- (4) Actual Gross Sales or Estimated Sales Revenue – Size Measure
- (5) Type of Ownership (e.g., Chain Store or Non-Chain Store) – Size Measure.

Vendor peer group assignments are conducted at least quarterly. Authorized vendors are notified of a peer group designation. New vendor applicants are reviewed for peer group placement at the time of authorization and at the beginning of the next federal fiscal year quarter preceding the date of authorization.

### **Reporting Sales Information**

Annual sales volume is a criterion used when assigning peer groups. Sales data includes non-food sales, non-WIC food sales, taxable sales and non-taxable sales. Sales data for vendors will be verified by the Georgia Department of Revenue (GDOR). The vendor must supply proof (tax return information) of reported sales figures, when requested by Georgia WIC.

For new vendor applicants, with less than one year of operation, estimated sales revenue supplied on the SNAP application will be used when assigning the peer group.

The sales information is to be provided quarterly or upon the request of the State Agency. If the information is not completed and returned to the State Agency within the proper time frames, the Vendor agreement may be terminated.

### **Not To Exceed**

The initial Not to Exceed (NTE) amounts will be calculated on a Category/Subcategory level, using submitted shelf price list/market basket data obtained for all WIC food items, for each peer group. The payment for a supplemental food item cannot exceed the established NTE amount. Ongoing NTEs are established using actual WIC redemptions for supplemental food items within a vendor peer group.



### Vendor Peer Groups

Cluster	BEA	Peer Group
1	11	J
	Non-11	K
2	11	M
	Non-11	N
3	11	H
	Non-11	I
Pharmacies	11	O
	Non-11	L
Military Commissaries	N/A	E
<p>Above 50%</p> <p>Vendors and applicants found to be an actual above fifty (50) % vendor where denial of authorization for that applicant or vendor would result in inadequate participant access.</p>	N/A	G
<b>Note:</b>	<b>Above 50%</b>	Applicants identified as actual or potential above fifty percent (A-50) vendors at application will not be authorized. Vendors assessed as A-50 during the annual assessment or at re-authorization will be terminated from the program. Pharmacies and military commissaries are exempt from this assessment.

## WIC ACRONYM AND LOGO, ADVERTISEMENTS AND INCENTIVES

### Use of the WIC Acronym and Logo

To identify the retailer as an authorized WIC vendor, vendors are required to prominently display in plain sight a poster or decal provided by Georgia WIC which states that the store accepts WIC. The WIC logo is very helpful in areas where language barriers exist.

A WIC vendor must not use the acronym “WIC”, the WIC logo, or close facsimiles thereof, in total or in part, either in the vendor’s official registered name or in the name under which it does business.

A WIC authorized vendor shall not use the WIC acronym, the WIC logo, or close facsimiles thereof, in total or in part, in an unauthorized manner on packages, product labels, proprietary materials including pamphlets and brochures, or in any form of marketing, promotional material or advertisement of the store.

Any person who uses the acronym “WIC” or the WIC logo in an unauthorized manner, including close facsimiles thereof, in total or in part, may be subject to injunction by the United States Department of Agriculture and the payment of damages.

Georgia WIC will terminate the Vendor Agreement for misuse or unauthorized use of the WIC acronym or the WIC logo. If a vendor applicant misuses the WIC acronym or the WIC logo prior to or at application, the Vendor Application will be denied.

### Advertisements, Shelf Talkers, Channel Strips, and Posters

#### Channel Strips and Shelf Talker, and “We Welcome WIC” posters

The Vendor is permitted to use shelf talkers or channel strips stating “WIC approved” or “WIC eligible” on grocery shelves at the exact spot that contains WIC approved foods. These items have been developed by Georgia WIC and are available upon request. Authorized vendors who wish to develop their own shelf talkers or channel strips must obtain written permission from Georgia WIC by submitting a copy or sample of the final version for approval **prior to use**.

Authorized vendors must submit the final artwork/graphic image of the proposed shelf label, along with a written request for consideration of approval, to the Georgia WIC Office of Vendor Management. The request must include the proposed size, color, and any other distinguishing features. All requests must be submitted at least thirty (30) days prior to the intended use date. A decision will be sent by the Georgia WIC Office of Vendor Management within thirty (30) days of receipt of request.

The proposed shelf label and request can be submitted via email or regular mail to:

Email Address: [WIC-VM@dph.ga.us](mailto:WIC-VM@dph.ga.us)

U.S. Mail: Georgia Department of Public Health

WIC Office of Vendor Management  
200 Piedmont Avenue, SE/West Tower, Suite 1502/ Atlanta, GA 30334

Store personnel are responsible for monitoring the use of all posted shelf labels, regardless of the source, in order to ensure that each label accurately and consistently identifies all WIC approved foods. Failure to do so is a category II sanction and can result in disqualification from the program for eight (8) months on the third violation. Vendors are required to utilize shelf talkers that reflect the current State Agency administering the Georgia WIC Program, the Georgia Department of Public Health (DPH).

### Payment Posters

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A WIC vendor must accept at least two other forms of payment other than WIC and SNAP EBT (Electronic Benefit Transfer). If a payment poster is displayed, all forms of payment accepted by a vendor must be listed so as not to solicit the WIC customer. Payment posters cannot imply that the vendor only takes WIC or SNAP EBT. SNAP EBT or WIC cannot be more pronounced on the poster than other forms of payment (e.g. SNAP EBT and WIC should not be in a larger or different font, or in boldface.)

### Bread Manufacturers

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Bread manufacturers are allowed to create their own shelf talkers and channel strips. Final artwork must be submitted to the Georgia WIC office for approval or revision prior to implementation.

**It is the responsibility of the vendor to ensure that the labels used by bread manufacturers have been approved by Georgia WIC. Should a non-approved label be used, the vendor will be subject to sanctions (see 'State Agency Sanctions - Category II'). Please contact Georgia WIC prior to allowing a bread manufacturer to label your shelves to ensure that their labels are approved.**

### Incentives

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Georgia WIC prohibits any vendor from using incentives to solicit the patronage of WIC participants. Vendors who use advertisements to solicit the business of WIC participants, or who offer incentives or delivery services to participants, will be subject to sanctions as explained in the Vendor Agreement and this handbook. Incentives are defined as any item, service, or gimmick used to solicit the patronage of a WIC participant. Incentives include, but are not limited to, free or complimentary gifts, home delivery of foods, store memberships, and other free or discounted services that are offered to WIC customers to entice them to transact food instruments.

## RESPONSIBILITIES AND PROCEDURES FOR SELECTED VENDOR TYPES

### Incorporated Vendors

The Georgia WIC Program defines a Corporate Vendor as an authorized vendor that is owned by a corporate entity. A corporate vendor can be a publicly or privately-owned corporation or a limited liability company.

Incorporated applicants must complete and submit a Corporate Information Form along with the vendor authorization application. To access the Corporate Information Form, visit <http://dph.georgia.gov/vendor-information>, and select "Corporate Information Form". If an applicant does not have access to the internet, a request can be made for a hardcopy of this form by calling the Office of Vendor Management, at 404-657-2900 or toll free, within Georgia, at 1-866-814-5468.

If an incorporated applicant is seeking authorization for two or more stores, it must also complete and submit with its application a corporate attachment form for each store. An authorized representative must sign the application and each Corporate Attachment Form. Upon authorization, a corporate vendor will receive one vendor agreement. The Corporate Attachment Forms serves as verification of each store location that is authorized under the vendor agreement and, therefore, are addendums to the vendor agreement. Each authorized store location will be assigned a vendor number and will receive a vendor stamp with that identifying number. Vendors are not permitted to redeem food instruments at any location until each location is authorized. A newly authorized store cannot begin accepting food instruments until it has received a vendor stamp with its assigned vendor number. **PLEASE NOTE:** If a store location under a corporate vendor begins transacting and/or redeeming food instruments before it receives its vendor stamp, that store location will be denied authorization for a period of three (3) years.

If a currently authorized corporate vendor wishes to seek authorization for additional stores during the agreement period, it must submit an updated vendor authorization application, a Corporate Information Form, Corporate Vendor Training Checklist and a Corporate Attachment Form for each store. The authorization of additional stores will not require the execution of a new vendor agreement. The Corporate Attachment Form for each newly authorized store will be an additional addendum to the existing corporate vendor agreement.

### Pharmacy Vendors

A vendor who is placed in the Pharmacy Peer Group is only permitted to redeem special infant formulas and medical foods as specified on the Georgia WIC vendor website. Pharmacy vendors are exempt from maintaining minimum inventory requirements and from A-50 assessments. All Pharmacy peer group vendors must be licensed and remain in good standing with the Georgia State Board of Pharmacies to provide prescription drugs and special medical foods in Georgia and must provide a copy of the licensing credentials upon request. Those who fail to maintain their pharmacy license in good standing will be terminated.

Programmatic reports will be used to verify performance compliance, such as whether a pharmacy vendor is redeeming only exempt infant formula food instruments. Pharmacy vendors shall not accept food instruments through the mail, nor mail any approved formula/medical foods directly to the WIC customer. Doing so will result in termination of the vendor agreement.

### **Vendors Redeeming Special Infant Formula and Medical Foods**

All authorized WIC Stores **are permitted to redeem food instruments for Special Infant Formula and Medical Foods (Nutritionals)**. All vendors are required to purchase infant formula directly from a WIC approved supplier or manufacturer included on a list provided by the Georgia WIC Program.

## VENDOR TRAINING

Vendor training is conducted to ensure that all vendors are familiar with Georgia WIC program policies and procedures. Training is offered in all of the following formats: newsletters, videos, videoconferences, or interactive training sessions.

Vendors must register to attend training and must attend on the date they have selected. If the vendor is unable to attend training on the date selected, they must alert Georgia WIC with an alternate date. For authorization training, vendors are required to show a government issued picture ID prior to admission.

### Pre-Authorization and Re-Authorization Training

Georgia WIC will provide an initial training session in an interactive format, either face-to-face or virtual, prior to authorization, and at least once every two or three years thereafter during the corresponding vendor re-authorization period. Georgia WIC will provide applicant/vendors with at least one (1) alternate date on which to attend interactive training. Attendance at training will be documented, a checklist of items discussed must be signed by the applicant/vendor and a Post Vendor Training Evaluation test will be administered. A passing score of eighty (80) points or higher is **required** to become authorized. There are **no exceptions** to the requirement to obtain a passing score of a minimum of 80 points. Each applying store should give the appropriate consideration and preparation when determining the representative sent to complete the authorization training. Vendor applicants cannot attend the initial authorization training session until an application for authorization has been submitted and the vendor has registered to attend. Upon request, the Georgia WIC Program will provide language assistance or accommodation to ensure meaningful access to training for vendor applicants and vendors with a language barrier or a disability.

A representative of a corporate vendor with multiple store locations must initially complete the authorized training session and receive a passing score of eighty (80) points or higher. After completing and passing the training session, the corporate vendor is allowed to conduct authorization training for: 1) existing authorized stores at the time of re-application and 2) new unauthorized stores that will be added to an existing Vendor Agreement. The corporate vendor must conduct authorization training for existing and new locations. The representative must ensure that all training topics are provided to a management representative in each authorized store.

Attendance at a training session, prior to becoming an authorized vendor, **does not** grant the right to begin accepting WIC food instruments or transacting eWIC.

Only a fully executed Georgia WIC Program vendor agreement that is signed by both parties **constitutes program authorization**. Additionally, to fully complete the authorization process, a vendor applicant **must also** sign a Vendor Agreement with the Georgia eWIC processor, or a third-party processor (TPP) that has been certified according to criteria established by the Georgia eWIC processor, prior to program authorization. The vendor applicant must also pass certification testing, if necessary, and ensure that their staff are trained regarding eWIC policies and procedures for their store.

Georgia WIC requires an owner, manager, or other authorized store representative to complete training on eWIC procedures. The vendor must ensure that all cashiers and staff are fully trained on eWIC requirements, including training in the acceptance and processing of eWIC transactions.

Vendor applicants cannot be authorized without completing all of these requirements.

A vendor applicant cannot transact (accept) WIC food benefits prior to full program authorization. Upon authorization, the Georgia WIC Program will ensure that the fully executed Georgia WIC Program Vendor Agreement (signed by the vendor and the Georgia WIC Program) is provided to the vendor.

## Annual Training

Georgia WIC will conduct annual training for vendors regarding changes and updates to policies and procedures. Annual training may be conducted in a variety of formats including newsletters, videos and interactive training. Authorized vendors must provide documentation of participation in annual training by the deadline specified. In addition, corporate vendors must ensure that each store listed in the current Vendor Agreement receives annual training by the deadline specified. Failure to do so will result in termination of the Vendor Agreement. Failure to provide documentation that each store participated in annual training will result in termination of the store(s).

## Customized Training

Georgia WIC representatives may conduct training for employees of WIC vendors at their request. Training requests should be made in writing to Georgia WIC, Office of Vendor Management, 200 Piedmont Ave, SE / West Tower, Suite 1502/ Atlanta, GA 30334. Please specify the desired training topics and the type and number of employees who will attend. Georgia WIC and the WIC vendor will mutually agree upon location (virtual or face-to-face) and dates for the training.

## WIC APPROVED FOODS

The WIC Approved Foods posted on the Georgia Department of Public Health website at <http://dph.georgia.gov/vendor-information> are foods that are available to the WIC customer. **ONLY these foods may be purchased by the participant or proxy using the WIC food instrument.**

Because the brand names and types of infant formula as well as special medical foods are too numerous to list, approved foods will be printed directly on the front of the WIC food instrument. **The WIC customer is allowed to purchase the brand, type and size of infant formula or medical food that is printed on the front of the food instrument. Do not allow the WIC customer to purchase infant formula or medical food that is NOT listed on the food instrument.**

The vendor will receive an updated list of approved foods as changes are made and can always check the Georgia Department of Public Health website for current information. Vendors will periodically receive pamphlets and posters of WIC approved food items that can be used as displays or as a training resource.

### List of Infant Formula Wholesalers, Distributors, and Manufacturers

All vendor applicants and authorized vendors are required to purchase infant formula, to be exchanged for WIC food instruments, directly from a WIC approved supplier or manufacturer included on a list provided by the Georgia WIC Program. The Georgia WIC Program does not permit vendors to purchase infant formula from other authorized program vendors or retailers. Only purchases from the approved list will be permitted.

Records of the infant formula purchases must be maintained for a minimum of three (3) previous years plus the current year (or until any pending investigations are closed). In the event of an investigation, only purchase invoices from those approved suppliers will be considered as legitimate. The program may also require vendors to supply the program with written permission to confirm their infant formula purchase history with suppliers.

The approved list includes manufacturers registered with the Food and Drug Administration (FDA) as well as licensed wholesalers, distributors and suppliers. Only Georgia WIC approved Infant Formula is eligible for purchase and distribution. A current list is posted on the Georgia WIC Vendor Management (OVM) Website and available to applicants and authorized vendors. Manufacturers and wholesalers/distributors/suppliers are listed separately. The Infant Formula supplier list will be updated as suppliers are added or at a minimum, annually. Annual updates shall observe the Federal Fiscal year of October 1<sup>st</sup> through September 30<sup>th</sup>. Vendors may not appeal the State's decision to include or exclude an infant formula wholesaler, distributor or manufacturer from the approved list.

The Approved Infant Formula Suppliers list can be located on the Georgia WIC Vendor Management Website at: <https://dph.georgia.gov/vendor-information>.



### Obtaining Approval to be Placed on the Georgia WIC Approved Infant Formula Supplier List

Wholesalers, distributors, and suppliers may apply to be placed on the approved list by contacting the WIC Office of Vendor Management at 404-657-2900 or toll free at 1-866-814-5468.

The newly posted Georgia WIC Approved Infant Formula Supplier List will have an effective date that reflects the date that the last supplier(s) was added to the approved list.

### **Non-WIC Inventory Requirement**

All vendors except pharmacies are required to carry foods other than WIC approved foods. These food items must consist of qualifying food items approved by SNAP in addition to the WIC minimum inventory, WIC-approved foods, and foods that are intended for home preparation and consumption, such as meat, fish, poultry, bread, cereal products, dairy products, fruits, and vegetables. Items such as condiments and spices, coffee, tea, cocoa, carbonated and noncarbonated beverages are included in food sales only when offered for sale along with foods in the four (4) primary categories. Non-food items, alcoholic beverages, hot foods, or food that will be eaten on the store premises are not considered a part of USDA's definition of eligible foods.

At least two hundred (200) items in each of the following categories must be in stock at all times.

<b>Non-WIC Inventory Requirement</b>	
<b>Food Item</b>	<b>Minimum in each category</b>
<b>Meats, Poultry and/or Seafood</b> ( <i>refrigerated or frozen</i> )	200
<b>Breads and Cereal Products</b>	200
<b>Dairy</b> ( <i>e.g. milk, cheese, yogurt, etc.</i> )	200
<b>Shelf Staples</b> ( <i>e.g. flour, sugar, pasta, pudding mix, etc.</i> )	200
<b>Cans, Jars, Bottled Goods</b> ( <i>e.g. mayo, ketchup, relish, etc.</i> )	200
<b>Beverages</b> ( <i>e.g. soda, water, powdered drinks, etc.</i> )	200
<b>Snack Foods</b> ( <i>e.g. crackers, granola bars, etc.</i> )	200

## Minimum WIC Food Inventory Requirements

Vendors are **REQUIRED** to maintain in stock a minimum variety and quantity of the WIC foods as described in the chart below. An on-site inventory audit of the below mentioned WIC-approved food items is a component of the pre-approval and routine monitoring visits.

<b>Georgia WIC Program</b> <b>Minimum Inventory Requirements</b> <b>Effective July 12, 2021</b>				
Food Item	Types/Brands	Size	Minimum Inventory	<input checked="" type="checkbox"/>
<b>MILK</b> <u>Any brand allowed.</u> Kosher allowed. <ul style="list-style-type: none"> <li>No 2%, organic, evaporated filled or flavored milk</li> <li>No raw milk</li> <li>No nut milks</li> <li>No a2 milk, buttermilk, rice milk, coconut milk, pea protein plant milk, or oat milk</li> </ul> No dried whole milk (Nido)	Whole Milk	Gallon	4 Gallons	<input type="checkbox"/>
	Fat Free/Skim, Low-Fat (1%) <u>(size &amp; fat content as listed on voucher)</u>	Gallon	8 Gallons (Can be Combined)	<input type="checkbox"/>
<b>CHEESE</b> <u>Any brand allowed</u> <u>Kosher allowed</u> <ul style="list-style-type: none"> <li>Part-skim is allowed</li> </ul> Following forms are allowed: <ul style="list-style-type: none"> <li>Block</li> <li>Slices</li> <li>String</li> <li>Shredded</li> <li>Cubed</li> <li>Stick</li> </ul>	One Pound Package	16 oz (1 Pound)	5 - 1 lb Packages 2 Types	<input type="checkbox"/>
<b>EGGS</b> <ul style="list-style-type: none"> <li>Any Brand allowed</li> <li>Any grade allowed</li> <li>White or Brown eggs allowed</li> <li>No organic</li> <li>No added Omega 3, DHA or ARA</li> <li>No low cholesterol</li> <li>No free range, pasture-raised, natural cage free,</li> </ul>	Any size allowed (large, extra-large, jumbo, etc.).	1 Dozen Carton	4 - 1 Dozen	<input type="checkbox"/>

**Georgia WIC Program**  
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Food Item	Types/Brands	Size	Minimum Inventory	<input checked="" type="checkbox"/>
<i>cage free, enriched colony or vegetarian fed</i>				
PEANUT BUTTER	Any Brand			
<ul style="list-style-type: none"> <li>No reduced fat or peanut butter spreads</li> <li>No added marshmallow, chocolate, honey, or jelly</li> <li>No added vitamins/minerals</li> <li>No added Omega 3</li> <li>No other size</li> </ul>	Creamy, Crunchy, Extra Crunchy, Natural or Low salt	16-18 oz Jar	4 Containers 2 Brands	<input type="checkbox"/>
BEANS / PEAS / LENTILS				
<ul style="list-style-type: none"> <li>No flavored beans or peas</li> <li>No other size or quantity</li> <li>No added sugar, fat, oil, or meat</li> <li>No soups</li> <li>No baked beans</li> <li>No immature varieties of legumes such as green peas, or snap beans/green beans</li> </ul>	Dried Beans/Peas/ Lentils (any variety of plain, mature dry beans, peas or lentils)	1 Pound Packages	5 Packages - 2 Types	<input type="checkbox"/>
	Canned Beans/ Peas/ Lentils (any variety of plain, mature beans, peas, or lentils, including refried beans, low sodium is allowed)	15 - 16 oz Cans	18 Cans - 2 Types	<input type="checkbox"/>

**Georgia WIC Program**  
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Food Item	Types/Brands		Size	Minimum Inventory	<input checked="" type="checkbox"/>
TOFU Calcium set • No non-calcium set • No other size, type, or quantity	Nasoya	Silken Extra Firm Firm	14 to 16 oz package	Must be ordered upon request.	<input type="checkbox"/>
BROWN RICE • No white rice • No flavored rice • Not any other size or quantity	Any Brand		16 oz	Must be ordered upon request.	<input type="checkbox"/>
JUICE • No juice drinks • No juice with sugar added • No sports drinks	Ready to Serve Container, Non-Frozen Concentrate, Frozen Concentrate		48 oz 11.5 oz 11.5 -12 oz	8 Containers – 2 Flavors Any Combination	<input type="checkbox"/>
	Ready to Serve Container		64 oz	8 Containers - 2 Flavors	<input type="checkbox"/>
WHOLE GRAIN BREAD • No hot dog rolls/buns • No other brand, size, type or quantity	100% Whole Wheat Loaves  100% Whole Wheat Sandwich Buns	• Best Choice • Bimbo • Food Lion • Healthy Life • Kroger • Nature's Own • Roman Meal • Sara Lee • Wonder	16 oz Loaf	4 Loaves	<input type="checkbox"/>
WHOLE GRAIN TORTILLA • No other types or brands • No other size or quantity	Whole Wheat	Guerrero Kroger MiCasa Mission Ortega	16 oz package	Must be ordered upon request.	<input type="checkbox"/>
	Corn	Chi Chi's Guerrero Herdez La Banderita Mission			
CEREAL (Hot & Cold)	WIC Approved Cereal Brands and Types (see <i>WIC Approved Foods List</i> )		11- 36 oz	12 Boxes - 4 Types, 2 Types must be Whole Grain	<input type="checkbox"/>
FISH • No Packed in oil • No albacore • No Added flavorings • No Pouches	Tuna – water packed, any brand		5 oz can 6 oz can 7.5 oz can	18 Cans Combined	<input type="checkbox"/>
	Pink Salmon, any brand		5 oz can 6 oz can 7.5 oz can		

**Georgia WIC Program**  
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Food Item	Types/Brands		Size	Minimum Inventory	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li>No Individual serving containers</li> <li>No Fresh or frozen</li> <li>No other sizes or quantities</li> <li>No other sizes or quantities</li> </ul>			14.75 oz can		
<b>INFANT FORMULA</b> (The WIC voucher lists the brand, size, and form (powder, concentrate, or ready to feed) that is allowable.)	Enfamil A.R.		12.9 oz can powder	Must be ordered upon request.	<input type="checkbox"/>
			8 fl oz bottle RTF	Must be ordered upon request.	
	Enfamil Infant (milk based)		12.5 oz can powder	12 cans	
			32 fl oz bottle RTF	Must be ordered upon request.	
			13 fl oz can concentrate	Must be ordered upon request.	
	Enfamil ProSobee (soy based)		12.9 oz can powder	6 cans	<input type="checkbox"/>
			8 fl oz bottle RTF/ 32 fl oz bottle RTF	Must be ordered upon request.	
			13 fl oz can concentrate	Must be ordered upon request.	
	Enfamil Gentlease (lactose reduced)		12.4 oz can powder	6 cans	
	Enfamil 24		2 fl oz RTF	Must be ordered upon request.	<input type="checkbox"/>
	EnfaGrow Premium Toddler Transitions/Enfagrow NeuroPro Toddler Transitions		20 oz can powder	Must be ordered upon request.	<input type="checkbox"/>
	EnfaGrow Toddler Transitions Gentlease/Enfagrow NeuroPro Gentlease Toddler Transitions		20 oz can powder	Must be ordered upon request.	<input type="checkbox"/>
<b>INFANT CEREAL</b> <ul style="list-style-type: none"> <li>No organic</li> <li>No baby cereal in jars</li> <li>No cereal with fruit added</li> <li>No cereal with formula added</li> <li>No DHA ARA</li> </ul>	Dry Cereal		8 oz Containers	12 Boxes - 2 Types, <b>1 must be Rice</b>	<input type="checkbox"/>
	Beech Nut	Rice Oatmeal Multigrain			
	Gerber	Rice Oatmeal Multigrain Whole Wheat			

**Georgia WIC Program**  
**Minimum Inventory Requirements**  
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Food Item	Types/Brands			Size	Minimum Inventory	☑
<ul style="list-style-type: none"><li>No other size or quantity</li></ul>						
INFANT FRUIT & VEGETABLES <ul style="list-style-type: none"><li>No organic</li><li>No diced</li><li>No other brand, combination, or size</li><li>No desserts</li><li>No pouches</li><li>No other combinations</li></ul>	Fruit and / or Vegetable		<ul style="list-style-type: none"><li>Beech-Nut Naturals Stage 1</li><li>Beech-Nut Naturals Stage 2</li><li>Beech- Nut Stage 2</li><li>Gerber 2<sup>nd</sup> Foods</li></ul>	4 oz Jars or 2 - 4 oz Twin Packs	72 Jars Combined or 37 – 8 oz Twin Packs	☐
INFANT MEATS	Meats in Gravy or Broth			2.5 oz Jars	* Make this item available for purchase, in sufficient quantity upon request within 5 business days.	☐
FRUITS & VEGETABLES	Fruits			Fresh, Frozen, Canned	Fresh: 20 Types (Combined Fruits and Vegetables)	☐
	Vegetables			Fresh, Frozen, Canned		☐
YOGURT	Activia	Low Fat	Any Flavor	4 oz - 4 Pack	64 ounces – low or non- fat; plain or flavored; any combination of packaging  1 - 32 oz tub, whole milk; plain or flavored	☐
NO Mix-in ingredients such as granola, candy pieces, honey, nuts, and similar ingredients.	Dannon	Whole Milk	<ul style="list-style-type: none"><li>Plain</li><li>Vanilla</li><li>Strawberry</li></ul>	32 oz tub		☐
		Low Fat	Any Flavor			
		Non-Fat	Any Flavor			
NO Drinkable yogurts	Oikos (Greek)	Whole Milk (4%)	<ul style="list-style-type: none"><li>Plain</li></ul>	32 oz tub		☐
		Non-Fat (0%)	<ul style="list-style-type: none"><li>Plain</li><li>Vanilla</li></ul>			☐
NO “light” yogurts or artificial sweeteners or stevia	Yoplait	Non-Fat	Any Flavor	32 oz tub		☐
NO organic		Low Fat		4 oz – 8 pack		☐
NO fruit fusion	GoGurts	Low Fat	Any Flavor	2 oz – 16 pack		☐

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Food Item	Types/Brands		Size	Minimum Inventory	<input checked="" type="checkbox"/>
YOGURT	Great Value	Non-Fat	• Plain	32 oz tub	<input type="checkbox"/>
		Low Fat	• Plain		<input type="checkbox"/>
			• Vanilla		<input type="checkbox"/>
			• Strawberry		<input type="checkbox"/>
		Greek Whole Milk	Plain		<input type="checkbox"/>
	Kroger	Greek Non-Fat	• Plain	32 oz tub	<input type="checkbox"/>
		Non-Fat	• Vanilla		<input type="checkbox"/>
			• Strawberry	32 oz tub	<input type="checkbox"/>
			• Vanilla		<input type="checkbox"/>
	Chobani	Whole Milk	• Plain	32 oz tub	<input type="checkbox"/>
		Non-Fat	• Plain	32 oz tub	<input type="checkbox"/>
			• Vanilla		<input type="checkbox"/>
			• Strawberry		<input type="checkbox"/>
			• Peach		<input type="checkbox"/>
	Crowley	Non-Fat	• Plain	16 oz	<input type="checkbox"/>
		Low-Fat	• Plain		<input type="checkbox"/>
			• Vanilla	32 oz tub	<input type="checkbox"/>
			• Plain		<input type="checkbox"/>
	Noosa	Whole Milk	• Any Flavor	8 oz	<input type="checkbox"/>
				4 oz- 4 Pack	
				24 oz tub	
	LaYogurt	Whole Milk	• Plain	32 oz tub	<input type="checkbox"/>
		Non-Fat	• Strawberry		<input type="checkbox"/>
			• Plain	32 oz tub	<input type="checkbox"/>
			• Vanilla		<input type="checkbox"/>
	Best Choice	Low-Fat	• Plain	32 oz tub	<input type="checkbox"/>
			• Vanilla		<input type="checkbox"/>
		Greek Non-Fat	• Plain	32 oz tub	<input type="checkbox"/>
			• Vanilla		<input type="checkbox"/>
	Cabot	Greek Low-Fat	• Plain	32 oz tub	<input type="checkbox"/>
			• Vanilla		<input type="checkbox"/>

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Food Item	Types/Brands		Size	Minimum Inventory	<input checked="" type="checkbox"/>
YOGURT	Essential Everyday	Whole Fat	• Plain 32 oz tub		<input type="checkbox"/>
		Non-Fat	• Plain 32 oz tub		<input type="checkbox"/>
		Low-Fat	• Plain • Vanilla • Strawberry • Peach • Raspberry 32 oz tub		<input type="checkbox"/>
		Greek Non-Fat	• Plain • Vanilla • Strawberry 32 oz tub		<input type="checkbox"/>
	Food Club	Non-Fat	• Plain 32 oz tub		<input type="checkbox"/>
		Low-Fat	• Vanilla • Strawberry 32 oz tub		<input type="checkbox"/>
	LaLa	Low-Fat	• Plain 32 oz tub		<input type="checkbox"/>
	Nostimo	Greek Non-Fat	• Plain • Vanilla 32 oz tub		<input type="checkbox"/>
	SEGrocers	Non-Fat	• Plain • Vanilla 32 oz tub		<input type="checkbox"/>
		Low-Fat	• Vanilla 32 oz tub		<input type="checkbox"/>
		Greek Non-Fat	• Plain 32 oz tub		<input type="checkbox"/>
	Coburn Farms	Low-Fat	• Plain • Vanilla 32 oz tub		<input type="checkbox"/>
		Greek Non-Fat	• Plain • Vanilla 32 oz tub		<input type="checkbox"/>
	Morning Fresh	Non-Fat	• Plain 32 oz tub		<input type="checkbox"/>
		Low-Fat	• Vanilla 32 oz tub		<input type="checkbox"/>
	Food Lion	Non-Fat	• Plain 32 oz tub		<input type="checkbox"/>
		Low-Fat	• Vanilla 32 oz tub		<input type="checkbox"/>



**Georgia WIC Program  
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Food Item	Types/Brands	Size	Minimum Inventory	<input checked="" type="checkbox"/>
<p>WHOLE WHEAT</p> <p>MACARONI PRODUCTS</p> <p><b>NO</b> added sugars, fats, oils, or salt</p> <p><b>NO</b> Organic</p> <p><b>NO</b> other sizes or quantities allowed</p>	<ul style="list-style-type: none"> <li>• Barilla (whole grain)</li> <li>• Essential Everyday (whole wheat)</li> <li>• Food Club (whole wheat)</li> <li>• Gia Russa (whole wheat)</li> <li>• Great Value (whole wheat)</li> <li>• Hodgson Mill (whole wheat)</li> <li>• Kroger (whole wheat)</li> <li>• Publix (whole wheat and whole grain)</li> <li>• Racconto (whole wheat)</li> <li>• Ronzoni Healthy Harvest (whole grain)</li> <li>• Shurfine (whole wheat)</li> </ul>	<p>16 oz Any Shape</p>	<p>Must be ordered upon request.</p>	<input type="checkbox"/>

**\* NOTE: VENDORS MUST BE ABLE TO ORDER MILK AND SOY CONTRACT FORMULAS, WHOLE WHEAT PASTA, BROWN RICE AND INFANT MEATS OR ANY APPROVED FOOD ITEM WHEN REQUESTED BY THE PARTICIPANT.**

## Important Notes about the WIC Customer for Cashiers and Store Managers

The WIC customer:

1. May not use an eWIC card to purchase items not listed on the eWIC card benefit balance.
2. Must never be required to pay cash for items purchased, except for items purchased with the cash value benefits (CVB), in excess of the amount of the CVB balance.
3. Must be allowed to purchase all foods listed on the eWIC card benefit balance, regardless of price.
4. Must be afforded the same courtesies given to other store customers.
5. Must be permitted to purchase eligible food items without making other purchases.
6. Must be charged the same shelf prices as other non-WIC customers.
7. Must not be charged sales tax, except on the purchase amount that is in excess of the amount of the cash value benefit, if applicable.
8. Must be reported to Georgia WIC immediately if the WIC participants attempts to purchase foods that are not approved or create other problems in the store.
9. Must not be required to purchase every item on the eWIC card benefit balance.
10. Must not be contacted regarding restitution or payment.

### More Important Notes.

1. WIC approved foods purchased with a WIC food instrument / eWIC card cannot be returned for a cash refund.
2. WIC food instruments/ eWIC cards from other states must not be accepted.
3. If a manager is called to approve an eWIC transaction, it is imperative that the customer is not identified as a WIC participant, parent, caretaker and/or proxy. Every effort must be made to protect confidentiality and discussion of the transaction should be kept at a conversational level.
4. Separate checkout lines for the WIC customer are prohibited. Signs such as "WIC food instruments not allowed in this line" or "No Checks-No WIC" cannot be displayed. However, vendors who wish to ensure that the WIC customer does not enter certain lines, such as express lines, may post "Cash Only" signs in those lines.
5. The vendor must not provide refunds or permit exchanges for authorized supplemental foods obtained with WIC food instruments except for exchanges of the same brand and size of authorized supplemental food items when the original authorized supplemental food item is defective, recalled,

spoiled, or has exceeded its “sell by” or “best if used by,” or other date limiting the sale or use of the food item.

6. The WIC customer must be allowed to participate in in-store or manufacturer promotions that are available to all other customers, and that includes WIC approved food items. This includes ‘buy one get one or more free’ promotions.
7. The WIC authorized vendor, its paid or unpaid owners, officers, managers, agents and employees shall not engage in any activity with the WIC participant, proxy, or caretaker that would create a conflict of interest, as determined by Georgia WIC. Authorized WIC vendors are not permitted to act as a proxy for a WIC participant.
8. The vendor is not permitted to provide transportation for the WIC customer to or from the vendor’s premises.
9. The vendor is not permitted to deliver WIC approved foods to the WIC customer’s residence.
10. The vendor shall not take back items purchased by the participant, nor shall a vendor ask about obtaining food items that the participant chooses not to buy with the eWIC card.
11. The vendor must not provide unauthorized food or non-food items, cash, credit (including “rain checks”) in exchange **for the eWIC card**.

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## Vendor Redemption and Pricing Assessments

Redemption data for all vendors will be reviewed on a quarterly basis, at a minimum.

WIC vendors are required to maintain competitiveness throughout the entire agreement period.

Non-competitive pricing for redemptions occurs when the amount paid per food instrument by Georgia WIC to a vendor, per quarter, for all food instruments except cash value benefits, exempt infant formulas, and medical foods exceeds the statewide average amount paid per food instrument redeemed within the peer group by more than 50% on 10 or more items. If a vendor is found to be non-competitive during an assessment, the vendor will receive written notice. If the vendor is identified as non-competitive for three (3) additional assessments, the vendor agreement will be terminated for a period of twelve (12) months.

Vendors are required to submit and maintain prices that are at, or lower than, other vendors currently participating in the program, within their designated peer group. Vendors must submit shelf pricing every six months (two quarter each year), at a minimum. If a vendor's prices are more than ten (10) percent higher than the maximum prices of others in its Peer Group on more than three (3) items – the vendor will receive a written notification that its pricing is not competitive. Vendors may be assessed at any time and those whose prices remain non-competitive for three (3) additional assessments, the vendor agreement will be terminated for a period of twelve (12) months.

Pharmacies and military commissaries are exempt from these redemption assessments.

## Vendor Cost Containment

Georgia WIC will conduct an annual assessment of each current vendor, except pharmacies and military commissaries, to determine if they derive more than fifty (50) percent of their food revenue from WIC food instruments. Vendors will also be assessed at re-authorization. New vendors will be assessed within six (6) months of authorization to determine if they derive more than fifty (50) percent of their food revenue from WIC food instruments.

Georgia WIC uses vendor reported shelf prices and redemption history to determine the Not to Exceed (NTE) amount for food items. Vendors will not be paid an amount that exceeds the NTE amount for a food item.

Vendors are encouraged to submit prices for new items as well as price changes of existing items at any time.

All vendors, except pharmacies and military commissaries, will be assessed at application, within six (6) months after authorization, and annually thereafter to determine whether they derive more than fifty (50) percent of their SNAP eligible food sales from WIC redemptions. Georgia WIC will conduct an initial Food Sales Assessment based on programmatic reports to determine whether a vendor is a Probable Above Fifty Percent Vendor (A-50).

Upon notification of Probable A-50 Status, vendors may challenge the initial findings by requesting a detailed Food Sales Assessment to demonstrate that their eligible food sales are less than their WIC sales.

A vendor must submit its request for a detailed Food Sales Assessment within fifteen (15) days of the date of the Notice of Probable A-50 Status. A vendor will be determined to be an Above Fifty-Percent Vendor if: (1) it fails to follow the procedures to request a detailed Food Sales Assessment, (2) it fails to provide the documents or information required, (3) it fails to cooperate with the assessment process; or, (4) if the detailed Food Sales Assessment confirms that a vendor is an Above-Fifty Percent vendor.

Applicants or vendors that are determined to be an A-50 vendor will be denied at authorization or terminated from the program unless it is determined that denial of authorization for the vendor would result in inadequate participant access. Vendors determined to be A-50 will receive notification, which contains instructions on how to appeal the denial or termination under the Administrative Review procedures in place. Vendors that remain on the program due to inadequate participant access will be moved to Peer Group G.

## **CHANGES IN VENDOR INFORMATION**

Any changes to the information provided on the vendor application must be communicated to Georgia WIC. Georgia WIC requires the vendor to provide advance written notice of any changes in vendor information including ownership, store location or cessation of operations. It is recommended that vendors use a traceable method of delivery of such notices.

### **Changes in Store Location or Information**

The vendor must provide Georgia WIC with at least twenty-one (21) days advance written notice of any changes in store location or information provided on the most recent vendor application. Each store is authorized based on the ownership and physical address that exists at the time of authorization, and authorization is not transferable to another store location. Therefore, if a change in store location is ten (10) miles or more from the original store location, the vendor must complete and submit an updated application (non-corporate vendor) or corporate attachment form (corporate vendor) **and** sign a new vendor agreement. If the change in store location is less than ten (10) miles from the original store location, the vendor must only complete and submit an updated application or corporate attachment form.

If Georgia WIC discovers that a change in location has occurred before a notice is received, then the vendor authorization number will be immediately terminated. All food instruments submitted for payment will be returned unpaid and Georgia WIC will establish a claim for reimbursement of redemptions.

The vendor must also provide Georgia WIC with written notice of any other change in business or contact information listed on the vendor application, including store name, hours of operation, telephone number and e-mail address(es).

### **Changes in Store Operation and Sales Information**

The vendor must provide Georgia WIC with written notice of any changes made to the “Operation and Sales” section of the vendor authorization application and “Operations, Sales, and Banking Information”

section of the Corporate Attachment Form. Specifically, any change pertaining to the types of non-taxable food and non-food items sold by a vendor that are not SNAP or WIC eligible.

## **Cessation of Operation**

The vendor must provide Georgia WIC with at least twenty-one (21) days advance written notice of any changes to the operation or cessation of its business or cessation of business and the effective date. Georgia WIC will acknowledge the receipt of this information.

WIC-authorized vendors must provide Georgia WIC with at least twenty-one (21) days advanced written notice of any plan to cease operations, whether temporarily (e.g., remodeling) or permanently (e.g., store closure). An agreed upon cessation date for accepting and processing WIC food instruments will be established and adhered to. All WIC operations will be suspended during the time that a store is closed. The store location is unable to redeem WIC Food Instruments. In order to determine store readiness, an updated application review and satisfactory site visit are required before WIC operations resume. If Georgia WIC discovers that an authorized location has temporarily closed without receipt of prior notice, the vendor authorization number will be immediately terminated. Processing and payment of all eWIC transactions will cease and Georgia WIC will establish a claim for reimbursement of any redemptions paid during the temporary closure.

## **Changes in Ownership (including addition of owner)**

The vendor must provide Georgia WIC with at least twenty-one (21) days advance written notice of any changes to the ownership, corporate structure, and management of its business or cessation of business and the effective date. Georgia WIC will acknowledge the receipt of this information.

If business changes involve the addition of new owners, corporate officers, partners, and/or affiliates, a vendor must include the full name, social security number, and date of birth for each individual in its notice to the Department. New people added to an existing business, or who acquire the business must pass the Department's Business Integrity checks. A vendor will be immediately terminated from the program if it fails to provide the Department with advance written notice of such changes and fails to provide the requisite information the Department needs to conduct its Business Integrity checks.

For locations where none of the initial owners retain any ownership interest or for locations ceasing operation, the vendor authorization number will be terminated on the effective date of the change. Any eWIC transactions submitted for payment after the effective date will not be paid. Processing and payment of all eWIC transactions will cease and Georgia WIC will establish a claim for reimbursement of any redemptions paid after the effective date of the change.

If the vendor wishes to change the effective date, a written notification is required. Otherwise, the vendor authorization number will be terminated, as originally confirmed. Once termination occurs, a vendor must submit a new application and meet all current selection criteria. New owners must submit an application, since WIC vendor agreements are not transferable.

If Georgia WIC discovers that a change in ownership has occurred before notice is received, then the vendor authorization number will be immediately terminated. Processing and payment of all eWIC

transactions will cease and Georgia WIC will establish a claim for reimbursement of any redemptions paid after the established change in ownership.

Upon the sale of the store, the authorized WIC vendor should inform the new owner that the Georgia WIC Vendor Agreement is non-transferable, and that the new owner must submit an application to be considered for authorization as a WIC vendor. If the new owner submits a Vendor Application, then the new owner will be required to provide proof of purchase of the store from the previous WIC vendor.

If a vendor is disqualified from Georgia WIC, the vendor shall not continue operating as a Georgia WIC vendor by selling, assigning or otherwise transferring ownership to the vendor's partners, members, owners, officers, directors, employees, relatives by blood or marriage, heirs or assigns. Similarly, upon or after the assessment of a sanction, the vendor may not withdraw from the program, close the store or transfer ownership of the store to the vendor's partners, members, owners, officers, directors, employees, relatives by blood or marriage, heirs or assigns. Failure to abide by this provision may subject the vendor to civil liability, fines, and penalties.

## Reporting and Changing Shelf Prices

Shelf price surveys are used to identify stores that are in compliance with competitive pricing criteria.

USDA regulations require the Georgia WIC Program to "ensure that a vendor selected for participation in the program does not, subsequent to selection, increase prices to levels that would make the vendor ineligible for authorization." USDA regulations require a shelf price survey to be completed at least every six months following authorization.

Each vendor is required to submit the shelf prices for WIC food items carried in each store location. Georgia WIC collects mandatory shelf prices **semi-annually** but reserves the right to collect shelf prices outside of that time frame at its discretion. All "cost plus 10%" store locations must submit the final price charged for a food item.

Georgia WIC may request shelf prices for as many or as few items as it desires. Should an authorized Georgia WIC vendor change prices subsequent to authorization, the vendor is requested to inform Georgia WIC of such changes within forty-eight (48) hours of implementing the new prices. The vendor should make the changes at <https://sendss.state.ga.us/sendss/Wicpricing.wiclogin>. To access the database, please use the password provided in the notice for shelf price collection. In the event the vendor fails to update Georgia WIC of such changes, WIC may rely on the latest submission of shelf prices by the vendor in determining its current shelf prices.

Pricing must be submitted for all **WIC eligible** food items sold or anticipated being sold at each store location. Failure to submit shelf pricing for an item subsequently redeemed is a sanction-able violation (see "Sanction System"). Collection of shelf prices does not constitute either approval or denial by Georgia WIC of the actual shelf prices that the vendor charges WIC participants.



## PERFORMANCE COMPLIANCE

Pursuant to federal regulations, Georgia WIC is required to monitor all vendors for possible violations of the Georgia WIC Program's rules, regulations, policies or procedures. Program integrity is further maintained by WIC program representatives that monitor the use and handling of WIC benefits. The Georgia WIC Program utilizes multiple methods to monitor vendors and determine possible violations, including covert compliance investigations and routine monitoring visits to the store location. Any violations that are found will result in the imposition of sanctions (See "Sanction System").

Compliance with Georgia WIC policies and procedures is determined using the following methods:

1. Covert (undercover) compliance investigations
2. Overt announced and unannounced monitoring visits
3. Inventory / Record audits
4. Research and analysis of programmatic data, files, and reports.

### Covert Compliance Investigation

Vendors will not receive prior notice when a covert investigation has been scheduled. A vendor will not be advised of any violation that is discovered while the investigation is ongoing unless the violation requires proof of a pattern. In such cases, the vendor will receive written notice of the violation prior to documenting a second violation, unless Georgia WIC determines that notifying the vendor would compromise the investigation.

Vendors will receive notification of all results including violations **after** the investigation is considered closed by the WIC Program representatives.

Vendors may be identified for covert compliance investigations via:

- research of programmatic reports and vendor databases, such as high-risk reports and redemption activity;
- vendors who have been reported for potentially violating program policies; or
- random selection if less than five (5) % of vendors are high risk;
- if the total number of vendors that are identified as high risk is greater than five (5) %, the investigations of those high-risk vendors will be prioritized based on which indicators are flagged.

## Overt Monitoring

Representatives of the federal or state agencies may conduct announced and unannounced overt monitoring visits any time that the store is open for business. Georgia WIC may conduct a virtual visit as an alternative to an onsite, in person visit. All records must be available for review by the representative of the agency upon request.

## Audits

Georgia WIC may conduct record or inventory audits on any vendor at any time. Vendors are required to maintain inventory records for the three (3) prior years plus the current year and make these records available to authorized WIC representatives. Inventory audits will include the examination of food invoices or other proofs of purchase to determine whether a vendor has purchased sufficient quantities of supplemental foods to provide WIC customers the quantities specified on food instruments redeemed by the vendor during a given period of time.

### Acceptable Records of Inventory

An acceptable record of inventory is a purchase invoice from a wholesaler or supplier. Purchase invoices should reflect the name and address of the wholesaler or supplier, date of the purchase, list of the items purchased, size, stock number, quantity, unit price and total dollar amount for the quantity purchased. Itemized cash receipts must include the name and address of the store or a code number by which the store can be identified, the date of purchase, description of the items purchased, unit price and total purchase price. Itemized cash receipts that do not completely describe the item should have a computer code that can be verified by calling the store manager. Affidavits or oral statements are not acceptable as proof of inventory. During an audit, the vendor must supply Georgia WIC or its representative with documentation of pertinent records upon request.

An authorized WIC vendor must certify that it purchases infant formula only from sources identified on the Georgia WIC Program list of approved suppliers. The certification includes producing retained invoices, copies of purchase orders, receipts or any other proofs of purchase that clearly outline all purchases were made from an approved supplier on the list at the time of purchase. Proofs of purchase should detail, at a minimum:

- 1) preparation entirely by the supplier from whom the WIC vendor makes the purchase
- 2) the name of the seller
- 3) the name of purchaser (WIC vendor)
- 4) date of purchase
- 5) date vendor received merchandise at the store (if different from the date of purchase)
- 6) a description of each formula purchased, to include brand name, unit size, unit price, type or form and quantity.

A vendor must retain all records of purchases, gross sales receipts, and invoices for all authorized supplemental foods stored at any of its locations or that are otherwise under the vendor's control for a period of three (3) previous years plus the current year. Upon request, the vendor shall make available the records to Georgia WIC. If any litigation, claim, negotiation, audit, or other action involving the records

has begun during the three-year period, the vendor shall keep the records until all issues have been resolved.

A Georgia WIC program representative may request proof of purchases via a compliance visit, a written or verbal request.

A vendor shall be given a specific timeline (generally 14 to 21 days) to submit purchase invoices to the Program. The vendor's failure to retain and provide purchase invoices to the Program upon request or within the period specified, is subject to a sanction and can lead to an authorized WIC vendor's disqualification from the Georgia WIC Program.

If acceptable purchase invoices do not support amounts paid to the authorized vendor for WIC food instruments submitted to the Program, the Program shall recover monies overpaid to the retail vendor.

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## **Programmatic Reports and Database**

The WIC Program will review data from specific programmatic reports or databases to identify vendors who may be out of compliance. For example, if a vendor is out of compliance due to overpricing, notification will be given to the vendor to provide an opportunity to reimburse Georgia WIC for the excess amount charged. Failure to repay will result in a program sanction (see "Sanction System").

Programmatic reports will also be generated to determine if a vendor is accepting food instruments outside of what is permissible for their peer group. As an example, a pharmacy vendor's redemptions will be assessed to determine if the location is accepting food instruments other than those for exempt or special infant formulas, including medical foods. Failure to comply shall result in termination of the vendor agreement for cause.

Overall, Georgia WIC monitors all authorized vendors based on established high-risk criteria to ensure that vendors remain in compliance with regulations, policies and procedures throughout their agreement period.

## **High Risk Identification**

Georgia WIC must identify high-risk vendors at least once a year using criteria developed by the USDA and the Georgia WIC program. Georgia WIC will utilize a point ranking system to identify and rank vendors at high risk for WIC Program abuse.

Vendor monitoring takes place through the review of food transaction procedures, redemption patterns, and representative on-site visits. Compliance investigations will be conducted on vendors identified as high-risk.

## Conflict of Interest

Conflict of interest is prohibited between the Program and the vendor or retailer, as well as the local agency and the vendor. A conflict of interest exists when there is a pecuniary relationship between the vendor and the Program or the local agency. Additionally, a conflict of interest also exists when relatives serve WIC participants. Georgia WIC shall terminate the vendor agreement if the Program identifies a conflict of interest between the vendor and the Program or its local agency representatives.

To ensure the integrity of the WIC Program, both of the Vendor Management oversight functions shall ensure that no undeclared conflict of interest or the appearance of a conflict of interest exists for any employees of the Office of Vendor Management (OVM) and the Department of Public Health (DPH) Office of the Inspector General (OIG). Both offices shall ensure that no conflict of interest exists between their personnel and authorized retailers. A conflict of interest will be deemed to exist when an employee of a vendor oversight function is also a worker, owner or has relatives who work at or own a WIC approved retailer/vendor.

WIC OVM and OIG employees shall not engage in any activities which creates a conflict of interest between the employees' assigned functions and any other interests or obligations or those of immediate family members or business associates.

WIC OVM and OIG employees shall not engage in activities which violate federal or state laws, WIC Policies, or which, in any way, diminish the integrity, efficiency, or quality of the WIC Program.

WIC OVM and OIG employees shall not perform their official duties in a manner that would result in preferential or discriminatory treatment to any applicant or authorized vendor.

WIC OVM and OIG employees shall not, directly or indirectly, ask for, give, receive, or agree to receive any compensation, gift, reward, or gratuity for performing, omitting, or deferring the performance of any job-related duties.

WIC OVM and OIG employees shall not abuse, misuse, or disclose confidential information in a manner that can result in a direct benefit to employee or immediate family member or business associate.

WIC OVM and OIG employees must refrain from directing or recommending that a WIC participant choose or stay away from a specific vendor/retailer to redeem benefits.

WIC OVM and OIG employees must refrain from knowingly making a decision intended to benefit or to disadvantage a specific authorized WIC vendor/retailer.

An owner or spouse of an owner of a WIC authorized vendor is prohibited from being concurrently employed by WIC.

**All conflicts of interest issues or complaints shall be reported directly to the DPH Office of Human Resources.**

## Complaints

Georgia WIC must have procedures in place to capture, document and resolve all complaints from applicants, participants, parents or caretakers of infants and children, proxies, retailer/vendors, staff and general public. Complaints of civil rights discrimination must be handled in accordance with 7 C.F.R. § 246.8(b).

The Georgia WIC Office is very concerned about all forms of program abuse and takes all complaints seriously. WIC customers are not allowed to verbally abuse retail store employees or violate the proper procedures for processing food instruments or cash value vouchers. Equally, WIC authorized vendors are held accountable for observing the program's policies, procedures and honoring the terms of the vendor agreement. The Georgia WIC Program provides a toll-free (in Georgia) customer service hotline (1-866-814-5468) that WIC vendors and participants may call to report complaints/incidents or to make inquiries. The participant may also contact their local WIC clinic to voice any complaint/incident.

The local agency must complete a complaint/incident form and begin the resolution process on all complaints from a WIC participant concerning a vendor. Once a complaint/incident is initiated at the local level, correspondence or contact is made with the State WIC office for additional processing. Resolution, at the State agency, will be initiated within twenty-four (24) hours of receipt. The local agency will receive notification regarding how and when the complaint/incident was resolved.

### **Participant Complaints**

Authorized WIC vendors are encouraged to report all participant complaints to the Georgia WIC State Office. Examples of participant complaints include, but are not limited to:

- adverse treatment of a vendor's owner, manager or employees;
- Selling, or offering to sell, WIC Cards and benefits or supplemental foods through any means, including online sales.

### **Vendor Complaints**

Vendor complaints are those complaints filed by WIC participants or others concerning an authorized WIC vendor. Examples of vendor complaints include, but are not limited to:

- adverse treatment of a WIC participant by a vendor's owner, manager or employee;
- charging more to WIC participants than other customers;
- providing outdated or spoiled food items;
- refusal to accept manufacturers' coupons, or other store discounts;
- Charging for foods not received;
- Providing cash or a combination of cash and food for an eWIC transaction;
- Allowing the purchase of multiple non-approved foods;
- Allowing the purchase of non-food items;
- Providing cash instead of food.

The Georgia WIC Program will take the appropriate follow up action on all complaints received.

### **Responding to/Resolving Participant Complaints:**

Vendors may file a complaint against a WIC participant/proxy by calling the Customer Service Hotline or by contacting the Office of Vendor Management by mail or email. The Office of Vendor Management will refer the participant complaint to WIC Program Operations for follow up and resolution.

### **Responding to/Resolving Vendor Complaints:**

The Office of Vendor Management will accept, investigate, take the appropriate follow up action and resolve all reported vendor related complaints.

### **Resolution Process for complaints against Vendors:**

The WIC Vendor location identified in a complaint will be contacted by a representative of the Georgia WIC Program within one (1) business day of receipt of a complaint. The following steps will be taken:

- Discuss the specific details of the complaint;
- Provide technical assistance (if applicable);
- Request that vendor research the complaint and develop a corrective action plan for resolution, i.e.
  - Train employees
  - Contact complainant (if permitted)
  - Proactively correct non-compliance complaint.
- Where a complaint cannot be investigated and resolved within the same business day, the Georgia WIC Program representative will request a response from the vendor in two (2) business days or less confirming a final disposition where the corrective action plan has been completed as agreed upon.
- After complete resolution has taken place, all parties involved are contacted to ensure satisfactory resolution has taken place.
- The details of the complaint and its final disposition will be formally documented and can result in additional program follow-up, depending on the nature of the complaint.

A vendor may be investigated when a complaint/incident appears to be a sanction-able offense. Follow-up efforts and a final disposition may result in compliance visits, warning letters and notice of sanction-able offenses.

### **Complaints of Civil Rights Violations**

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotope, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech

disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at: [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html), and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

- (1) mail: U.S. Department of Agriculture  
Office of the Assistant Secretary for Civil Rights  
1400 Independence Avenue, SW  
Washington, D.C. 20250-9410;
- (2) fax: (202) 690-7442; or
- (3) email: [program.intake@usda.gov](mailto:program.intake@usda.gov).

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The Office of Vendor Management will document all received complaints. If the referral is participant related, the complaint will be referred to the Office of Program Integrity and Strategy for follow up and resolution.

All vendor complaints will be handled as outlined in “Vendor Complaints” and a final report will be provided to the USDA.

## Confidentiality of Retailer Information

The State of Georgia strongly supports public access to records in an effort to promote transparent and open government, and, thus, finds that public records should be made available for public inspection without delay, except when specifically required by federal statute or regulation to be kept confidential.

The federal statute and regulations governing the administration of the Georgia WIC Program requires that confidential vendor information not be disclosed. Confidential vendor information is any information about a vendor (whether it is obtained from the vendor or another source) that individually identifies the vendor, except for vendor's name, address, telephone number, Web site/email address, and vendor type and authorization status. The Georgia WIC Program will apply the same limitations to the use and release of information obtained from USDA-Supplemental Nutrition Assistance Program (SNAP) regarding SNAP retailers, whether or not the retailer is a WIC retailer. Except as otherwise permitted by this section, the Georgia Women, Infants and Children Program must restrict the use or disclosure of confidential vendor information to:

- (1) Individuals directly connected with the administration or enforcement of the WIC Program or the Georgia Department of Human Services – Supplemental Nutrition Assistance Program (SNAP) or whom Georgia WIC Legal Unit determines have a need to know the information for purposes of these programs.
- (2) Individuals directly connected with the administration or enforcement of any Federal or State law or local law or ordinance. Prior to releasing the information to one of these parties (other than a Federal agency), Georgia WIC must enter into a written agreement with the requesting party specifying that such information may not be used or disclosed except for purposes directly connected to the administration or enforcement of a Federal, or State law; and
- (3) a vendor that is subject to an adverse action, including a claim, to the extent that the confidential information concerns the vendor subject to the adverse action and is related to the adverse action.

## WIC Vendor Agreement

The State of Georgia WIC Vendor Agreement defines the roles and responsibilities of authorized retailers. By reference this WIC Vendor Handbook is made part of the Vendor Agreement and the policies and procedures outlined in this handbook are an integral part of the Vendor Agreement. The Vendor Agreement, Vendor Handbook, federal regulations, and policy letters outline Georgia WIC Program policies and procedures that must be met by each authorized vendor location.

Georgia WIC may terminate the Vendor Agreement with an authorized vendor by providing fifteen (15) days advance written notice. The vendor may terminate the Vendor Agreement by providing twenty-one (21) days advance written notice. The parties shall not be released from the duty to perform their obligation up to the date of termination. Neither Georgia WIC nor the authorized vendor location has an obligation to renew the Vendor Agreement.



### Vendor Agreement Renewal (Reauthorization) and Amendments

Prior to the end of an agreement period, as assigned by the Georgia WIC Program, the vendor must apply for renewal of the agreement. The reauthorization process requires the completion of re-authorization training (see “Vendor Training”), submission of a new application, submission of all required documentation as outlined in the vendor application as well as meeting &/or exceeding the selection criteria as outlined prior to the end of the current agreement period (see “Vendor Authorization and Participation”). Renewal of the agreement will be based upon both the vendor limiting criteria and vendor selection criteria.

Expiration of a contract or agreement with a grocer or pharmacy is not subject to appeal. Neither the State Agency, nor the vendor has an obligation to renew the contract or agreement.

The vendor agreement may be amended, at any time, at the sole discretion of the Georgia WIC Program. Vendors, who do not accept, sign and return amendments to the agreement, as outlined are subject to expiration of their current vendor agreement after seven (7) days’ notice.

To fully complete the authorization process, a vendor applicant must also sign a Vendor eWIC Agreement with the eWIC processor, or a third-party processor certified by the eWIC processor prior to authorization. Vendor applicants cannot be fully authorized without completing this requirement.

## TERMINATION OF THE VENDOR AGREEMENT

### Summary Termination

Georgia WIC will immediately terminate this agreement if it determines that the vendor provided false information or made a material omission in connection with its application for authorization or re-authorization.

### Termination upon Notice

Georgia WIC may terminate the vendor agreement for cause after providing at least fifteen (15) days advance written notice. Processing of eWIC transactions shall be discontinued fifteen (15) days after the date of the termination notice. Any eWIC transactions submitted for payment after fifteen (15) days of the date of the termination notice will not be paid. All terminations shall remain in effect during the administrative review process. Reasons for termination may include, but are not limited to, the following:

1. Voluntary withdrawal from the WIC program (vendor ineligible to re-apply for authorization for 3 months).
2. The decision to sell the store (vendor ineligible to re-apply for authorization for 3 months).
3. Use of the WIC acronym, WIC logo, or close facsimiles thereof, in total or in part, in a manner that violates the provisions of this vendor handbook (vendor ineligible to re-apply for authorization for 12 months).
4. Accepting WIC benefits of any form through the mail or mailing any approved formula/medical food directly to the WIC customer (vendor ineligible to re-apply for authorization for 12 months).
5. Failure to complete and submit documentation for annual training by the deadline specified by Georgia WIC (vendor ineligible to re-apply for authorization for 6 months).
6. Failure to provide Georgia WIC with written notice of a change in the vendor's business within at least twenty-one (21) days in advance of the change (including but is not limited to a change in ownership, name, location, corporate structure, sale or transfer of the business, or cessation of operation (vendor ineligible to re-apply for authorization for 6 months).
7. Two (2) failed attempts by Georgia WIC to contact the vendor during business hours at the vendor's reported address and telephone number (vendor ineligible to re-apply for authorization for 3 months).
8. Determination that the vendor's SNAP license is invalid or not current (vendor ineligible to re-apply for authorization for 6 months).

9. Intentionally providing false information or vendor records, other than information or records provided in connection with a vendor application for authorization or re-authorization (vendor ineligible to re-apply for authorization for 12 months).
10. Failure to provide information on WIC benefit transactions, inventory records, food sales or tax information upon request (vendor ineligible to re-apply for authorization for 9 months).
11. Harassing or threatening any WIC representative, including the eWIC Processor or any third-party processor certified by the eWIC Processor (vendor ineligible to re-apply for authorization for 12 months).
12. Using an eWIC Card unlawfully or without authorization or causing an eWIC card to be utilized unlawfully or without authorization (vendor ineligible to re-apply for authorization for 12 months).
13. Identification by Georgia WIC of a conflict of interest as defined by applicable state laws, regulations, and policies, between the vendor and Georgia WIC or its local agencies (vendor ineligible to re-apply for authorization for 6 months).
14. Four (4) failed assessments for non-competitive prices within a 12-month period or less (vendor ineligible to re-apply for authorization for 12 months).
15. Providing prohibited incentive items as part of a WIC transaction, in a manner that violates the provisions of this handbook (vendor ineligible to re-apply for authorization for 12 months).
16. Failure to meet the selection criteria in effect at the time of assessment at any time throughout the agreement period (vendor ineligible to re-apply for authorization for 6 months).
17. Vendors that are determined to be an A-50 vendor will be terminated from the program, unless it is determined that termination would result in inadequate participant access (vendor ineligible to re-apply for authorization for 6 months).
18. Violation of any federal or state law or regulation, or terms of the WIC Vendor Agreement or Vendor Handbook not otherwise covered by the sanction system (vendor ineligible to re-apply for authorization for 12 months).
19. Expiration of the agreement without a new application being submitted (vendor ineligible to re-apply for authorization for 3 months).
20. Civil Money Penalty imposed by SNAP in lieu of disqualification for the initially issued SNAP disqualification period.

After being terminated from the Georgia WIC Program, the vendor will not be automatically reinstated as an authorized WIC vendor. The vendor may re-apply, as a new applicant, no sooner than the completion of the specified termination period outlined by Georgia WIC. To re-apply, the vendor must complete the application process in its entirety.

For information on requirements for maintaining vendor authorization due to eWIC, see the section entitled *Implementation of an Electronic Benefits Transfer System or (eWIC)*.

## **SANCTIONS AND THE SANCTION SYSTEM**

### **Sanctions**

Any authorized WIC vendor found to be in violation of federal regulations or Georgia WIC policy will be assessed a sanction consistent with the severity and nature of the violation. Vendor violations means any intentional or unintentional action of a vendor's paid or unpaid owners, officers, managers, agents or employees, with or without the knowledge of management, that violates the WIC Vendor Agreement or federal or state statutes, regulations, policies or procedures governing the Program.

There are seven (7) categories of sanctions: three (3) categories of state agency sanctions and four (4) categories of federal mandatory sanctions. State agency sanctions are established by Georgia WIC program representatives and have been approved by the United States Department of Agriculture (USDA) prior to implementation. State agency sanctions include disqualification, and civil money penalties assessed in lieu of disqualification in the event of inadequate participant access. Federal mandatory sanctions are established by the USDA. Both state agency and federal mandatory sanctions must be enforced when violations occur.

Violations are categorized by the nature and severity of the violation. Each category has a prescribed period of disqualification. Sanctions shall be assessed as follows:

1. In the event of multiple violations, the highest sanction assessed to a vendor shall determine the period of disqualification.
2. All State agency violations assessed are retained in the vendor's file for a period of one (1) year and will roll off at the end of that period.
3. If both mandatory and state agency sanctions result from a single investigation, and the disqualification for a mandatory sanction is not upheld during the administrative review process, then Georgia WIC may impose the state agency sanction.

Georgia WIC will notify a vendor in writing when an investigation reveals an initial incidence of a program violation for which a pattern of incidences must be established to impose a sanction before another violation is documented, unless Georgia WIC determines that notifying the vendor would compromise an investigation.

### **Disqualification**

A vendor will be disqualified from Georgia WIC for committing certain program violations. The actual disqualification period is determined using the same criteria for every vendor.

1. Georgia WIC will not accept voluntary withdrawal as an alternative to disqualification.
2. A vendor that has been disqualified from SNAP will be disqualified from WIC for the same period of time. If a vendor has been assessed a CMP in lieu of disqualification for a SNAP violation, the vendor agreement will be terminated for the initially issued SNAP disqualification period.

3. Disqualification from the WIC Program may also result in a civil money penalty or disqualification from SNAP. Such disqualification may not be subject to administrative or judicial review under SNAP.
4. If a vendor is disqualified or assessed a civil money penalty (CMP) for a federal mandatory sanction from the WIC Program in another state (see federal mandatory sanctions), the vendor will be disqualified from the Georgia WIC Program for the same period of time.
5. A vendor may be assessed (CMP) in lieu of disqualification, if the disqualification will result in inadequate participant access. Upon assessment of a CMP, the disqualification period will be waived. Subsequent visits may be conducted during a waived disqualification period. If violations occur during a subsequent visit, the vendor will be disqualified for a period equal to the period that the CMP was assessed, or a second CMP may be imposed.

### **Effective Date of Adverse Actions**

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Denials of vendor authorization and permanent disqualifications are effective on the **date of receipt** of the notice of the adverse action, at which time the vendor stamp will be discontinued. All other adverse actions against a vendor are effective fifteen days after the **date of the notice** of the adverse action. For those adverse actions resulting in disqualification (other than denials of vendor authorization and permanent disqualifications), **processing of eWIC transactions** shall be discontinued fifteen days after the date of the notice of the adverse action. Any **eWIC transactions** submitted for payment after fifteen days of the date of the notice of the adverse action will not be paid. All adverse actions shall remain in effect during the administrative review process.

## The Sanction System

Below is a description of the Georgia WIC sanction system and how it works. For those violations that require a pattern, a pattern is established when the same violation occurs at least twice.

### State Agency Sanctions

If a violation occurs in Category I, the vendor will receive written warning for the first offense. If the **same** violation occurs a second time within twelve (12) months from the date of this first offense warning notification, the vendor will receive another warning for the second offense. If the **same** violation occurs a third time within twelve (12) months from the date of this first offense warning notification, the vendor will be disqualified for the time period specified for that category (six months).

If a violation occurs in Category II, the vendor will receive written warning for the first offense. If the **same** violation occurs a second time within twelve (12) months from the date of this first offense warning notification, the vendor will receive another warning for the second offense. If the **same** violation occurs a third time within twelve (12) months from the date of this first offense warning notification, the vendor will be disqualified for the time period specified for that category (eight months).

If a violation occurs in Category III, the vendor will receive written warning for the first offense. If the **same** violation occurs again within twelve (12) months from the date of this first offense warning notification, the vendor will be disqualified for the time period specified for that category (ten months).

If a vendor receives a warning letter and desires further explanation, the vendor may call Georgia WIC and speak with the Vendor Relations Unit Manager or submit a written request for further explanation to Georgia WIC.

#### State Agency Sanctions Category I - Disqualification for six months on third violation

1. Stocking or selling WIC approved milk, eggs, infant formula, and any potentially hazardous foods (*meaning foods with time and/or temperature controls for the safety of the product*) that are labeled "Keep Refrigerated" to WIC participants that are *beyond* the expiration, use by or last sale date imprinted on the product packaging by the product's manufacturer or packager. Note: All observed concerns with sanitation and food safety will be immediately reported to the Georgia Department of Agriculture.
2. Failure to allow in-store or manufacturers' promotional or free item with a WIC purchase.
3. Failure to submit or return requested documentation, other than food instruments or inventory records, food sales, tax information, or documentation for annual training, by the stated deadline.
4. Failure to stock the required inventory of contract formula.

5. Failure to stock the required inventory of any WIC food items other than contract formula.
6. Claiming reimbursement for a food item for which there has been no submitted shelf price.

#### State Agency Sanctions Category II - Disqualification for eight months on third violation

1. Allowing the purchase of WIC foods in unauthorized container sizes.
2. Requiring WIC participants to show any identification other than the WIC identification card when transacting eWIC.
3. Use of a non-approved label by a bread manufacturer in the vendor's store.
4. Prices not marked on or near WIC foods with the exception of Infant Formula or Fruits or Vegetables.

#### State Agency Sanctions Category III - Disqualification for ten months on second violation

1. Failure to transact the sale of WIC or eWIC purchases.
2. Refusing to accept and transact valid WIC benefits from a participant.
3. Allowing the substitution of one WIC approved food item for another WIC approved food item that is not identified as a prescribed food benefit for the WIC participant.
4. Failure to repay charges within thirty (30) days.
5. Breach of confidentiality (i.e. contacting a WIC participant for any reason regarding a WIC transaction, requiring signature on a separate document, disclosing a WIC participant in a public setting).
6. Requiring participant to pay cash to redeem WIC food instruments, except that a participant may utilize personal payments for amounts over the maximum amount of a cash-value benefit.
7. Allowing the purchase of any formula other than what is specified as an approved formula for the WIC participant.
8. Failing to provide a WIC participant with the same courtesies as other customers.
9. For any WIC infant formula required to be stocked, failing to list, mark, or label the price on or near the location where the formula would be stocked (regardless of whether the formula is actually in stock).
10. Allowing WIC food items, fruits, or vegetables to exceed the quantity specified for the WIC participant (except for manufacturers' or in-store promotional or free items that are offered to all customers).



11. Failure to allow the purchase of any WIC food items, fruits, or vegetables.
12. Issuing a “rain check”/IOU for WIC approved foods.
13. Charging sales taxes on a WIC transaction, except that a vendor may collect sales taxes on amounts that exceed the value of a **cash-value benefit**.
14. Failure to provide WIC participants with a receipt.
15. Tampering with the manufacturer dates on any food item.
16. Giving change back on an eWIC transaction or accepting the return of foods purchased with eWIC cards for cash, credit or non-food items.

## **Federal Mandatory Sanctions**

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If a vendor previously has been assessed a Mandatory Sanction for any of the violations carrying one, three or six-year disqualifications, and receives another sanction for any of these violations, then the second sanction will be doubled. If a civil money penalty is imposed in lieu of disqualification, then the amount of that penalty will be doubled up to the maximum limits per violation.

If a vendor previously has been assessed two or more sanctions for any of the violations carrying one, three- or six-year disqualifications, and receives another sanction for any of these violations, then the third sanction and all subsequent sanctions will be doubled. Civil money penalties shall not be imposed in lieu of disqualification for third or subsequent sanctions.

### **Federal Mandatory Sanctions Category IV - Disqualification for one year**

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1. A pattern of providing unauthorized food items in exchange for food instruments or cash value benefits, including charging for supplemental foods provided in excess of **those contained in the participants eWIC balance**.
2. A pattern of an above-50-percent vendor providing prohibited incentive items to customers.

### **Federal Mandatory Sanctions Category V - Disqualification for three years**

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1. A pattern of receiving, transacting, or redeeming food instruments, eWIC cards or cash-value benefits outside of authorized channels, such as at locations different from the authorized location listed on the Vendor Agreement, or the use of an unauthorized vendor or an unauthorized person. This includes but is not limited to delivering WIC food items to WIC participants, collecting WIC

food instruments or eWIC cards prior to completing the WIC transaction or collecting the WIC food instruments prior to the “first date of use” on the food instrument.

2. A pattern of providing credit or non-food items (other than alcohol, alcoholic beverages, tobacco products, cash, firearms, ammunition, explosives or controlled substances) in exchange for WIC food instruments or cash-value benefits or eWIC cards.
3. A pattern of vendor overcharges.
4. A pattern of charging for supplemental food not received by the participant. This includes but is not limited to vendor representatives receiving WIC foods not received by the participants. The WIC participant does not have the authority to give WIC foods to vendor or its representatives and neither does the vendor or its representatives have the authority to accept such WIC food items.
5. A pattern of 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 a specific period of time.
6. One incidence of providing alcohol or alcoholic beverages or tobacco products in exchange for WIC food instruments or cash-value benefits or eWIC cards.

#### Federal Mandatory Sanctions Category VI - Disqualification for six years

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1. One incidence of buying or selling WIC food instruments or cash value benefits or eWIC cards for cash (trafficking).
2. One incidence of selling firearms, ammunition, explosives, or controlled substances, in exchange for food instruments or cash-value benefits or eWIC cards.

#### Federal Mandatory Sanctions Category VII - Permanent disqualification

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1. Conviction for trafficking in food instruments or cash-value benefits or eWIC cards.
2. Conviction for selling firearms, ammunition, explosives, or controlled substances in exchange for food instruments or cash value benefits or eWIC cards.

## Additional Notes on Violations

Vendors who commit fraud or abuse in the program are subject to criminal prosecution. Those who have willfully misapplied, stolen or fraudulently obtained program funds will be subject to a fine of not more than \$25,000.00 or imprisonment for not more than five years, or both, if the value of the funds is \$100.00 or more. If the value is less than \$100.00, the penalties are fines of not more than \$1,000.00 or imprisonment for not more than one year, or both. Georgia WIC will refer all criminal activity including theft and fraud to law enforcement.

When Georgia WIC determines that a vendor has committed a vendor violation that affects payment to the vendor, Georgia WIC will delay payment and establish a claim. In addition to delaying payment and asserting a claim, Georgia WIC may sanction the vendor for vendor overcharges or other errors in accordance with the sanction schedule. Payment of food instruments submitted through the banking system by the vendor will be suspended as of the date of the notice of adverse action pending review by Georgia WIC. The vendor will be instructed to submit all outstanding food instruments **or eWIC transactions** to Georgia WIC for review and payment consideration.

## Civil Monetary Penalties (CMP)

Prior to disqualifying a vendor for any mandatory (federal) or state agency violation, Georgia WIC must determine if disqualification of the vendor will result in inadequate participant access (**see “Exception to WIC Limiting and Selection Criteria”**). Only when Georgia WIC determines and documents that disqualification of the vendor, **who has committed the violation**, would result in inadequate participant access, a civil money penalty (CMP) must be imposed in lieu of disqualification. CMPs will only be assessed for both state and mandatory sanctions in the event of inadequate participant access, as determined by Georgia WIC. The CMP shall not exceed \$15,306.00 per violation, or \$62,767.00 for multiple violations occurring during a single investigation for State Agency sanctions (see below CMP Methodology for State Agency Sanctions). The mandatory or Federal CMP shall not exceed the amount stated per each category violation, or the maximum category amount for multiple violations occurring during a single investigation (see chart below, “Civil Money Penalties for Federal Sanctions (Categories IV – VII)”).

CMPs must be paid within thirty (30) days of the notice of approval. Installments may be considered up to a maximum of six (6) months. If a vendor does not pay, partially pays, or fails to pay a CMP assessed in lieu of disqualification on time, the Georgia WIC Program will disqualify the vendor for the length of the disqualification corresponding to the violation for which the CMP was assessed. A CMP does not relieve a vendor of the financial liability for timely payment of claims assessed for vendor violations or errors. Assessed claims must be paid in addition to the CMP.

## CMP Methodology for State Agency Sanctions

A vendor may be assessed a CMP in lieu of disqualification if the disqualification will result in inadequate participant access. Upon assessment of a CMP, the disqualification period will be waived. Subsequent visits may be conducted during a waived disqualification period. If violations occur during a subsequent visit, a vendor will be assessed a warning for those violations and may be issued another CMP in lieu of disqualification if the requisite pattern of violations is met. Only two (2) CMPs may be assessed against

a vendor. A vendor will be disqualified from the Georgia WIC Program for third and subsequent sanctions.

CMPs will be assessed in lieu of disqualification for State Agency sanctions based on the chart below.

<b>Civil Money Penalty Formula for State Agency Sanctions Based on Six Month WIC Redemption</b>		
<b>Category</b>	<b>For \$0 to \$11,000 in Redemptions (CMP Base Rate)</b>	<b>For Redemption Amount Above \$15,306 (CMP = Base Rate + % of Total Redemption over \$15,306)</b>
Category I	\$500	\$500 + 1% of redemption over \$15,306
Category II	\$1,000	\$1,000 + 2% of redemption over \$15,306
Category III	\$1,500	\$1,500 + 3% of redemption over \$15,306

For State agency Sanctions, the first CMP will be reduced by fifty (50) percent if the vendor presents documented proof that they had an effective training program in place. At a minimum, the training content must be centered around cashier operations which have a direct impact on the quality of adhering to WIC policies and procedures as an authorized WIC vendor. The vendor is responsible for informing and training all of its cashiers and other staff on the most current WIC policies and procedures, at all times.

The submitted training documentation must show proof of the following:

- An outline of training content covered
- The name of the store personnel administering the training
- The signature, date of signature by the trainer next to a statement attesting to having administered the content as outlined
- A list of the names of the personnel trained
- A signature of personnel in attendance next to their listed name
- The date and location of the training

**Note:** this training must be held during the fiscal year and before the disqualification notification.

CMPs cannot exceed \$15,306.00 per violation or \$62,767.00 per investigation. If more than one (1) violation is detected during a compliance investigation, a CMP must be imposed for each violation (up to the \$15,306.00/\$62,767.00 limits). Only two (2) CMPs can be assessed against a vendor. CMPs cannot be imposed in lieu of disqualification for third and subsequent sanctions in these categories.

## **Civil Money Penalty Methodology for Federal Mandatory Sanctions**

For each violation subject to a mandatory sanction, the following formula will be used to calculate the amount of the CMP imposed in lieu of disqualification.

1. Determine the vendor's average monthly redemptions for at least the six (6) months ending immediately preceding the month during which the notice of the adverse action is dated.
2. Multiply the average monthly redemptions figure by ten (10) percent.
3. Multiply the amount from step 2 above by the number of months for which the store would have been disqualified. This is the amount of the civil money penalty, provided that the civil money penalty shall not exceed the category amount per each violation. The total amount of the CMP

assessed for violations that occur during a single investigation may not exceed the maximum category amount for violations occurring during a single investigation.

<b>Civil Money Penalties for Federal Sanctions (Categories IV – VII)</b>		
<b>Category</b>	<b>Amount For Each Violation</b>	<b>Maximum Amount for Violations Occurring During a Single Investigation</b>
Category IV	\$15,041 for each violation	Maximum penalty for violations occurring during a single investigation is \$60,161
Category V	\$15,041 for each violation	Maximum penalty for violations occurring during a single investigation is \$60,161
Category VI	\$15,041 for each violation	Maximum penalty for violations occurring during a single investigation is \$60,161
Category VII  Civil penalty for a vendor convicted of trafficking in food instruments	<b>\$18,171</b> for each violation	Maximum penalty for violations occurring during a single investigation is <b>\$72,686</b>
Category VII  Civil penalty for a vendor convicted of selling firearms, ammunition, explosive, or controlled substances in exchange for food instruments	<b>\$17,725</b> for each violation	Maximum penalty for violations occurring during a single investigation is <b>\$72,686</b>

For a violation that warrants permanent disqualification (Category VII), see the chart above for CMP amounts that are specific to the conviction.

If a vendor who received a Category IV, V or VI sanction receives a second sanction in any of these categories, the second sanction must be doubled. However, CMPs can only be doubled up to the limits stated in the chart above. CMPs cannot be imposed in lieu of disqualification for third and subsequent sanctions in these categories.

## ADMINISTRATIVE REVIEW AND APPEAL PROCEDURES

A vendor may appeal certain adverse action(s) imposed by Georgia WIC. Adverse actions a vendor may appeal, as well as Georgia WIC's administrative review procedures are detailed below. Vendors are required to adhere to these procedures if requesting review of an adverse action.

After a vendor requests an appeal, Georgia WIC will issue a written decision, including the basis for it, within ninety (90) days of the date of receipt of the vendor's request. This timeframe is an administrative timeframe only – it does not provide a basis for overturning an adverse action by Georgia WIC if a decision is not made within the specified timeframe.

If reimbursement is owed to Georgia WIC by the vendor as a result of the adverse action being affirmed after administrative review, neither the vendor nor its affiliates shall be eligible to participate as an authorized WIC vendor until the reimbursement is paid in full. The vendor may not circumvent reimbursement by selling or otherwise making any changes or amendments to its corporate structure that was in place since the time of its initial authorization.

### Procedures for Vendor Administrative Review, Hearings and Appeals

**(1) Effective Date of Adverse Actions** Unless a later date is specified in the notice of adverse action against a vendor by the State agency, all adverse actions (except denials of vendor authorization and permanent disqualifications which are effective on the date of receipt of the notice) shall be effective fifteen days after the date of the notice of the adverse action. All adverse actions shall remain in effect during the administrative appeal process.

#### **(2) Full Administrative Review**

(a) The following adverse actions shall be subject to full administrative review upon timely request by the vendor:

- (i) denial of authorization based on the application of the vendor selection criteria for minimum variety and quantity of authorized supplemental foods, or on a determination that the vendor is operating a store sold by its previous owner in an attempt to circumvent a sanction, as stated in 7 C.F.R. § 246.12(g)(7);
- (ii) termination of an agreement for cause;
- (iii) disqualification; and
- (iv) imposition of a fine or a civil money penalty in lieu of disqualification.

(b) These procedures shall be followed in cases meriting full administrative review:

- (i) The State agency shall give written notice to the vendor of the adverse action, the procedures to follow to obtain full administrative review, the causes for and the effective date of the action. When a vendor is disqualified due in whole or in part for any of the violations listed in 7 C.F.R § 246.12(l)(1), the notice shall include the

following statement: "This disqualification from WIC may result in disqualification as a retailer in SNAP. Such disqualification is not subject to administrative or judicial review under SNAP."

- (ii) A vendor seeking review must send a written request for review to the Commissioner of the State agency within fifteen days from the date of the notice of adverse action, with a copy of the decision to be reviewed and any documents, argument, or information that the vendor contends would justify reversal;
- (iii) Upon receiving a timely request for review, the Commissioner shall refer the case to the Office of State Administrative Hearings (OSAH) for initial decision. The referral shall be sent to OSAH within a reasonable period of time not to exceed 30 days after receipt of a timely request for review. If the State agency fails to refer the case to OSAH within a reasonable period of time, the vendor requesting the hearing may petition OSAH directly for an order permitting the vendor to file a request for hearing directly with OSAH.
- (iv) The hearing before OSAH shall be conducted in accordance with the Georgia Administrative Procedures Act and the rules of OSAH. In addition, the Administrative Law Judge (ALJ) shall ensure that the vendor is given:
  - (A) Adequate advance notice of the time and place of the administrative review to provide all parties involved sufficient time to prepare for the review;
  - (B) The opportunity to present its case and at least one opportunity to reschedule the administrative review date upon specific request;
  - (C) The opportunity to cross-examine adverse witnesses. When necessary to protect the identity of WIC Program investigators, such examination may be conducted behind a protective screen or other device to conceal the investigator's face and body;
  - (D) The opportunity to be represented by counsel; and
  - (E) The opportunity to examine prior to the hearing the evidence upon which the State agency's action is based.
- (v) Within 30 days after the close of the record, the ALJ shall issue a decision to all parties in the case, except when it is determined that the complexity of the issues and the length of the record require an extension of this period and an order is issued by the ALJ so providing.
- (vi) Every decision of the ALJ shall contain findings of fact, conclusions of law, and a disposition of the case. The ALJ's determination shall be based solely on whether the State Agency has correctly applied Federal and State statutes, regulations, policies, and procedures governing the WIC Program, according to the evidence presented at the review.
- (vii) Every decision of the ALJ shall be a final decision as set forth in O.C.G.A. § 50-13-17b). Any aggrieved party, including the State agency, may seek judicial review

of the ALJ's final decision pursuant to O.C.G.A. § 50-13-19, within the time period prescribed by O.C.G.A. § 50-13-41. If the adverse action under review has not already taken effect, the ALJ's final decision shall be effective on the date of receipt by the vendor.

**(3) Abbreviated Administrative Review**

(a) The following adverse actions shall be subject to abbreviated administrative review upon timely request by the vendor:

- (i) denial of authorization based on the vendor selection criteria for business integrity or for a current SNAP disqualification or civil money penalty for hardship;
- (ii) denial of authorization based on the application of the vendor selection criteria for competitive price;
- (iii) the application of the State agency's vendor peer group criteria and the criteria used to identify vendors that are above-50-percent vendors or comparable to above-50-percent vendors;
- (iv) denial of authorization based on a State agency-established vendor selection criterion if the basis of the denial is a WIC vendor sanction or a SNAP withdrawal of authorization or disqualification;
- (v) denial of authorization based on the State agency's vendor limiting criteria;
- (vi) denial of authorization because a vendor submitted its application outside the timeframes during which applications are being accepted and processed as established by the State agency;
- (vii) termination of an agreement because of a change in ownership or location or cessation of operations;
- (viii) disqualification based on a trafficking conviction;
- (ix) disqualification based on the imposition of a SNAP civil money penalty for hardship;
- (x) disqualification or a civil money penalty imposed in lieu of disqualification based on a mandatory sanction imposed by another WIC State agency;
- (xi) a civil money penalty imposed in lieu of disqualification based on a SNAP disqualification; and
- (xii) denial of an application based on a determination of whether an applicant vendor is currently authorized by SNAP.

(b) These procedures shall be followed in cases meriting abbreviated administrative review:



- (i) The State agency shall give written notice to the vendor of the adverse action, the procedures to follow to obtain an abbreviated administrative review, the causes for and the effective date of the action;
- (ii) A vendor seeking review must send a written request for review to the Commissioner of the State agency within fifteen days from the date of the notice of adverse action, with a copy of the decision to be reviewed and any documents, argument, or information that the vendor contends would justify reversal;
- (iii) Upon receiving a timely request for review, the Commissioner shall appoint a decision-maker who is someone other than the person who rendered the initial decision on the action to review the information provided to the vendor concerning the causes for the adverse action and the vendor's response, and to make a determination based solely on whether the State agency has correctly applied Federal and State statutes, regulations, policies, and procedures governing the Program;
- (iv) The decision-maker shall provide written notification of the final agency decision, including the basis for the decision, and the vendor's right to seek judicial review pursuant to O.C.G.A. § 50-13-19, within 90 days of the date of receipt of the request for an administrative review. If the adverse action under review has not already taken effect, the decision-maker's ruling shall be effective on the date of receipt by the vendor.

#### **(4) Actions not Subject to Administrative Review**

The following adverse actions are not subject to administrative review:

- (a) The validity or appropriateness of the State agency's vendor limiting criteria or vendor selection criteria for minimum variety and quantity of supplemental foods, business integrity, and current SNAP disqualification or civil money penalty for hardship;
- (b) The validity or appropriateness of the State agency's selection criteria for competitive price, including, but not limited to, vendor criteria and the criteria used to identify vendors that are above-50-percent vendors or comparable to above-50-percent vendors;
- (c) The validity or appropriateness of the State agency's participant access criteria and the State agency's participant access determinations;
- (d) The State agency's determination to include or exclude an infant formula manufacturer, wholesaler, distributor, or retailer from the list required pursuant to §246.12(g)(11);
- (e) The validity or appropriateness of the State agency's prohibition of incentive items and the State agency's denial of an above-50-percent vendor's request to provide an incentive item to customers pursuant to §246.12(h)(8);
- (f) The State agency's determination whether to notify a vendor in writing when an investigation reveals an initial violation for which a pattern of violations must be established in order to impose a sanction, pursuant to §246.12(l)(3);

- (g) The State agency's determination whether a vendor had an effective policy and program in effect to prevent trafficking and that the ownership of the vendor was not aware of, did not approve of, and was not involved in the conduct of the violation;
- (h) Denial of authorization if the State agency's vendor authorization is subject to the procurement procedures applicable to the State agency;
- (i) The expiration of a vendor's agreement;
- (j) Disputes regarding food instrument or cash-value voucher payments and vendor claims (other than the opportunity to justify or correct a vendor overcharge or other error, as permitted by §246.12(k)(3); and
- (k) Disqualification of a vendor as a result of disqualification from SNAP.

## Non-discrimination

Authorized Retail Store locations must offer WIC Participants the same courtesies as those offered to other customers, e.g., no separate lines or hours. Any practice that singles out Participants from other customers is prohibited. Such practices include:

- keeping lists of Participants,
- having Participants sign cash register receipts,
- having specific register lines Participants must use,
- keeping folders for each Participant,
- keeping Participants' receipts, and
- the offering or denial of incentives solely to WIC participants (based on 7 CFR 246.12(h)(3)(iii) and WIC Policy Memorandum 2012-3, Vendor Incentive Items).

**This institution is an equal opportunity provider.** In 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, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil 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) 720-2600 (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 AD-3027, USDA Program Discrimination Complaint Form which can be obtained online at: <https://www.usda.gov/sites/default/files/documents/USDA-OASCR%20P-Complaint-Form-0508-0002-508-11-28-17Fax2Mail.pdf>, from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to USDA. The letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted to USDA by:

1. **mail:**  
U.S. Department of Agriculture  
Office of the Assistant Secretary for Civil Rights  
1400 Independence Avenue, SW  
Washington, D.C. 20250-9410; or

2. **fax:**  
(833) 256-1665 or (202) 690-7442; or
3. **email:**  
[program.intake@usda.gov](mailto:program.intake@usda.gov)

This institution is an equal opportunity provider.

## WHERE TO GET MORE INFORMATION

Georgia WIC has a vendor customer service hotline (toll free in Georgia) available to assist Georgia WIC vendors with any aspect of the WIC Program. The hotline is available Monday through Friday, except State holidays, from 8:00 AM – 5:00 PM Eastern Standard Time (EST). After 5:00 PM and during periods of high volume calling, please leave a voice message.

Georgia WIC  
Office of Vendor Management  
200 Piedmont Avenue, SE/West Tower, Suite 1502  
Atlanta, GA 30334  
404-657-2900

Customer service hotline: 1-866-814-5468 (toll free within Georgia)

**Buying, selling, or otherwise misusing WIC benefits is a crime. To report suspected abuse, call 800-424-9121 or visit [www.usda.gov/oig/hotline.htm](http://www.usda.gov/oig/hotline.htm).**

## Civil Rights

### Limited English Proficiency (LEP) – Other Language Services

Title VI of the Civil Rights Act of 1964, prohibits discrimination based on language. Any individual who applies to or participates in the WIC program who is not proficient in English must be provided with an interpreter. See **Federal Regulations:** §246.8 (b), FNS Instruction 113-1, CNPP Civil Rights Policy Notice No. 2013-3

All participants must be advised at the service delivery point of the availability of other language services. As the main food delivery channel for Georgia WIC, the Program asks that each authorized vendor location uses appropriate interpreters to communicate information, where applicable. **Limited English Proficiency (LEP)** resources are available to assure meaningful access for all WIC participants. Approved interpreters are provided via a Telephonic Interpretation service. See below for instructions outlining the use of the service:

#### Lionbridge Interactive Voice Response Guide

##### How to Access Telephonic Interpretation

Step 1: Dial 800-444-6627

Step 2: Enter WIC PIN: (2550-6713)

Step 3: Select language

- Press 1 for Spanish
- Press 2 for Burmese
- Press 3 for Vietnamese
- Press 4 for Arabic
- Press 5 for Nepalese
- Press 6 for Korean
- Press 7 for Mandarin
- Press 8 for Creole
- Press 9 for French
- Press “0” to connect to an operator for all other languages.

Step 4: Connect with Lionbridge interpreter.

##### Tips for Working with Interpreters

- Please provide a brief introduction to the call's content.
- Please eliminate any background noise.
- Please speak at a moderate rate of speed and instruct your parties to speak one at a time.
- The interpreter serves to facilitate communication; he/she will not conduct the call itself.

Please contact the Georgia WIC Vendor Relations Unit with any questions or concerns about the service.

## GLOSSARY

**Above-50 percent vendors** – A vendor that derives more than fifty percent of its SNAP eligible food sales revenue from WIC food instruments, and new vendor applicants expected to meet this criterion under guidelines approved by FNS. New vendors will be assessed within six (6) months of authorization, and all vendors will be assessed annually to determine if they are an Above 50% vendor. Applicants identified as potential or actual above 50% vendors will not be authorized. Authorized vendors assessed as Above 50 % vendors will be terminated from the program unless denial of authorization for that vendor would result in inadequate participant access. Pharmacies and military commissaries are exempt from this assessment.

**Applicant** – Anyone deemed associated with the ownership, management or operation of the applying entity including owners, officers, partners, directors, employees, members or stockholders, registered agents, relatives by blood or marriage, heirs, assigns, as well as the immediate family of owners, officers, partners, members or stockholders or registered agents.

**Administrative Review** – A review process offered to vendors attempting to challenge decisions made by the program. Such decisions include, but are not limited to, denial of authorization, disqualification, and termination of the vendor agreement.

**Affiliates** – A business that is related to another business, usually by being in the position of a member or a subordinate role. Two businesses may be affiliated if one has control over the other or if both are controlled by a third company.

**Annual Training** – A yearly mandatory training conducted for all WIC authorized stores to receive instruction regarding program changes and updates to policies and procedures.

**Authorized Product List (APL)** – The list of universal product codes (UPCs) and product look-up (PLU) codes for WIC supplemental foods, fruits and vegetables that are authorized for purchase by WIC customers. The APL must be uploaded into the vendor's point of sale (POS) system on a daily basis (this should be an automated process).

**Authorized Supplemental Foods** – Those supplemental foods authorized by Georgia WIC for issuance to a particular participant.

**Automatic Clearing House (ACH)** – An electronic funds transfer network which enables participating financial institutions to distribute electronic credit and debit entries to bank accounts and to settle such entries.

**Benefit Balance** – The unspent food benefits which are available for purchase by a WIC cardholder.

**“Best if used by / Use by”** - The date recommended by the manufacturer for best flavor or quality. It is not a purchase or safety date (except for in the case of infant formula). However, from a Georgia regulatory standpoint, the term “Expiration Date” is synonymous with the following terms: Pull Date, Best-By Date, Best Before Date, Use-By Date and Sell-By Date; and pertains to the last date specific food products (ie. Milk, Eggs, Infant formula, and any potentially hazardous foods (*meaning foods with time and/or temperature controls for the safety of the product*) that are labeled “Keep Refrigerated”) can be sold through retail or wholesale distribution.

**Cash-Value Benefit (CVB)** – A fixed-dollar benefit on an electronic benefit transfer (EBT) or eWIC card which is used by a client to obtain authorized fresh or frozen fruits and vegetables.

**Civil Money Penalty** – A monetary penalty that can be assessed in lieu of a sanction.

**Claim** - A bill or request for reimbursement of funds.

**Confidential Vendor Information** – Based upon § 246.26(e), confidential vendor information is any information about a vendor that identifies the vendor except for the vendor’s name, address, authorization status, telephone number, website/e-mail address and store type.

**Conflict of Interest** - A conflict of interest exists when there is a pecuniary relationship between the Retailer and the Program or the Local Agency; when relatives serve WIC Participants; and/or when a technical assistance, training or monitoring visit is conducted by a program staff person who may be related to the store owner or other store management staff.

**Contracted Brand Infant Formula** – All infant formulas (except EXEMPT INFANT FORMULAS) produced by the manufacturer awarded the infant formula cost containment contract.

**Corporate Vendor** – A WIC authorized vendor that is owned by a corporate entity. A corporate vendor can be a publicly or privately owned corporation or a limited liability company (LLC).

**Cost-plus pricing or Cost-plus 10% pricing** - The practice, by a company, of determining the cost of their product to them and then adding a percentage on top of that price to determine the selling price to the customer.

**Covert Compliance Investigation or Compliance Buy** – An undercover, onsite investigation in which a representative of the WIC Program poses as a participant, parent, or caretaker of an infant or child participant, or proxy, transacts one or more food instruments, and does not reveal during the visit that he or she is a program representative.

**Customized Training** – Training that a vendor can request to suit their specific training needs.

**Days** – Calendar days, unless otherwise noted.

**Delivery** – The act of transferring a product from a seller to its buyer outside the confines of the retail food establishment.



**Disqualification** – The act of ending the Program participation of a participant, authorized food vendor, or authorized State or local agency, whether as a punitive sanction or for administrative reasons (e.g. termination of vendors from Georgia WIC for program violations.)

**Documentation** – The presentation of written documents which substantiate statements made by a WIC applicant or participant or a person applying on behalf of an applicant.

**Electronic Benefit Transfer (EBT)** – a method that permits electronic access to WIC food benefits using a plastic card. **EBT for the Georgia WIC Program is referred to as eWIC.**

**Electronic Signature** – an electronic sound, symbol, or process, attached to or associated with an application or other record and executed and or adopted by a person with the intent to sign the record.

**eWIC** - WIC electronic benefit transfer. Refers to the issuance of WIC benefits on a plastic card.

**eWIC Capable** – when the WIC vendor demonstrates their cash register system or payment device can accurately and securely obtain WIC food balances associated with an eWIC card, maintain the necessary files such as the authorized product list and successfully complete eWIC purchases.

**eWIC Cardholder**: the WIC Participant or the person authorized to use the eWIC Card on their behalf.

**eWIC Processor** – the entity contracted with the Georgia WIC Program for the implementation, maintenance, and operation of the Program's eWIC system that acts as the agent of the Program to process and settle eWIC transactions.

**Exempt Infant Formula** – An infant formula that meets the requirements for an exempt infant formula under section 412(h) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. § 350a(h)) and the regulations at 21 C.F.R. parts 106 and 107.

**Federal Mandatory Vendor Sanction** – A sanction required by federal law for a vendor's violation of the WIC Vendor Agreement or the laws, regulations, rules, and policies governing the WIC program, imposed pursuant to 7 C.F.R. 246.12(l) (1).

**First date of use** – The first date on which the food instrument may be used to obtain supplemental foods.

**Food Benefit** – The individual WIC approved foods a participant receives for a selected month.

**Food Category** – a numbering sequence of 2 digits used to identify broad WIC food groups.

**Food Instrument (FI)** – the mechanism by which Georgia WIC clients make purchases. An eWIC card is used to obtain supplemental foods.

**Food Sales** – Sales of all Supplemental Nutrition Assistance Program (SNAP) - eligible foods intended for home preparation and consumption, including meat, fish, and poultry; bread and cereal products; dairy products; fruits and vegetables. Food items such as condiments and spices, coffee, tea, cocoa, and carbonated and noncarbonated drinks may be included in food sales when offered for sale along with foods in the categories identified above. Food sales do not include sales of any items that cannot be purchased with SNAP benefits, such as hot foods or food that will be eaten in the store.

**Food Sales Establishment License** – A license granted by the Georgia Department of Agriculture which permits the retail food vendor to sell food items.

**Food Sub-Category** – a numbering sequence of three digits following the Food Category that identifies the foods, brands, and size of food item identified within each food group

**High-Risk Vendor** – A vendor identified as having a high probability of committing a vendor violation through application of the criteria established in § 246.12(j)(3) and any additional criteria established by Georgia WIC.

**Inadequate Participant Access** – Conditions exist when: (1) In a county identified as metro or including a metropolitan area, there is no authorized grocery vendor within 16 driving miles or geo-mapping distance from another authorized grocery vendor. (2) In a county defined as non-metro or rural, there is no authorized grocery vendor within 20 driving miles or geo-mapping distance from another authorized grocery vendor. (3) Geographic barriers exist that would prevent participants access to authorized vendors within the designated driving distance.

**Incentive Items** – may include, but are not limited to, cash prizes, lottery tickets, transportation, sales or specials and other free food or merchandise. Minimal customer courtesies of the retail food trade, such as bagging or helping load groceries are exceptions.

**Integrated Vendor** – The WIC software is part of the store's cash register system. Integrating WIC into the Point-of-Sale (POS) system and normal business processes is the preferred solution as it allows grocers to manage inventory, payment, and settlement for WIC items within the same system that manages transactions for cash and other payment tenders.

**International Federation of Produce Standards (IFPS)** – The federation maintains and manages an international database for Price Look-Up (PLU) numbers. The long-term objective of the federation is to improve the supply chain efficiency of the fresh produce industry through developing, implementing, and managing harmonized international standards.

**Inventory** – Supplemental foods in stock, received, and issued.

**Inventory Audit** – The examination of food invoices or other proofs of purchase to determine whether a vendor has purchased sufficient quantities of supplemental foods to provide participants the quantities specified on food instruments redeemed by the vendor during a given period of time.

**Inventory Records** - Up-to-date records that are required for tax purposes and that include records on purchases, receipts, and inventory.

**Lack of Business Integrity** - Activities indicating a lack of business integrity include fraud, antitrust violations, embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, receiving stolen property, making false claims, and obstruction of justice.

**Last Date of Use** – The last date on which the food instrument may be used to obtain authorized supplemental foods.

**LEP (Limited English Proficiency)** – an individual that is limited in the use of the English language.

**Maximum Allowable Reimbursement Level (MARL)** – the maximum price point the state shall reimburse the vendor for food items sold to participants.

**Minimum Inventory** – Required inventory that all vendors must carry every day at all times, including, but not limited to, fruits and vegetables, and whole grains. Pharmacies are exempt from keeping minimum inventory.

**Minimum Lane Coverage** – the number of POS terminals necessary for a vendor to operate an eWIC system.

**Multi-function Equipment** – POS equipment obtained by a WIC vendor through commercial suppliers, which can support eWIC and other payment tender types. This is also known as an integrated system.

**Non-Contract Brand Infant Formula** – All infant formula, including exempt infant formula, that is not covered by an infant formula cost containment contract awarded by that State agency.

**Non-WIC Inventory** – Food items that are not a part of the WIC minimum inventory or the WIC Approved Foods List.

**Not to exceed (NTE)** – FNS-approved Cost Containment methodology whereby WIC Vendors are subject to price limitations.

**Participants** – Persons who are receiving supplemental foods or food instruments under the WIC Program, such as pregnant women, breastfeeding women, postpartum women, infants and children, and the breastfed infants of participant breastfeeding women.

**Personal Identification Number (PIN)** – a numeric password used by a WIC participant to authenticate the participant to the eWIC system.

**Pharmacy Vendor** – A WIC authorized vendor that is allowed to redeem only exempt or special infant formulas, including medical foods. All WIC approved Pharmacy Vendors who shall redeem only exempt or special infant formulas, including medical foods must be licensed by the Georgia State Board of Pharmacies to provide prescription drugs and special medical foods in Georgia.

**Point-of-sale (POS) Terminal** – an electronic device used to process eWIC card payments at authorized vendor locations.

**Pre Approval Visit** – An on-site visit to a vendor's retail food establishment to verify location, inventory, and all other information submitted on the vendor application.

**Price Adjustment** – An adjustment made by Georgia WIC, in accordance with the vendor agreement, to the purchase price on a food instrument after it has been submitted by a vendor for redemption to ensure that the payment to the vendor for the food instrument complies with Georgia WIC's price limitations.

**Primary Account Number (PAN)** – The 16-digit number on the front of an eWIC card.

**Product Look-Up (PLU) code** – an identification number placed on produce sold at authorized vendor locations. A 4- or 5-digit code in the 3000 to 4999 range as defined by the International Federation for Produce Standards (IFPS). PLUs are used by a WIC Vendor to identify products that typically are of variable measure, e.g., meat, deli, seafood, fruits and vegetables or produce. Five-digit PLUs with leading digit of 8 indicate a genetically modified product and a leading digit of 9 indicates organic products. The trailing four digits of genetically modified and organic products represent the standard PLU for a food item. A zero is the leading digit for standard non-genetically modified or organic PLUs but it is omitted in practice.

**Proxy** – Any person designated by a woman WIC participant, or by a parent or caretaker of an infant or child WIC participant, to obtain and transact food instruments or to obtain supplemental foods on behalf of a WIC participant.

**Purchase price** – A space for the purchase price to be entered on the WIC food instrument.

**Offense or Violation** – An act against the programs rules, regulation, policies or procedure.

**Routine Monitoring** – Overt, on-site monitoring during which program representatives identify themselves to vendor personnel.

**Redemption** – The act of cashing the WIC food instrument according to WIC banking standards.

**Redemption period** – The date by which the vendor must submit the food instrument for redemption. This date must be no more than sixty days from the first date on which the food instrument may be used.

**Sanction** – A penalty that is imposed when WIC program rules, regulations, policies or procedures are violated.

**“Sell By Date”** – The date tells the store how long to display the product for sale for inventory management. It is not a safety date. However, from a Georgia regulatory standpoint, the term “Expiration Date” is synonymous with the following terms: Pull Date, Best-By Date, Best Before Date, Use-By Date and Sell-By Date; and pertains to the last date specific food products (ie. Milk, Eggs, Infant formula, and any potentially hazardous foods (*meaning foods with time and/or temperature controls for the safety of the product*) that are labeled “Keep Refrigerated”) can be sold through retail or wholesale distribution.

**Sign or Signature** – A handwritten signature on paper or an electronic signature.

**State agency** – The health department or comparable agency of each state. In this instance, the Georgia Department of Public Health, Maternal and Child Health Program, Office of Nutrition and WIC.

**Supplemental Nutrition Assistance Program (SNAP)** – *SNAP* is the new name for the federal *Food Stamp Program*.

**Termination** – Discontinuance of vendor participation in the Georgia WIC program.

**Trafficking** - The exchange of WIC checks for cash.

**Sign or Signature** – a handwritten signature on paper or an electronic signature.

**Single-function Equipment** – POS equipment such as barcode scanners, card readers, PIN pads and printers, provided to an authorized WIC vendor solely for use with the WIC Program.

**Stand-Beside Vendor** – The eWIC software is on a WIC only stand-beside POS device and is capable of supporting only WIC payments.

**Statewide eWIC** – when the State agency has converted all WIC clinics to eWIC, and all authorized WIC vendors are capable of transacting eWIC purchases.

**Third Party Processor (TPP)** - A contracted company that routes transactions and makes consolidated settlement and payments to the WIC vendor.

**Universal Product Code (UPC)** - A specific type of barcode used to identify products sold by the WIC vendor. The numbers shown in the barcode are entered on the APL file to identify authorized WIC food items.

**Value Added Reseller (VAR)** - An entity which adds features or services to an existing product, then resells it as an integrated product or complete turn-key solution. A VAR which sells or leases CADs to a WIC Vendor provides software, installation, telecommunication connectivity and/or other technical support required to process eWIC transactions.

**Vendor** – A sole proprietorship, partnership, cooperative association, corporation, or other business entity operating one or more stores authorized by Georgia WIC to provide authorized supplemental foods to participants under a retail food delivery system. Each store operated by a business entity is considered to be a separate vendor and must be authorized separately from other stores operated by the business entity. Each store must have a single, fixed location. Mobile stores are authorized in Georgia only when necessary to meet the special needs described in the Georgia WIC State Plan in accordance with § 246.4(a)(14)(xiv).

**Vendor Authorization** – The process by which Georgia WIC assesses, selects, and enters into agreements with stores that apply or subsequently reapply to be authorized as vendors.

**Vendor Number** – A unique four-digit number that is used to identify each vendor authorized to provide WIC food items. Redemption activity must be identified by the vendor that submitted the food instrument, using the vendor number. Each vendor operated by a single business entity must be identified separately.

**Vendor Peer Group System** – A classification of authorized vendors into groups based on common characteristics or criteria that affect food prices, for the purpose of applying appropriate competitive price criteria to vendors at authorization and limiting payments for food to competitive levels.

**Vendor Overcharge** – Intentionally or unintentionally charging Georgia WIC more for authorized supplemental foods than is permitted under the vendor agreement. It is not a vendor overcharge when a vendor submits a food instrument for redemption and Georgia WIC makes a price adjustment to the food instrument.

**Vendor Selection Criteria** – The criteria established by Georgia WIC to select individual vendors for authorization consistent with the requirements in § 246.12(g)(3) and (g)(4).

**Vendor Training** – The procedures Georgia WIC will use to train vendors in accordance with 7 C.F.R 246.12(i). Georgia WIC will provide training annually to at least one representative from each vendor. Vendor Applicants will receive training at the time of authorization. Participating Vendors will receive re-authorization training at least once every three years in an interactive format.

**Vendor Violation** – Any intentional or unintentional action of a vendor's paid or unpaid owners, officers, managers, agents, or employees (with or without the knowledge of management) that violates the vendor agreement or Federal or State statutes, regulations, policies, or procedures governing the Program.

**WIC** – The Special Supplemental Nutrition Program for Women, Infants and Children (WIC) authorized by section 17 of the Child Nutrition Act of 1966, as amended (42 U.S.C. §1786).

**WIC EBT (eWIC) Card** – A food instrument (electronic benefits transfer (EBT)) card used by a WIC Participant to obtain supplemental foods.

**WIC - eligible medical foods** – Certain enteral products that are specifically formulated to provide nutritional support for individuals with a qualifying condition, when the use of conventional foods is precluded, restricted, or inadequate. Such WIC eligible medical foods must serve the purpose of a food, meal or diet (may be nutritionally complete or incomplete) and provide a source of calories and one or more nutrients; be designed for enteral digestion via an oral or tube feeding; and may not be a conventional food, drug, flavoring, or enzyme. WIC eligible medical foods include many, but not all, products that meet the definition of medical food in Section 5 (b)(3) of the Orphan Drug Act (21 U.S.C 360ee(b)(3)).