

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 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.

“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/Fruit and Vegetable Voucher (CVV) – A fixed-dollar amount check, voucher, electronic benefit transfer (EBT) card or other document which is used by a participant to obtain authorized 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 vendors 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.

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 Instrument – A voucher, check, electronic benefits transfer (EBT) card, coupon or other document which is used by a participant 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.

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 – Condition that exists when the distance between an authorized WIC vendor is ten (10) miles or more.

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.

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.

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.

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.

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.

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.

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.

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.

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 - 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)).