

**8.11 Minimum Stock Requirements and Allowable Exemptions**

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**POLICY:**

The West Virginia WIC Program establishes minimum requirements for vendors regarding the variety and quantity of the approved WIC eligible foods which a store must stock in order to be authorized and/or continue the current authorization. Federal requirements include that the vendor stock at least two different fruits, two different vegetables, and at least one whole grain cereal authorized by the West Virginia WIC Program.

The vendor agrees to maintain stock on the shelves or have products immediately available on-site to satisfy the West Virginia WIC minimum stock requirements at all times during the agreement period. The specific package size and quantities required are listed in Attachment 1 Peer Group Minimum Stock Requirements. WIC approved foods must be located in an area readily accessible to WIC customers or available at the vendor location (i.e. stock room). Outdated or expired food will not be considered during minimum stock assessments.

The West Virginia WIC Program has established minimum stock requirements for the following food categories:

- Infant Formula
- Infant Food
- Infant Cereal
- Eggs
- Cheese
- Milk including Yogurt
- Peanut Butter
- Whole Grains
- Fresh Produce
- Cereal
- Juice
- Beans

Vendors are strongly encouraged to stock as many varieties of WIC approved foods as possible. For WIC approved foods for which a Minimum Stock Requirement does not exist (e.g., canned fish, evaporated milk), the authorized vendor is expected to stock a sufficient supply of these products based on customer demand. Authorized vendors must purchase contract and special infant formulas from a WIC-approved supplier. A listing of approved distributors and suppliers may be downloaded from the West Virginia WIC Program website at [dhhr.wv.gov/wic](http://dhhr.wv.gov/wic).

Vendors may request exemptions from minimum stock requirements from the Vendor Management Unit via an email to [dhhrvuwic@wv.gov](mailto:dhhrvuwic@wv.gov), by calling 304-558-1115 or submission via the website at <http://dhhr.wv.gov/wic>. The Vendor Management Unit may also recommend a minimum stock requirements exemption for an authorized store. Vendor Management Unit exemption requests will be reviewed and decided by the Vendor Manager. Exemptions from minimum stock can be requested for individual food categories or to a lower peer group minimum stock requirement.

A Minimum Stock Requirements Exemption approval is for a single store location, and is for the indicated product(s) or food categories only. If a WIC customer or WIC staff member requests a contract infant formula, the requested product will be ordered at once. Every effort will be made to make the requested product available to WIC participants within 72 hours of the request. If the item(s) will not be available within 72 hours of the request, the Vendor must notify the Vendor Management Unit within 24 hours so the participant access issue may be resolved. It is also the responsibility of the Vendor to communicate directly with the Vendor Management Unit concerning the availability of exempted items once a need has been identified. The Vendor

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Management Unit may require submission of invoices, receipts or purchase orders from a WIC-approved supplier to document the items requested were ordered within the specified time period.

Any abuse of an exemption may result in the revocation of the exemption and may also result in disciplinary action against the vendor. An exemption approval may be revoked at any time at the discretion of the West Virginia WIC Program.

**PROCEDURE:**

- A.** Minimum stock requirements are calculated by using average monthly redemption per peer group for a 12-month period. Refer to **Policy 8.05 Selection Criteria** for information on vendor peer group classification.
- B.** Minimum stock exemptions may be provided for WIC food items or food categories which are not purchased by WIC customers on a regular basis. However, the vendor agrees to order exempted contract formula immediately, and other exempted WIC stock within 72 hours of a WIC customer request to redeem WIC benefits. A Local WIC Agency or Vendor Management Unit request may also prompt the vendor to order exempted stock within 72 hours.
- C.** Approval for exemption from minimum stock is granted by the Vendor Management Unit within 14 business days of an authorized vendor. The Vendor Management Unit will conduct a participant access assessment as well as review 12 months of store redemption records when considering an exemption request.
- D.** The Vendor Management Unit has sole discretion in granting an exemption from minimum stock to the vendor. Minimum stock exemptions are issued on a case-by-case basis and will be granted for a maximum of three years (i.e. an agreement period). A copy of the Minimum Stock Exemption Approval letter must be on file at the vendor's location. The original will be maintained in the vendor Crossroads record as scanned documents in the Vendor Authorization Screen as well as filed in the paper record in the Authorization section.
- E.** An alert will be added to the vendor Crossroads record noting the dates of an active minimum stock requirement exemption.

**REFERENCES:**

- 1. WIC Regulations 7 CFR 246.12 Food Delivery Methods