

## Section III: State Agency Procedure Manual

### I. State Vendor and Farmer Management

#### D. Retailer Stocking Requirements

##### Purpose

Consistent availability of WIC foods ensures participants can purchase food prescribed on the WIC benefits when they shop at authorized WIC retailers.

##### Policy

WIC authorized retailers must stock and maintain a specific minimum quantity of WIC-approved foods.

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#### 1. Stocking Requirements

- Review attachment *Minimum WIC Foods Stocking Requirements* for a full description of food items and quantities that must always be maintained in stock.

#### 2. Stocking Exemptions

- Retailers who have a small infant population or are not required for participant access may apply for a stocking exemption for infant formula, infant cereal, and infant food. Montana WIC reserves the right to offer stocking exemptions for other foods on a case-by-case basis.
- Applications for exemptions are available to retailers by request and will be reviewed and approved on a case-by-case basis at the State Office discretion.
  - Redemption and/or participant access will be reviewed during the determination.
  - The State will notify the retailer and local agency of the decision in writing.
  - Exemptions must be reviewed and renewed with each contract period.
  - An exemption may be canceled if conditions change during the contract period.
- Retailers receiving an infant formula, infant cereal or baby food stocking exemption must post a sign directing participants to the retailer's contact person for ordering exempt items.
- If a participant requests an exempted item from the retailer, the retailer must order the product and make it available to the participant within three business days.
  - The retailer must continue to order the food items for the participant if requested by the participant.
  - If the retailer refuses to stock these items for the participant, their stocking exemption will be voided.

#### 3. Stocking Shortages

When a shortage is first reported to the state office:

- WIC staff will call the retailer to discuss the shortage and the next anticipated delivery date.
- WIC staff explain that they are out of compliance with the vendor agreement and will document the conversation in the retailer file.
- Within the next 30 days, LARC or state agency staff will perform a reassessment of the store to ensure they meet stocking requirements.
- If the store fails to have the required stock, they may be issued a sanction or terminated from the WIC Program. This may be waived if the circumstance is beyond their control (i.e., distribution issue).

#### 4. Infant Formula Purchasing Requirement

- To ensure the safety of infant formula, it must be purchased from the Montana WIC Programs list of approved formula distributors. This list is available on the MT WIC website.