

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.

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.