



## Health and Human Services Commission Texas WIC Program

### Texas WIC Program Information on the Selection of Approved Foods

**References:** Federal Regulations 7 CFR §246.10 and Texas Administrative Code 25 TAC §31.37

The Texas WIC Program is responsible for selecting and approving foods for the allowable foods list and maintaining the Texas WIC Authorized Product List (APL), the universal product code (UPC) database. Criteria for approving products include compliance with federal regulation, policy and guidance, packaging, cost, cultural acceptability and nutritive value.

- I. A product shall meet the federal regulations governing the WIC food package in order to be considered for approval by the Texas WIC Program.
- II. In addition to the criteria specified in this document, Texas WIC reserves the right to restrict the number of brands and types of any product in order to contain the cost of food packages and minimize confusion for WIC participants. Texas WIC is not obligated to authorize every available food that meets federal requirements.
- III. The product form and marketing approach shall be consistent with the promotion of good nutrition and education.
- IV. Texas WIC will review the list of allowable foods to determine the need for adding or removing brands for the following products through an annual Request for Information: cereal, oatmeal, soy milk, tofu, whole wheat pasta and yogurt. The approved brands of infant cereal and formula will be solicited through a competitive bid process. All other allowable foods will be added or removed throughout the year. A complete list of approved UPCs and brands will be posted at <https://hhs.texas.gov/doing-business-hhs/provider-portals/wic-providers/vendor-management-operations-unit/wic-authorized-product-list>

- A. If Texas WIC determines a need to change the criteria for allowable foods, manufacturers will be notified of the Request for Information and food specifications.
  - B. A manufacturer may contact the Texas WIC State Office at any time during the year to have their contact information added to the mailing list by emailing [WICGeneral@hhsc.state.tx.us](mailto:WICGeneral@hhsc.state.tx.us) or calling 1-800-942-3678.
  - C. The allowable foods list will be provided to the United States Department of Agriculture (USDA) in the annual State Plan.
- V. Approved foods
- A. **Cow's milk** (fresh fluid, lactose-free, evaporated, and dry) shall meet the following requirements and specifications:
    - 1. Pasteurized and unflavored.
    - 2. Whole, low-fat or non-fat milks shall conform to the FDA standard of identity (21 CFR 131.110).
    - 3. Cultured buttermilk shall conform to the FDA standard of identity (21 CFR 131.112).
    - 4. Whole milk shall be fortified with 400 IU of vitamin D per fluid quart of fluid milk (100 IU per cup).
    - 5. All low-fat (1/2% and 1%) or fat-free (non-fat or skim) milk including, cultured low-fat buttermilk, shall be fortified with at least 2000 IU of vitamin A (500 IU per cup) and 400 IU of vitamin D per fluid quart of milk (100 IU per cups).
    - 6. Kosher milk is allowed for participants of religious faiths requiring kosher dairy products.
    - 7. Container sizes for fresh fluid milk are gallons, half gallons and quarts; cultured buttermilk is half gallon; lactose-free milk is half gallons; kosher milk is half gallon and gallon; evaporated milk is 12 oz. cans and dry milk in 9.6, 25.6 and 64 oz. boxes.
    - 8. Not allowed:
      - a. Flavored milk (e.g., chocolate milk).
      - b. High protein, DHA, omega-3 enhanced or organic.
      - c. Calcium-fortified (with the exception of calcium-fortified lactose-free milk).
      - d. Goat's milk.
      - e. Almond milk.
      - f. Rice milk.
      - g. Acidophilus milk.
      - h. Evaporated filled milk.
      - i. Sweetened condensed milk.

9. Authorized vendors are required to sell the declared traditionally least expensive brand of milk they have available that meets Texas WIC requirements and specifications, with the exception of lactose-free, kosher, dry and evaporated milk (refer to WIC Policy WV: 02.0).
- B. Yogurt (Cow's milk)** shall meet the following requirements and specifications:
1. Must be pasteurized and conform to FDA standard of identity for whole-fat (21 CFR 131.200), low-fat (21 CFR 131.203) or non-fat yogurt (21 CFR 131.206).
  2. Contain 33 grams or less of total sugars per 8 oz. (1 cup) serving.
  3. 32 oz. container.
  4. Not allowed:
    - a. Yogurts with mixed-in ingredients such as granola, candy pieces, honey, nuts, and similar ingredients or Greek yogurt.
    - b. Drinkable yogurts.
  5. Authorized vendors are required to sell any of the approved brands.
- C. Soy milk** (Soy-based beverage) shall meet the following requirements and specifications:
1. Fortified to contain the following nutrients levels per 8 oz. serving:
    - a. 8 grams protein
    - b. 276 milligrams calcium
    - c. 500 IU vitamin A
    - d. 100 IU vitamin D
    - e. 24 milligram magnesium
    - f. 222 milligram phosphorus
    - g. 349 milligram potassium
    - h. 0.44 milligram riboflavin
    - i. 1.1 microgram vitamin B12
  2. Half gallon containers.
  3. Plain or vanilla flavor.
  4. Authorized vendors may sell any of the approved brands and types of soy milk.
- D. Tofu** shall meet the following requirements and specifications:
1. Calcium-set with calcium salts (e.g., calcium sulfate).
  2. One pound (16 oz.) packages.
  3. Refrigerated.
  4. Plain, without added sugars, fats, oils or salt (i.e., sodium).

5. Authorized vendors may sell any of the approved brands and types of tofu.
- E. **Cheese** shall meet the following requirements and specifications:
1. Conform to the FDA standard of identity (21 CFR Part 133).
  2. Domestic cheese made from 100 percent pasteurized milk.
  3. Approved types: processed American, Monterey Jack, Colby, Colby-Jack, natural Cheddar, Mozzarella (part-skim or whole), and Longhorn. Block, sliced and cheese sticks are allowed.
  4. One and two pound (16 oz. and 32 oz.) packages. Eight ounce (8 oz.) packages are approved only for fully breastfeeding women who receive the no refrigeration/no cooking facilities package and women who are fully breastfeeding multiple infants.
  5. Regular or lower sodium.
  6. Reduced-fat or low-fat.
  7. Kosher cheese is allowed for participants of religious faiths requiring kosher dairy products.
  8. Not allowed:
    - a. Shredded or individually wrapped slices of cheese.
    - b. Cheese foods, cheese food products or cheese spreads.
    - c. Cheese from the deli.
    - d. Soy or goat cheese.
    - e. Organic cheese.
    - f. Imported cheese.
    - g. Smoked or flavored cheese or cheese with added ingredients such as caraway seeds or jalapeño peppers.
  9. Authorized vendors are required to sell the declared traditionally least expensive brand by type that they have available and that meets Texas WIC requirements and specifications (refer to WIC Policy WV: 02.0).
- F. **Breakfast Cereal** shall meet the following requirements and specifications:
1. Contain 28 milligrams or more of iron per 100 grams of dry cereal.
  2. Contain 21.2 grams or less of sucrose and other sugars per 100 grams of dry cereal (6 grams or less per dry ounce).
  3. At least half of the cereals authorized shall have whole grain as the primary ingredient by weight and meet the labeling requirements for making a health claim as a whole grain food with moderate fat content:
    - a. Contain a minimum of 51% whole grains (using dietary fiber as the indicator).

- b. Meet the regulatory definitions for "low saturated fat" (<1 gram saturated fat per serving) and "low cholesterol" (≤20 milligrams cholesterol per serving).
  - c. Include quantitative trans fat labeling.
  - d. Contain ≤6.5 grams total fat per serving and ≤0.5 grams trans fat per serving.
  - e. The product form and marketing approach shall be consistent with the promotion of good nutrition.
4. WIC reserves the right to limit the package size(s) authorized for a brand. For example, a brand may be available in 12 oz., 18 oz., 24 oz. and 36 oz. sizes. WIC may authorize only the 12, 18 and 36 oz. size.
  5. WIC accepts cereals with additional ounces for free; for example, package sizes that are 18 oz. with additional ounces for free are accepted as an 18 oz. package (e.g., 18 oz. package offering 20% more in a 21.6 oz. package).
  6. To reduce the potential for confusion by retail vendors and participants, WIC reserves the right to deny approval of cereals that would otherwise qualify, but have similar package designs to cereals that do not qualify.
  7. WIC reserves the right to determine the number and brands of cereal which shall include at least one cereal from each grain group. Grain groups are defined as corn, wheat, oat, rice and multi-grain.
  8. Authorized vendors may sell any of the approved brands and types of breakfast cereal.
- G. **Juice** shall meet the following requirements and specifications:
1. Fruit juice must conform to FDA standard of identity (21 CFR part 146).
  2. Vegetable juice must conform to FDA standard of identity (21 CFR part 156) and may be regular or low sodium.
  3. Pasteurized.
  4. 100 percent unsweetened fruit juices (no added sugar, sweeteners or artificial sweeteners). May be fresh or from concentrate.
  5. Single strength juices contain a minimum of 30 milligrams of vitamin C per 100 milliliters (72 milligrams of Vitamin C per 8-fluid oz.); or frozen concentrated fruit juice, a minimum of 30 milligrams of vitamin C per 100 milliliters of reconstituted juice.
  6. May have added calcium and vitamin D.
  7. The percent daily value (DV) on the Nutrition Facts panel must be at least 80% (or more) for vitamin C.
  8. Container sizes:

- a. Single strength fluid juice: 48 oz. and 64 oz. containers.
  - b. Frozen concentrate juice: 11.5 oz., 12 oz. and 16 oz. containers.
9. Fluid juice in 5.5 to 6 oz. cans or 6.75 oz. juice packs are authorized for participants with no refrigeration. WIC reserves the right to limit the packaging of specific types of juice due to pricing or other considerations.
  10. To reduce the potential for confusion by retail vendors and participants, WIC reserves the right to deny approval of juices that would otherwise qualify, but have similar package designs of juices that do not qualify. Fluid and frozen varieties of juice with the same brand name shall be evaluated separately.
  11. Authorized vendors are required to sell the declared traditionally least expensive brand of juice by available type that meets Texas WIC requirements and specifications (refer to WIC Policy WV: 02.0).

H. **Eggs** shall meet the following requirements and specifications:

1. Fresh grade A or grade AA, jumbo, extra-large, large, medium, or small domestic hens' eggs.
2. Cartons of a dozen count.
3. Not allowed:
  - a. Fertile, brown, free-range, or pasture raised.
  - b. Organic.
  - c. Dried eggs mixes, pasteurized liquid whole eggs or hard boiled eggs.
4. Authorized vendors are required to sell any brand of eggs that meets Texas WIC requirements and specifications.

I. **Mature Legumes (Beans/Peas/Lentils)** shall meet the following requirements and specifications:

1. Dry beans shall meet the following requirements:
  - a. Any type of mature bean, pea or lentil.
  - b. 1 pound (16 oz.) packages.
2. Not allowed:
  - a. Bulk dry beans, peas or lentils.
  - b. Seasoned dry beans, peas, or lentils.
3. Authorized vendors are required to sell any brand of dry beans, peas or lentils that meets Texas WIC requirements and specifications.
4. Canned beans shall meet the following requirements:
  - a. Any type of mature bean.
  - b. May be fat-free refried beans (pinto or black).
  - c. Regular, low sodium or organic.

- d. 15 oz. to 16 oz. cans.
- 5. Not allowed:
  - a. Canned beans with added sugars, fats, oils, meat or sauces.
  - b. Canned soups with beans.
  - c. Authorized vendors are required to sell any brand that meets Texas WIC requirements and specifications.
- J. **Peanut Butter** shall meet the following requirements and specifications:
  - 1. Must conform to the FDA standard of identity (21 CFR 164.150).
  - 2. 16 to 18 oz. containers.
  - 3. May be salted or unsalted, creamy or crunchy.
  - 4. Not allowed:
    - a. Added ingredients such as jelly, candy pieces, honey, chocolate, marshmallows, or nutrient enhanced (e.g., omega-3).
    - b. Peanut butter spreads.
    - c. Reduced fat peanut butter.
    - d. Organic peanut butter.
  - 5. Authorized vendors are required to sell any brand that meets Texas WIC requirements and specifications.
- K. **Whole Wheat Bread** shall meet the following requirements and specifications:
  - 1. Must conform to the FDA standard of identity (21 CFR 136.180). Whole wheat flour and/or bromated whole wheat flour must be the only flour listed in the ingredient list (other flours are allowed in small amounts if they are optional ingredients).
  - 2. One pound (16 oz.) packages.
  - 3. Bread in 20 to 24 oz. is allowed for women who are exclusively breastfeeding multiple infants from the same pregnancy.
  - 4. Not allowed:
    - a. Whole wheat and whole grain buns and rolls.
    - b. Low calorie, "lite" bread or sugar-free bread.
  - 5. Authorized vendors are required to sell the declared traditionally least expensive whole wheat bread that meets Texas WIC requirements and specifications (refer to WIC Policy WV: 02.0). For 20 to 24 oz. loaves, authorized vendors are required to sell any of the approved brands.
- L. **Whole Wheat Tortillas** shall meet the following requirements and specifications:

1. Whole wheat flour must be the only flour in the ingredient list (other flours are allowed in small amounts as optional ingredients).
  2. 4 grams or less of fat per tortilla.
  3. Shelf or refrigerated tortillas.
  4. One pound (16 oz.) packages.
  5. Authorized vendors are required to sell the declared traditionally least expensive brand of tortillas (shelf, refrigerated or shelf and refrigerated) that meets Texas WIC requirements (refer to WIC Policy WV: 02.0).
- M. **Corn Tortillas** shall meet the following requirements and specifications:
1. Soft corn tortillas (may be made with whole corn, corn masa, whole ground corn, corn masa flour, masa harina or white corn flour).
  2. One pound (16 oz.) packages.
  3. Corn tortillas in 20 to 24 oz. packages are allowed for women who are exclusively breastfeeding multiple infants from the same pregnancy.
  4. Authorized vendors are required to sell the declared traditionally least expensive brand of tortillas that meets Texas WIC requirements (refer to WIC Policy WV: 02.0). For 20 to 24 oz. packages, authorized vendors are required to sell any of the approved brands.
- N. **Brown Rice** shall meet the following requirements and specifications:
1. Plain brown rice or instant brown rice without added sugars, fats, oils or sodium.
  2. 14 oz. to 16 oz. packages.
  3. Boil-in-bag rice is not allowed.
  4. Authorized vendors are required to sell any brand that meets Texas WIC requirements and specifications.
- O. **Oatmeal** shall meet the following requirements and specifications:
1. Plain oatmeal without added sugars, fats, oils or salt (i.e., sodium).
  2. One pound (16 oz.) containers.
  3. Authorized vendors are required to sell any of the approved brands.
- P. **Whole Wheat Pasta** (Whole wheat macaroni product) shall meet the following requirements and specifications:



1. Must conform to FDA standard of identity for whole wheat macaroni products (21 CFR Part 139.138). Other shapes and sizes that meet the FDA standard of identity for whole wheat macaroni products may be approved.
2. Whole wheat flour and/or whole wheat durum flour must be the only flours in the ingredient list.
3. Must not contain added sugars, fats, oils or salt (i.e. sodium).
4. One pound (16 oz.) packages.
5. Authorized vendors are required to sell any of the approved brands.

**Q. Fruits and Vegetables** shall meet the following requirements and specifications:

1. Fresh, frozen and canned fruits.
  - a. Fresh conforms to FDA 21 CFR 101.95.
  - b. Any brand and variety of fruit including organic.
  - c. Whole or cut fruit.
  - d. Single or mixed fruit.
2. Fresh, frozen and canned vegetables.
  - a. Fresh conforms to FDA 21 CFR 101.95.
  - b. Any brand and variety of vegetable including organic. Whole or cut vegetable.
  - c. Includes all fresh and frozen beans, peas and lentils (no exclusion on types).
  - d. Single or mixed vegetable or bean, pea or lentil. May be regular, low sodium and with or without herbs and spices.
3. Not allowed:
  - a. Fruits that are sweetened (e.g., with added sugars, artificial sweeteners and syrups).
  - b. Vegetables with added sugars, fats, or oils.
  - c. Creamed or sauced vegetables.
  - d. Breaded vegetables.
  - e. Vegetable-grain (e.g., pasta or rice) mixtures.
  - f. Dried fruit and vegetables.
  - g. Fruit-nut mixtures.
  - h. Fresh herbs and spices (herbs and spices are as a seasoning) including, but not limited to: anise, basil, bay leaves, caraway, chervil, chives, cilantro, dill, fenugreek, horseradish, lemon grass, marjoram, mint, oregano, parsley, rosemary, sage, savory, tarragon, thyme and vanilla beans.
  - i. Edible blossoms and flowers e.g., squash blossoms (broccoli, cauliflower and artichokes are allowed).
  - j. Fruits and vegetables for purchase on salad bars, or with dressings or dip.

- k. Peanuts and other nuts.
- l. Ornamental and decorative fruits and vegetables, such as chili peppers and garlic on a string, decorative gourds or painted pumpkins.
- m. Fruit baskets and party vegetable trays.
- n. Baked goods, such as blueberry muffins.
- o. Condiments, such as ketchup.
- p. Pickled vegetables, olives and soups.

R. **Chunk Light Tuna and Pink Salmon** (for fully breastfeeding women only) shall meet the following requirements and specifications:

1. Chunk light tuna shall conform to the FDA standard of identity (21 CFR 161.190).
2. Pink salmon shall conform to the FDA standard of identity (21 CFR 161.170). Only pink salmon is approved, packed with or without skin and bones.
3. Packed in water or oil.
4. 5 or 6 oz. cans.
5. 3 oz. cans are approved only for fully breastfeeding participants with no refrigeration.
6. Not allowed:
  - a. Albacore, yellowfin or tongol tuna.
  - b. Fillet, specialty or gourmet tuna.
  - c. Red salmon or fillet salmon.
  - d. Tuna or salmon packaged with other items such as crackers, relish or seasoning.
  - e. Packed in pouches.
7. Authorized vendors are required to sell any brand that meets Texas WIC requirements and specifications.

S. **Infant Cereal** shall meet the following requirements and specifications:

1. Contain a minimum of 45 milligrams of iron per 100 grams of dry cereal.
2. Dehydrated flakes without added ingredients such as infant formula, milk, fruit or other non-cereal ingredients (e.g., DHA).
3. 8 oz. and/or 16 oz. containers.
4. WIC reserves the right to solicit through a competitive bid process rebates for infant cereals. Authorized vendors are required to sell the contract brand.

- T. **Infant Food Fruits and Vegetables** shall meet the following requirements and specifications:
1. Single and mixed fruits and vegetables, commercial baby food.
  2. 4 oz. container, single or 2-pack of 4 oz. containers.
  3. The fruit or vegetable must be listed as the first ingredient.
  4. Conventional or organic is allowed.
  5. Not allowed:
    - a. Added ingredients such as: DHA, sugars, starches (e.g., rice flour or tapioca), salt (i.e. sodium), cereal, oatmeal, chia, amaranth, quinoa, rice, pasta, yogurt, or meat.
    - b. Desserts and dinners.
    - c. Baby food in pouches.

- U. **Infant Food Meats** (for fully breastfed infants only) shall meet the following requirements and specifications:
1. Meat or poultry, as a single major ingredient, with or without broth or gravy.
  2. 2.5 oz. container.
  3. Conventional or organic is allowed.
  4. Not allowed:
    - a. Added sugars, salt (i.e. sodium) or DHA.
    - b. Combination of multiple ingredients (e.g., meat and vegetable or fruit) or dinners (e.g., spaghetti and meatballs).

- VI. WIC reserves the right to solicit rebates for any WIC foods through a competitive bid process.
- VII. This document may not list all exclusions for each approved food due to continuous changes by manufacturers and introduction of new products in the market.