

<b>Texas WIC Health and Human Services Commission</b>
---

Effective March 1, 2021

Policy No. WV:09.0

---

**Vendor In-Store Promotions:  
Incentive Items, Discounts, and Coupons**

**Purpose**

To describe State Agency (SA) requirements regarding the use of in-store promotions including but not limited to incentive items, discounts, and coupons provided by WIC authorized vendors to WIC participants. To define allowable and prohibited in-store promotions.

**Authority**

7 CFR 246.12

WIC Policy Memo #2014-3-Vendor Management – February 7, 2014

**Policy**

I. Types of WIC Vendors

- A. A traditionally WIC Vendor (TWIC) (Full-Line Grocer) outlet sells to both WIC participants and non-WIC customers. A TWIC vendor derives less than 50% of its annual food sales revenue from WIC.
- B. A predominantly WIC Vendor (PWIC) outlet sells mainly to WIC participants. A PWIC vendor derives more than 50% of its annual food sales revenue from WIC.

II. Equitable Treatment/Same Courtesies

Federal regulations and State policy prohibit offering incentive items only to WIC participants. In addition, all authorized WIC vendors must offer in-store promotions such as incentive items, discounts, coupons or other promotions that are offered to non-WIC customers to WIC participants as well.

<p style="text-align: center;"><b>Texas WIC</b> <b>Health and Human Services Commission</b></p>
---

Effective March 1, 2021

Policy No. WV:09.0

---

III. Types of Allowable In-Store Promotions/Incentive Items for PWIC Vendors

The PWIC vendor must request SA approval of the following allowable in-store promotions/incentive items:

- A. Incentive item(s) obtained at no cost.
- B. Incentive item(s) such as food and/or merchandise obtained at a cost up to a total of \$1.99 per WIC participant, per visit.

IV. Types of Allowable In-Store Promotions for PWIC and TWIC Vendors that do not require SA approval: (See Policy WV: 1.0 Section VI.R. for more information.)

- A. Manufacturers' Coupons
- B. Buy One Get One Free
- C. Buy One Get One at a Reduced Price
- D. Free Ounces Added to Item by Manufacturer
- E. Store/Loyalty Shopping Cards
- F. Volume/Transaction Discounts

<b>Texas WIC</b> <b>Health and Human Services Commission</b>
---

Effective March 1, 2021

Policy No. WV:09.0

V. Types of Prohibited In-Store Promotions/Incentive Items

<b>Applicable Vendor Type</b>	<b>Promotion Type</b>
<b>PWIC</b>	Services which result in a conflict of interest or the appearance of such conflict for the PWIC vendor, such as assistance with applying for WIC benefits.
	Anything made available in a public area as a complimentary gift which may be consumed or taken without charge.
	Allowable incentive item(s), food, merchandise, and/or services provided more than once per WIC participant, and/or its total cost is more than the \$1.99 cost limit.
	Food or merchandise sold to customers below cost, or services purchased by customers below fair market value.
	Any kind of incentive item which incurs a liability for the WIC Program or violates any Federal, State or local law or regulation.
<b>TWIC and PWIC</b>	Lottery tickets provided to customers at no charge or below market value.
	Cash gifts in any payment tender type or amount for any reason.
	Transportation of customers to and from the vendor's premises, or delivery of supplemental foods to customer residences.

<b>Texas WIC Health and Human Services Commission</b>
---

Effective March 1, 2021

Policy No. WV:09.0

---

**Procedure**

I. SA Approval Procedures for In-Store Promotions/Incentive Items for PWIC Vendors

A. PWIC vendors may provide allowable in-store promotions and incentive item(s) listed in Section III of this policy. The vendor must first obtain SA written approval for incentive items they intend to provide to WIC participants prior to offering the items. Vendors must electronically submit the following for SA approval of incentive items:

1. A list of incentive items.
2. The cost of each item. A copy of the invoice must be included or attached to the email.

II. Requirements and Restrictions for Incentive Items

Once a PWIC has submitted acceptable incentive items and received SA written approval, the vendor may offer the items and will be held to the following requirements:

- A. The WIC acronym and/or logo cannot be used on incentive items. It must be clear the incentive item is given on behalf of the vendor, not Texas WIC.
- B. Vendors found to have violated the provisions of this policy will be sanctioned in accordance with WIC Policy WV: 01.0.
- C. The SA is prohibited from authorizing or making payments to PWIC vendors that provide prohibited incentive items.