



August 22, 2024

## **Vendor News Flash**

### **Vendor Policy Updates for WV: 01.0**

Texas WIC has revised the following vendor policy:

- [WV: 1.0 – WIC Vendor Agreement/Policy Violations](#)

Please see the *Summary of Changes* below.

#### **WV: 1.0 – WIC Vendor Agreement/Policy Violations**

<b>Section</b>	<b>Revisions – Effective August 16, 2024</b>
<b>Purpose</b>	No changes
<b>Authority</b>	No changes
<b>Policy</b>	No changes
<b>Procedure</b>	See changes below



Previous Policy-May 1, 2024	Current Policy-August 16, 2024
<b>Procedures:</b>	<b>Procedures:</b>
	<p><b>Updated civil monetary penalty (CMP) maximum per Federal requirements throughout the policy.</b></p> <p>Increased the maximum Civil Money Penalty (CMP) for a vendor convicted of trafficking in food instruments from \$18,171 to \$18,760 per violation.</p> <p>Increased the maximum Civil Money Penalty (CMP) for all violations identified in a single investigation from \$72,686 to \$75,042.</p>
<p>VII.T</p> <p>1. The following are LEB labeling violations:</p> <ul style="list-style-type: none"> <li>a. Failing to label three or more declared LEB items with SA-provided pink labels or store stickers/signage authorized by the SA.</li> <li>b. Labeling a product with a pink WIC label when it has not been declared.</li> </ul> <p>2. The following are non-LEB labeling violations:</p> <ul style="list-style-type: none"> <li>a. Labeling a food with a pink WIC label while failing to place a pink WIC label on other WIC approved foods within the same category, such as labeling one brand cereal, but not other WIC approved brands of cereal.</li> </ul>	<p><b>This is not a policy change. This change is to clarify types of labeling. 1a-d should be treated as an individual violation, you will need three of each kind to establish a pattern.</b></p> <p>VII.T.</p> <p>1. The following are categories of labeling violations:</p> <ul style="list-style-type: none"> <li>a. Failing to label three or more declared LEB items with SA-provided pink labels or store stickers/signage authorized by the SA.</li> <li>b. Labeling a product with a pink WIC label when it has not been declared as a LEB.</li> <li>c. Labeling only one or some WIC approved foods with a pink WIC label while failing to place a pink WIC label on other WIC approved foods within the same category, such as labeling</li> </ul>



<b>Previous Policy-May 1, 2024</b>	<b>Current Policy-August 16, 2024</b>
<p>b. Labeling a food as WIC approved with any WIC label when it is not WIC authorized.</p> <p>3. The following sanctions apply to labeling violations:</p> <p>a. The vendor will receive a written warning for the first and second incidents of noncompliance. The warning letter will specify a consecutive six-month assessment period during which subsequent assessments will be conducted.</p> <p>b. Three or more incidences of noncompliance constitutes a pattern of violations.</p>	<p>one brand of cereal, but not other WIC approved brands of cereal.</p> <p>d. Labeling a food as WIC approved with any WIC label when it is not WIC authorized.</p> <p>2. The following sanctions apply to labeling violations:</p> <p>a. For labeling violations (a-d), a pattern of noncompliance is established upon the occurrence of three or more instances of the same category of labeling violations.</p> <p>b. The vendor will receive a written warning for the first and second incidents of noncompliance. The warning letter will specify a consecutive six-month assessment period during which subsequent assessments will be conducted.</p>

Texas WIC is ready to assist our vendor partners. Should you have any questions regarding this Vendor News Flash, please contact the Vendor Management Unit’s Vendor Outreach Branch at [WICVendorRelations@hhs.texas.gov](mailto:WICVendorRelations@hhs.texas.gov) or 1-800-252-9629.

Find more WIC vendor resources on our [website](#).