

441—67.4(135) Food delivery.

67.4(1) *Responsibilities of department—approving or denying applications.* The department will determine if applications meet mandatory specifications and may deny an application pursuant to 7 CFR Part 246 (as amended to August 1, 2024); USDA federal regulations; USDA guidance documents; or the Iowa WIC Program Vendor Guidance (as amended to August 1, 2024), Iowa WIC Program Vendor Application (as amended to August 1, 2024), and Iowa WIC Program Vendor Handbook and Agreement (as amended to August 1, 2024).

67.4(2) *Responsibilities of WIC vendors.*

a. A potential vendor shall make application to the department's WIC program and shall accept the obligations imposed by the signing of the Iowa WIC Program Vendor Agreement and Handbook (as amended to August 1, 2024) prior to acceptance of any WIC food instrument. To qualify as a WIC vendor, the vendor shall meet all of the criteria outlined in the Iowa WIC Program Vendor Guidance (as amended to August 1, 2024), Iowa WIC Program Vendor Application (as amended to August 1, 2024), and Iowa WIC Program Vendor Agreement and Handbook (as amended to August 1, 2024).

b. The vendor must agree to adhere to all provisions of the Iowa WIC Program Vendor Application (as amended to August 1, 2024), Iowa WIC Program Vendor Agreement and Handbook (as amended to August 1, 2024), and Iowa WIC Program Vendor Guidance (as amended to August 1, 2024).

67.4(3) *Criteria for approving products for inclusion in the WIC food package.*

a. A product shall meet the federal regulations governing the WIC food package.

b. If a vendor offers specialty eggs for retail sale, the vendor shall maintain an inventory of conventional eggs for retail sale sufficient to meet federal and state requirements for participation in the WIC program.

c. Products will be evaluated for use in the Iowa WIC program based on nutrient content, packaging, container size, labeling, availability to wholesale distributors, cost, and participant preference. The state reserves the right to limit the number of foods, infant formulas, exempt infant formulas, and WIC-eligible nutritionals for the WIC-approved food list based on accessibility, availability, retail value of product, USDA recommendations, increased number of WIC participants, changes in appropriation of funds and administrative efficiency.

d. The approved food list provides more specifics on what is allowed or not allowed for each of the WIC-approved foods.

e. In addition to the criteria specified above, the department reserves the right to make changes to the criteria or further restrict the number and types of brands of any products in order to contain the cost of the food package through competitive procurement of rebate contracts or other similar means.

f. The department reserves the right to discontinue specific brand names and products if the cost is administratively burdensome for that particular product.

g. The department reserves the right to add or delete products pursuant to federal regulations.

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