



WIC Flash

News from the Arkansas WIC Program
5800 W. 10th Street, Suite 300, Little Rock,
AR 72204 Phone ~ 501-661-2508
Fax ~501-661-2004
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FNS – Food Nutrition Services Update

Maximum for Civil Money Penalties – WIC Related Final Rule:

The Debt Management Final Rule has updated the size of civil monetary penalties (CMPs) to reflect inflationary adjustments for 2020. WIC State agencies must adhere to the new maximum CMP amounts, as appropriate. Arkansas WIC has updated our Vendor Policies and Procedures in order to implement the updated CMP maximum amounts.

Violation	Max per Violation 2018	Max per Violation 2020
Civil penalty for a vendor convicted of trafficking in food instruments, codified at 42 U.S.C. 1786(o)(1)(A) and 42 U.S.C. 1786(o)(4)(B)	\$15,041 for each violation, maximum penalty for violations occurring during a single investigation is \$60,161	\$15,692 for each violation, maximum penalty for violations occurring during a single investigation is \$62,767
Civil penalty for a vendor convicted of selling firearms, ammunition, explosive, or controlled substances in exchange for food instruments, codified at 42 U.S.C. 1786(o)(1)(B) and 42 U.S.C. 1786(o)(4)(B)	\$15,041 for each violation, maximum penalty for violations occurring during a single investigation is \$60,161	\$15,306 for each violation, maximum penalty for violations occurring during a single investigation is \$62,767

COVID-19 Update

Alternative WIC Food Items

The Arkansas WIC Program will continue to allow the following temporary additions/alternatives to our WIC approved food lists due to COVID -19.

- XL Eggs
- 20 oz. - 100% Whole Wheat Bread
- 8 oz. - blocks of WIC approved cheese
- Eggland’s Best eggs
- 2% Milk allowed for children > 2 and women

Vendor Requirement(s) - Temporary Changes

We have a federal requirement to conduct routine monitoring of all vendors in efforts to ensure vendor compliance and quality oversight. We will resume with a limited number of Monitoring Visits as well as Compliance Investigations for the 2021 FFY - Federal Fiscal Year, which began 10/1/2020.

We will continue to monitor proper tagging of WIC approved foods but tagging violations will be suspended as well thru December 2020 and an update will be provided going into 2021. We understand that due to possible lack of adequate staff, a shortage of some WIC approved foods available for stock and because of the continuous increase in the demand for several WIC approved food items, proper tagging is not practicable at this time.

Minimum Stock Requirements

For the 2021 FFY we have been granted a waiver by USDA to follow the federal minimum variety and quantity of supplemental foods requirements. These minimum stock requirements include the vendor stock at least two different fruits, two different vegetables, and at least one whole grain cereal authorized by the State agency.

Arkansas WIC Reminders

WIC Approved Foods – Pumpkins

- As mentioned in the WIC Flash from September 10, 2020, WIC participants may use their CVB amount to purchase field and pie pumpkins. Pumpkins that are not WIC approved include: gourds or pumpkins that have been decorated with paint, or other decorative items. Miniature pumpkins are also excluded.

eWIC Transaction Receipts

- In the September 10, 2020 WIC Flash we stated concern about eWIC transaction receipts. We are still getting reports from participants as well as witnessing during compliance investigations that WIC requirements are not being met. The eWIC receipts are not being provided to WIC participants for their WIC purchases nor Mixed Basket transactions. We are seeing that participants are still being told to hit the “YES” on the pin pad and the cashier gives the participant the Balance Inquiry Receipt, Utilization Receipt, and the Ending Balance Receipt at the end of the transaction or none at all. The participant is to be given the Balance Inquiry at the beginning of the transaction to see what they have available, then the Utilization Receipt after the items have been scanned to determine whether to purchase the items. In some cases, all receipts are being thrown away instead of being provided to the participant. Please continue to work with your staff to correct this continued issue. This is happening across the state within several different vendors.

If you have questions or concerns, please contact Gayla Lanum at 501-280-4675 or email gayla.lanum@arkansas.gov. You may also contact De'Shunda Davis at 501-661-2689 or email deshunda.davis@arkansas.gov.

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