

9.01 Definitions

The following definitions apply to the Vendor Agreement, this Vendor Manual, the WIC Policy and Procedure Manual, and Vendor Application materials.

Above-50-Percent Vendors – Vendors that derive more than 50 percent of their annual food sales revenue from WIC food benefits, and new Vendor applicants expected to meet this criterion under guidelines approved by USDA Food and Nutrition Services (FNS).

Americans with Disabilities Act (ADA) – The federal law (Americans with Disabilities Act of 1990) promoting equal opportunities to persons with disabilities by requiring that barriers to equal access be eliminated.

Approved Product List – An electronic file that contains all approved Universal Product Codes (UPCs) and Price Look Up codes (PLUs) authorized by the State Agency. The Approved Product List only includes food items that are authorized on the DC WIC Program.

Authorized Representative – A person other than the WIC participant who has assumed the responsibility for following the WIC regulations and picking up and redeeming WIC food benefits for authorized WIC foods.

Business Integrity – A standard of business wherein the Vendor's owners, officers, and managers maintain a reputation of good business practices; ensure honest and ethical business transactions; and comply with all federal, state, and local laws and regulations and WIC Program policies and procedures.

Cash Value Benefits (CVB) – A fixed-dollar amount that is issued to a WIC participant to obtain authorized fruits and vegetables.

Change of Ownership – A change in the Vendor's operations such as, bankruptcy, a change in business entity or the addition or deletion of partners, associates, or principals; a change from a sole proprietorship or partnership to a corporation where the previous individual owner(s) or one or more partner(s) remain as an officer or shareholder of the new corporation.

Civil Money Penalty – A monetary penalty that is imposed in lieu of disqualification when the Department, in its sole discretion, has determined that disqualification of a Vendor would result in inadequate participant access and is not prohibited by Federal Regulations.

Compliance Buys – A covert, on-site investigation in which agents of the State Agency or Federal WIC Program anonymously redeem WIC food benefits to determine if the Vendor or farmer is following WIC Program policies and procedures.

Conflict of Interest – An interest that is in conflict with the ethical discharge of a person's duties.

Corrective Action Plan – A document that details how and when a vendor will account for deficiencies found in their operations as compared to the policies and procedures laid out in the Vendor Agreement, Vendor Manual, and/or Federal Regulations. A Corrective Action Plan may include training staff, posting WIC marketing materials, etc, depending on the violations and/or deficiencies observed.

eWIC – Electronic WIC food benefits that are accessed by participants using a card similar to a debit card.

eWIC Card – The electronic benefits transfer card that a participant uses to purchase WIC foods.

eWIC Processor – The Contractor which provides the implementation and eWIC processing services.

EzWIC – DC WIC uses a mobile application developed in-house called EzWIC to improve the WIC participant shopping experience. EzWIC is available through the Apple App Store and Google Play Store. EzWIC improves the WIC participant shopping experience at WIC Vendors. WIC participants can use EzWIC to check their eWIC card balance at any time or scan a food's barcode and determine if a food is approved and if it can be purchased with their eWIC benefits. EzWIC also has an eWIC card balance feature that allows families to check their balance when they have linked their card to the app. In addition, EzWIC has other modules that include the Food List, clinic search, Vendor search, and complaint reporting. WIC Vendors are encouraged to download the EzWIC app as well.

Fair Hearing – The administrative process by which a Vendor may appeal adverse actions taken against them.

Food and Nutrition Service (FNS) – The Food and Nutrition Services division of the United States Department of Agriculture.

Food Sales – Sales of all SNAP-eligible foods intended for home preparation and consumption, including meat, fish, and poultry; bread and cereal products; dairy products; fruits and vegetables. Food items such as condiments and spices, coffee, tea, cocoa, and carbonated and non-carbonated drinks may be included in food sales when offered for sale along with foods in the categories identified above. Food sales do not include sales of any items that cannot be purchased with SNAP benefits, such as hot foods or food that will be eaten in the store.

House Brand – A proprietary brand of merchandise sold by one retailer (i.e., Great Value, Signature Select, Open Nature, Giant, Harris Teeter, etc.).

Incident/Transaction – An occurrence, event, purchase, sale, exchange, or delivery of any item, including point-of-sale devices that involve, but not limited to: swiping eWIC cards; manually entering eWIC card numbers; entering Personal Identification Numbers (PINs); scanning UPCs; entering prices; printing or providing receipts; voiding sales; or a deposit, withdrawal, transfer between accounts, exchange of currency, or purchase or sale of any monetary instrument.

Integrated Cash Register System – An all-in-one system that is capable of processing different forms of payment such as cash, SNAP, debit, credit and eWIC transactions.

Local (WIC) Agency – A local non-profit agency, county health department, or other health care provider under contract with the State Agency to implement and enforce policies and procedures of the WIC Program.

Mid-Atlantic Regional Office (MARO) – The regional office of the USDA's Food and Nutrition Service branch, which provides federal oversight for the DC WIC Program. Other states with MARO oversight include Maryland, Virginia, Delaware, New Jersey, West Virginia, Pennsylvania, and Puerto Rico.

Minimum Stocking Requirements (MSR) – The quantity and variety of WIC food items which a vendor must have in stock on the shelves of their store(s) at all times, according to their Vendor Peer Group placement.

Not to Exceed Amount (NTE) – Each week the State Agency will use vendor transaction data to calculate the average price of each WIC-approved food item per Vendor Peer Group. This average

price will be assigned a range using standard deviations or percent overs, the maximum of this range will be the “Not to Exceed” amount. If a vendor’s price for a WIC food item is more than the NTE amount, then the vendor will only be reimbursed the NTE amount.

Notice – The mechanism by which the State Agency informs the Vendor applicant or current Vendor of specific actions pertaining to the application or executed Vendor Agreement.

One Opportunity – A single chance to submit documents and/or information to correct deficiencies from an original submission.

Points of Sale – The time and place retail goods are purchased.

Point-of-Sale Provider – The entity that provides maintenance and support for electronic cash register (aka POS) system.

Point-of-Sale (POS) System – A retail point of sale system typically includes a cash register (which may include a computer, monitor, cash drawer, receipt printer, customer display and a barcode scanner) and the majority of retail POS systems also include a debit/credit card reader.

Product Look Up Code – Identification numbers affixed to produce in grocery stores to make check-out and inventory control easier, faster, and more accurate. The code may be a four- or five-digit number. The four-digit PLU codes for produce are assigned randomly within the 3000 and 4000 series; it identifies the type of bulk produce, and often includes the variety.

Rain Check – Any document or list which allows a WIC customer to receive a WIC authorized item after the food benefits are redeemed.

Retention of Records – The Vendor’s responsibility to maintain all required documents and records specified in the Vendor Manual that pertain to a Vendor’s participation in the WIC Program during the Vendor Agreement period and for a period of one (1) year after the expiration, termination, or final payment under the Vendor Agreement.

Sanction – A penalty imposed by the State Agency if the Vendor is found to violate the terms set forth in the Vendor Agreement, the DC WIC Vendor Manual, or Federal policies. Sanctions include administrative fines, civil money penalties, and/or disqualification or termination from the DC WIC program.

SNAP – Supplemental Nutrition Assistance Program, formerly known as the Food Stamp Program authorized by the Food Stamp Act of 1977.

Stand-Beside Terminal – A terminal issued by the State Agency that is capable of supporting eWIC transactions only.

State Agency – The DC Department of Health, Community Health Administration, Nutrition and Physical Fitness Bureau, WIC Agency.

Store Brand – A product that is manufactured and packaged for a particular store or retail chain.

Unit – A single item in a broader category of food items (i.e., one (1) apple, one (1) container of milk, one (1) loaf of bread, etc.).

Universal Product Code (UPC) – A barcode that is widely used in the United States and other countries for tracking trade items in stores. The UPC can vary in length and are uniquely assigned to each trade item.

USDA – The United States Department of Agriculture, which is the federal department that oversees the WIC and Supplemental Nutrition Assistance Programs (SNAP) nationally.

Variety – An assortment of types of different food items for each category of cereal, bread/tortillas, fresh dairy products, fruit, vegetables, and fresh or frozen meats, poultry, or fish (i.e., fresh dairy products may consist of milk, cheese, yogurt, sour cream, cottage cheese, etc.).

Vendor – A grocery store, food market, military commissary, or pharmacy authorized and under contract with the State Agency to redeem WIC benefits or otherwise provide supplemental foods to WIC customers.

Vendor Peer Group (VPG) – Vendors are assigned to a group with other vendors of similar characteristics, which allows the State Agency to compare vendors that are similar, offer fair reimbursement, apply competitive price criteria to contain costs, and maximize participant enrollment. DC WIC operates four (4) VPGs: Small, Medium, Large, and Pharmacy.

Viable Business – The viability of a business is measured by its long-term survival and its ability to have sustainable profits over a period of time. For WIC authorization purposes, the State Agency will consider viability of a business to one (1) calendar year prior to applying for authorization.

WIC Clinic – A facility where women, infants, and children are screened and determined to be eligible to participate in the WIC Program. This facility also provides services to participants such as nutrition and health assessments, nutrition education and counseling, and breastfeeding education and support.

WIC Customer – Any person (a participant or authorized representative) who is authorized to redeem WIC food benefits for approved food items purchased at an authorized WIC Vendor.

WIC Participants (“Participants” or “Clients”) – Pregnant, breastfeeding, or postpartum women; infants, and children up to five (5) years of age who are receiving WIC authorized supplemental foods or food benefits under the WIC Program and the breastfed infants of participating breastfeeding women.

WIC Price Survey – The State Agency survey that vendor applicants submit to provide food item pricing. The Survey contains a market basket assessment that consists of a specified group of WIC authorized food items. The State Agency uses the price data collected for these food items to assess competitive price, monitor retail price increases, compare wholesale to retail, monitor market trends, and forecast food prices. The price data is not used to set or establish the maximum redemption amount for WIC foods.

WIC Program – The Special Supplemental Nutrition Program for Women, Infants and Children authorized by Section 17 of the Child Nutrition Act of 1966, as amended. Rules and regulations developed and implemented by the Food and Nutrition Services branch of the USDA.