

Confidentiality of Vendor Information

- I. Confidential vendor information is any information about a vendor (whether it is obtained from the vendor or another source) that individually identifies the vendor, except for vendor's name, address, telephone number, web-site, e-mail address, store type, and authorization status. Except as otherwise permitted, the State Agency must restrict the use or disclosure of confidential vendor information to:
 - a. Persons directly connected with the administration or enforcement of the WIC Program or the Supplemental Nutrition Assistance Program (SNAP) who the State agency determines have a need to know the information for the purposes of these programs. These persons may include local WIC agency personnel, other WIC State and local agency personnel, and investigating or prosecuting WIC or SNAP violations under Federal, State or local law;
 - b. Persons directly connected with the administration or enforcement of any federal, state, or local law. Prior to releasing the information to one of these parties (other than a Federal Agency), the State Agency must enter into a written agreement with the requesting party that restricts use and re-disclosure of such information purposes directly connected to the administration or enforcement of a federal, state, or local law or ordinance.
 - c. A vendor that is subject to an adverse action (including a claim), to the extent that the information concerns that vendor and is related to the adverse action (7 CFR 246.26 (e)(1)(2)(3)).
 - d. At the discretion of the State agency, authorized vendors and vendor applicants that have had State Agency violation points and/or sanctions imposed will not be disclosed except for the vendor's name, address, length of disqualification or amount of civil money penalty, and a summary of the reason(s) for such sanctions provided in the notice of adverse action. Such information may be disclosed only after the exhaustion of all administrative and judicial review in which the State agency has prevailed regarding the sanction imposed on the subject vendor, or after the time period for requesting such review has expired.
- II. **Confidentiality of SNAP Information.** Except as otherwise provided, the State Agency must restrict the use or disclosure of information about SNAP retailers obtained from SNAP, including information provided pursuant to Section 9(c) of the Food and Nutrition Act of 2008 (7 U.S.C. 2018(c)) and 7 CFR §278.1(q) to persons directly connected with the administration or enforcement of the WIC Program.