

Definitions in Food Delivery

- I. **Utah WIC Vendor** - a sole proprietorship, partnership, cooperative association, corporation, or other business entity operating one or more stores, transacting WIC and non-WIC food commodities, having at least one cash register, reporting Utah state sales tax, providing food sales on a year-round basis (excluding holidays or Sundays), and be authorized by the State agency to provide approved supplemental foods to participants under a retail food delivery system. Each store operated by a business entity constitutes a separate vendor and must be authorized separately from other stores operated by the same business entity. New applicants and currently authorized vendors must stock and provide a variety of foods in each of the following staple food groups on a continual basis: a minimum of 10 lbs of meat, poultry or fish; bread and cereal; fresh fruits/vegetables, dairy, and baby foods (fruits/vegetables and meats); operate from a fixed, retail location; have a valid license to operate a business in the State of Utah; and have, as a minimum, at least fifty percent (50%) of their shelf space designated to the sale of non-WIC food items and non-WIC food transactions must be at least fifty percent (50%) of total food sales (including infant formula).
- II. **Food Delivery System**- The method used by State and local agencies to provide supplemental foods to participants.
- III. **Food Instrument (FI)**- A voucher, check, electronic benefits transfer card (EBT), coupon or other document which is used by a participant to obtain supplemental foods. The term Food Instrument is often used to refer to the regular type of Utah WIC check that contains a list of WIC foods to be purchased including sizes and quantities.
- IV. **Cash-value vouchers** – A fixed-dollar amount check, voucher, electronic benefit transfer (EBT) card or other document which is used by a participant to obtain authorized fruits and vegetables. The term Cash-Value Voucher is used to refer to the Utah WIC check type that has a maximum value printed on the check for the purchase of fruits and vegetables.
- V. **Check**- This term refers to both regular WIC Food Instruments and Cash-Value Vouchers.
- VI. **Redemption period**- The date by which the vendor must submit the check for redemption. This date must be no more than 60 days from the first date on which the check may be used. (7 CFR 246.12 (a) (2) (iv.)). If the date is fewer than 60 days, then the State agency must ensure that the allotted time provides the vendor sufficient time to submit the check for redemption without undue burden;

- VII. **Inventory Audit** – The examination of food invoices or other proofs of purchase to determine whether a vendor has purchased sufficient enough quantities of WIC food items to provide participants the quantities specified on checks redeemed by the vendor during a given period of time.
- VIII. **Authorized supplemental foods** – Those WIC food items authorized by the State Agency for issuance to a particular participant.
- IX. **Compliance buy** – A covert, on-site investigation, in which a representative of the Program poses as a participant, parent or caretaker of an infant or child participant, or proxy, transacts one or more checks and does not reveal during the visit that he or she is a program representative.
- X. **Vendor Overcharge** – Intentionally or unintentionally charging the State agency more for authorized WIC food items than is permitted under the vendor agreement. For mandatory sanctions to be assessed against a vendor, overcharging must be established by a pattern of redemptions.
- XI. **Vendor violation** – Any intentional or unintentional action of a vendor's current owners, officers, managers, agents, or employees (with or without the knowledge of management) that violates the vendor agreement or Federal or State statutes, regulations, policies, or procedures governing the Program.
- XII. **Investigation** – a method used by the State Agency to determine if violations are occurring.
- XIII. **Violation** – an infraction of program regulations, policies or agreements.
- XIV. **Sanction** – an administrative action taken as a result of a violation.
- XV. **Pattern** – repeated incidences of the same violation. Sanctions are based on the number and severity of the incidences of the violation.
- XVI. **Inadequate Participant Access** – An undue hardship for participant access will be defined as if there is no other WIC authorized vendor within twenty (20) miles.
- XVII. **Food Sales** – The total dollars of all foods that are eligible items under the Supplemental Nutrition Assistance Program (SNAP). – These foods are intended for home preparation and consumption and include meat, fish, and poultry; bread and cereal products; dairy products; fruits and vegetables. Items such as condiments and spices, coffee, tea, cocoa, and carbonated and noncarbonated beverages are included in food sales only when offered for sale along with foods in the four primary categories. Food sales do not include of any items that are not approved for purchase with Supplemental Nutrition Assistance Program (SNAP) benefits, such as non-food items,

alcoholic beverages, hot foods, or food that will be eaten on the store premises.

XVIII. **Above-50% Vendors** – Vendors that derive more than 50 percent of their annual food sales revenue from redemption of WIC checks, and new vendor applicants expected to meet this criterion under guidelines approved by FNS, are defined as above-50-percent vendors.

I. **Store brand/Private label** - a brand owned or controlled by a retailer or wholesaler that sells goods under its brand or label that are provided by a contract manufacturer. *(A store brand must be purchased when indicated in the Utah Authorized WIC Foods Booklet. Examples of Store brands/Private labels include but are not limited to Food Club, Kroger, Great Value, Market Pantry, WinCo, Signature Kitchens, Signature Farms, Lucerne, Freedom's Choice, and Harmons. If the store does not carry a store brand/private label for the WIC food item, then the cheapest brand can be purchased. Stores are required to carry store brands/private label products for the following food items: milk*, cheese, peanut butter, eggs, beans, canned fish, brown rice, juice and cereal. [*Because store brand milk is not always available in quart size, specific authorized brands of quart size milk will be specified.] When certain brands are specified in the Authorized WIC Foods booklet, only those brands listed may be purchased.)*

XIX. **Farmer** - An individual authorized by the State agency to sell eligible fruits and vegetables to participants at a farmers' market or roadside stands. Individuals, who exclusively sell produce grown by someone else, such as wholesale distributors, cannot be authorized.

XX. **EBT** – Electronic benefits transfer card