



Food and  
Nutrition  
Service

April 28, 2020

**SUBJECT:** Request for WIC Food Package Flexibilities in Response to COVID-19

1320  
Braddock  
Place  
Alexandria,  
VA  
22314

**TO:** Kurt Messner  
Regional Administrator  
Northeast Regional Office

This letter is in response to the April 27, 2020 correspondence from Pleasant Point Passamaquoddy WIC requesting flexibility in the food package requirements in the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) as a result of significant impacts to providing WIC program services to participants due to COVID-19.

Pleasant Point Passamaquoddy WIC cited significant impacts on vendors' abilities to maintain inventory of certain WIC-eligible products and requests a waiver of select minimum requirements and specifications and/or the maximum monthly allowances as outlined in 7 CFR 246.10(e)(9)-(12) for specific supplemental foods. Pursuant to the authority granted in section 2204(a)(1) of the Families First Coronavirus Response Act (P.L. 116-127), USDA's Food and Nutrition Service (FNS) approves the waiver request through **May 31, 2020** in the following manner:

- **Eggs.** Participants will be allowed to substitute peanut butter or mature legumes for eggs despite the designation of their food package.

Given the issue of low stock as a result of increased customer demand during the COVID-19 epidemic, USDA FNS understands that holding vendors to normal minimum requirements and specifications and maximum monthly allowances for supplemental foods is not possible at this time. A waiver to provide administrative flexibility to allow the food substitutions and flexibilities described above removes a requirement that under current circumstances could prevent or impede the provision of essential Program services to participants.

**USDA FNS does not approve the substitution of canned fish for eggs as canned fish is not a qualified administrative requirement necessary to continue providing program assistance.**

Following receipt of a food package waiver, Pleasant Point Passamaquoddy WIC will need to advise vendors and participants that substitutions should be made when the prescribed benefit is unavailable for purchase and these flexibilities are available until May 31, 2020. The State agency will inform participants to come as close to the maximum benefit amount prescribed when they are selecting package sizes.

The waiver authority at section 2204(b)(1) of P.L. 116-127 requires the State agency to submit a report which includes a summary of the use of this waiver and a description of whether this

waiver resulted in improved services to women, infants and children. The State agency shall provide the Regional Office with this report no later than 1 year after the date of approval.

USDA FNS appreciates Pleasant Point Passamaquoddy WIC's commitment to addressing the operational challenges impeding the delivery of WIC benefits to needy women, infants and children.

Sincerely,

A handwritten signature in black ink that reads "Sarah Widor". The signature is written in a cursive style with a large initial "S" and a long, sweeping underline.

SARAH WIDOR  
Director  
Supplemental Food Programs Division