



Food and  
Nutrition  
Service

March 10, 2021

1320  
Braddock  
Place  
Alexandria,  
VA  
22314

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

**TO:** Jesus Mendoza, Jr.  
Regional Administrator  
Western Regional Office

This letter is in response to the March 5, 2021 correspondence from Hawaii 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.

Hawaii 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), as amended, USDA's Food and Nutrition Service (FNS) approves the waiver request until 30 days after the end of the nationally-declared public health emergency under section 319 of the Public Health Service Act (42 U.S.C. 247d), in the following manner:

- **Whole Wheat/Whole Grain Bread.** Participants will be allowed to substitute authorized whole wheat/whole grain bread, buns or rolls in package sizes up to 24 ounces when 16 ounce packages are unavailable.

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.

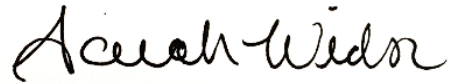
Following receipt of a food package waiver, Hawaii WIC will need to advise vendors and participants that substitutions should be made when the prescribed benefit is unavailable for purchase and these flexibilities are available until 30 days after the end of the nationally-declared public health emergency under section 319 of the Public Health Service Act (42 U.S.C. 247d). 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 Hawaii WIC's commitment to addressing the operational challenges impeding the delivery of WIC benefits to women, infants, and children in need.

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