

Food and Nutrition
Service

1320 Braddock Place
Alexandria, VA
22314

November 9, 2022

Dear State WIC Director:

As the nationwide supply of infant formula continues to recover from ongoing product shortages, I am writing to thank you and your staff for the extensive and continued efforts to support WIC families during this time of need. By communicating information, developing and sharing resources, and providing extensive customer service to an untold number of concerned families, you and your staff navigated an unprecedented situation to ensure infant formula is safe and available for WIC participants.

Abbott has announced it will continue providing a rebate on competitive infant formulas redeemed prior to January 31, 2023. Since your WIC State agency holds an infant formula rebate contract with Mead Johnson-Reckitt or Nestle Gerber, this information is shared for your awareness.

Many State agencies holding contracts with Mead Johnson-Reckitt or Nestle Gerber have come to an agreement with their manufacturers and implemented flexibilities to allow for a wider variety of formulas to be issued. State agencies are encouraged to continue using available flexibilities and waivers to:

1. Expand issuance to additional contract brand products (e.g., new container sizes, physical forms, or contract brand products that were not previously authorized in the State) for a rebate, or
2. If there continue to be shortages despite other efforts, expand issuance to non-contract brand products.

Issuing non-contract formula could result in additional costs to the WIC Program. **FNS has approved the use of WIC food funds for non-contract formula redeemed prior to January 31, 2023, so long as State agencies and their infant formula contract manufacturers have an appropriate agreement in place.**

As we continue responding to the changing environment and available supply of infant formula, FNS remains committed to providing maximum flexibility and technical assistance on issues as they arise. If assistance is needed, please contact your respective USDA FNS Regional Office. As the retail formula market continues to change, we remain available to provide timely support.

Again, thank you for the work you and your staff do every day to meet the needs of your participants. I appreciate your commitment and ongoing partnership.

Sincerely,

A handwritten signature in black ink, appearing to read "Diane M. Kriviski". The signature is fluid and cursive, with the first name being the most prominent.

Diane M. Kriviski
Associate Administrator
Supplemental Nutrition and Safety Programs