



Food and  
Nutrition  
Service

April 6, 2021

**SUBJECT:** Request for WIC Flexibility in Response to COVID-19

1320  
Braddock  
Place  
Alexandria,  
VA  
22314

**TO:** Cheryl Kennedy  
Regional Administrator  
Mountain Plains Regional Office

This letter is in response to the April 6, 2021 correspondence from Colorado FMNP requesting program flexibility in the WIC Farmers' Market Nutrition Program (FMNP) as a result of significant impacts to providing eligible foods to recipients due to COVID-19.

Colorado FMNP requested a waiver of the requirement to conduct face-to-face training for farmers and farmers' market managers who have never previously participated in the FMNP as outlined at 7 CFR 248.10(a)(4) and 248.10(d). 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 this 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).

Given the recommendations by the Centers for Disease Control and Prevention to control the impact of the COVID-19 epidemic through means of social distancing, USDA FNS understands that face-to-face training creates an undesirable risk. This waiver removes a requirement that could prevent or impede the provision of essential Program services.

This waiver allows Colorado FMNP to conduct the initial training of farmers and farmers' market managers by remote means, including but not limited to telephone conference calls, video conferences, and web-based training. This waiver is only applicable to regulations at:

- 7 CFR 248.10(a)(4) and (d) which require the State agency to conduct face-to-face training prior to start up of the first year of FMNP participation of a farmers' market and individual farmers.

The waiver authority at section 2204(b) 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 the waiver resulted in improved services to women, infants, and children. The State agency shall provide the Regional Office with this report no later than one year after the date of approval.

USDA FNS appreciates Colorado FMNP'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'.

SARAH WIDOR  
Director  
Supplemental Food Programs Division