

January 10, 2025

**SUBJECT:** WIC Policy Memorandum #2025 – 3  
Policy Memorandum Revision: Use of Banked Human Breast Milk in WIC

**TO:** Regional Directors  
Supplemental Nutrition Division  
All Regional Offices

WIC State Agency Directors  
All WIC State Agencies

This memorandum revises and replaces WIC Policy Memorandum #2000-2, Use of Banked Human Breast Milk in the WIC Program, issued February 28, 2000.

USDA promotes and supports breastfeeding as the best source of infant nutrition. Human milk provides unique nutritional and non-nutritional benefits for an infant's growth and development. In some situations, parents or caretakers may look for alternative sources of human milk such as banked human milk to feed their babies. USDA recognizes that banked human milk may be an important resource, particularly for medically vulnerable infants.

The U.S. Department of Health and Human Services, Food and Drug Administration (FDA) regulates banked human milk as a food and inspects donor human milk banks that are registered with FDA as food facilities. Banked human milk, on its own, does not meet the statutory definition of infant formula (21 U.S.C. 321(z)).

WIC regulations define the types of foods that WIC State agencies may offer participants in the food packages. For infant food packages, the available supplemental foods are infant formula and, depending on their age, infant cereals, infant fruits and vegetables, and infant meats. Banked human milk is not a WIC-eligible supplemental

food as defined by 7 CFR 246.10. Therefore, banked human milk may not be issued as a program benefit.

The WIC food packages are periodically reviewed by the National Academies of Science, Engineering, and Medicine (NASEM) who in turn make recommendations to USDA to update the food packages through the rulemaking process. The most recent NASEM review, published in 2017, did not recommend revising the infant food packages to include human donor milk as a benefit. USDA is required to conduct a periodic review of the WIC food packages and the next review will include a broad range of infant feeding practices.

WIC federal funds cannot be used for the purposes of collecting, storing, purchasing, or disseminating banked human milk. If indicated by the nutrition assessment, WIC staff may inform caregivers about banked human milk, refer participants to donor human milk banks, and, if appropriate, inform caregivers about donating their milk.

WIC regulations do not prohibit a State agency from using non-WIC funds to allow WIC clinic sites to serve as a human milk depot in partnership with another organization. The State agency should first enter into a Memorandum of Understanding (MOU) with the organization to clearly describe roles and responsibilities of each organization. It must be made clear that banked human milk is not a WIC benefit and that the collaboration does not imply that the donor human milk bank or depot is WIC sponsored.

Furthermore, staff time must be cost allocated to other allowable funding sources, except for activities related to breastfeeding education and promotion such as referring participants to donor human milk banks. State WIC agencies are also advised to ensure that their malpractice insurance policy covers WIC staff on any negligible activities related to banked human milk. Coverage is needed if a WIC participant or donor human milk depot user claims to be adversely affected by banked human milk. USDA requests that State agencies share with the FNS Regional Office information about donor human milk bank or depot activities occurring in WIC clinic sites.

For additional information, see the [WIC Breastfeeding Policy and Guidance](#) and the [Food and Drug Administration's Use of Donor Human Milk](#).

State agencies may direct any questions to their respective [FNS Regional Office](#).

***/Original Signature on File***

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