

May 24, 2023

Patricia Bailey, Chief
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Supplemental Nutrition and Safety Programs
Food and Nutrition Service
United States Department of Agriculture
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Re: Docket No. FNS-2022-0015-0001; Special Supplemental Nutrition Program for Women, Infant, and Children (WIC): Online Ordering and Transactions and Food Delivery Revisions to Meet the Needs of a Modern, Data-Driven Program

Dear Ms. Bailey,

The Academy of Nutrition and Dietetics appreciates the opportunity to submit comments to the United States Department of Agriculture in response to its request for information and comments on the proposed rule “Special Supplemental Nutrition Program for Women, Infants, and Children (WIC): Online Ordering and Transactions and Food Delivery Revisions to Meet the Needs of a Modern, Data-Driven Program” originally published in the Federal Register on February 23, 2023 (FNS-2022-0015-0001). Representing more than 113,000 registered dietitian nutritionists¹, nutrition and dietetic technicians, registered (NDTRs), and advanced-degree nutritionists, the Academy is the largest association of food and nutrition professionals in the United States. We are committed to accelerating improvements in the nation’s health and well-being through food and nutrition.

The Academy supports WIC as a key federal nutrition program that provides nutrient-dense supplemental food to a significant number of women and infants in the United States.² In 2018, 1.7 million infants, or 45% of all infants in the United States, were eligible for WIC and 98% of eligible infants participated in the program.³ By providing at least 50% of priority nutrients, WIC is a critical intervention to improve health outcomes of babies, young children, and both pregnant and postpartum women. WIC reduces health disparities experienced by people who are part of low socioeconomic status communities, shapes food environments across the nation, improves nutrition security, and achieves nutrition policy goals. Research shows that the WIC program significantly improves food security and

¹ The Academy has approved the optional use of the credential “registered dietitian nutritionist (RDN)” by “registered dietitians (RDs)” to more accurately convey who they are and what they do as the nation’s food and nutrition experts. The RD and RDN credentials have identical meanings and legal trademark definitions.

² National Academies of Sciences, Engineering and M, ed. *Review of WIC Food Packages: Improving Balance and Choice: Final Report*. National Academies Press; 2017. doi:10.17226/23655 at xv (of 1044) (hereafter “NASEM Report”).

³ U.S. Department of Agriculture Food and Nutrition Service, National WIC eligibility and coverage rates by year and participant category, accessed at: <https://www.fns.usda.gov/wic/eligibility-and-coverage-rates-2018>

diet quality for participants.⁴ Increasing access to and modernization of benefit issuance can help connect more eligible mothers to the many benefits of WIC.

The Academy supports the Department's plans to remove barriers to innovation and to modernize certain WIC food delivery regulations. While electronic-benefit transfer (EBT) technology in the WIC program has advanced in the past 10 years, transaction technologies are not keeping up with the commercial marketplace. The Academy supports that state agencies be given the latitude to develop and test new types of instruments such as mobile payments and allow for remote issuance of WIC benefits. The Academy supports the addition of WIC staff at the state level to support and increase operational capacity of WIC State agencies to manage vendors, software, technology upgrades, and more.

The Academy supports efforts to prioritize dignity and equal access to available shopping options. While opening up authorization to internet-based vendors can help to increase purchasing options for WIC clients, the Academy also does urge the Department to ensure similar accountability for internet vendors as for brick-and-mortar vendors. We request that the USDA assure that online vendors meet minimum stocking levels of WIC-approved foods as brick-and mortar vendors are required to do, and that the food items WIC clients select to place in their online shopping baskets are in stock and available for purchase.

The Academy joins with the National WIC Association in supporting that USDA center equitable access to Internet platforms for WIC shoppers, including a one-month rollover of all unredeemed benefit (instead of only refunded benefit) and amending the equal-treatment requirement to allow retailers to provide preferential treatment for WIC shoppers. It is likely that many online WIC transactions will be mixed with other forms of payment, and USDA must be mindful of unique barriers faced by WIC's target population when determining fee structures. Targeted federal funding to support retailers in establishing online shopping platforms may be a more effective use of resources than allowing retailers to levy fees on WIC-only purchases. Providing technical assistance to small, rural and/or independent retailers may also help to reach WIC participants in areas with lowest population density.

The Academy of Nutrition and Dietetics appreciates the opportunity to submit comments and applauds the USDA for making efforts to modernize WIC on behalf of the program's participants. We urge USDA to move quickly to finalize this rule to allow online ordering for WIC participants. Please contact either Jeanne Blankenship at jblankenship@eatright.org or Karen Ehrens kehrens@eatright.org with any questions or requests for additional information.



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⁴ Au LE, Ritchie LD, Tsai M, et al. Alignment of California WIC Participant Preferences With Proposed WIC Food Package Recommendations. *J Nutr Educ Behav*. 2021;53(1):60-66. doi:10.1016/j.jneb.2020.09.014 at 60 (of 66).