January 29, 2010

Debra Whitford
Director, Supplemental Food Programs Division
Food and Nutrition Service
U. S. Department of Agriculture
3101 Park Center Drive, Room 528
Alexandria, VA  22302

RE:  Docket ID Number 2006-0037, WIC Food Packages Interim Rule

Dear Ms. Whitford:

The Center for Science in the Public Interest is a nonprofit health advocacy organization specializing in nutrition and food safety. We urge USDA to consider the following recommendations as the Department finalizes the WIC Food Package rule:

1. Increase the cash-value of the fruit/vegetable voucher for WIC children to $8/month as originally recommended by the Institute of Medicine.

We strongly support Congress’ decision in the FY2010 Agriculture Appropriations Act to increase the cash-value of the WIC fruit/vegetable vouchers for women to $10/month and the interim rule published on December 31, 2009 that instructs State WIC Agencies that they can implement this change immediately or by April 30, 2010.

Now, we ask that the Department increase the cash-value of the fruit and vegetable voucher for WIC’s 4.7 million children to $8/month as originally recommended by the Institute of Medicine’s (IOM) Report: WIC Food Packages: Time for a Change.

To meet the 2005 Dietary Guidelines for Americans, children need to double fruit and vegetable consumption. An important objective of the IOM was to ensure that the new WIC Food Packages provide at least one additional serving of fruit or vegetable each day. It is not possible add one daily serving of fruit and vegetables for $6/month.

We strongly recommend that the cash-value of the children’s fruit/vegetable voucher be increased to $8/month as recommended by the IOM.

2. Increase the cash-value of the fruit/vegetable voucher for fully breastfeeding women to $12 per month to incentivize WIC moms to breastfeed their babies.

We applaud USDA’s Food and Nutrition Service for providing fully breastfeeding WIC mothers with a $10 per month voucher for fruits and vegetables in the interim rule. This additional $2 per month for fruits and vegetables, above the $8 per month that non-fully breastfeeding WIC moms receive, was designed to incentivize the food package for fully breastfeeding moms. The extra $2 per month for fruits and vegetables contributed to the overall enhanced value of the food package for women who choose to fully breastfeed.
Now that non-breastfeeding WIC moms receive vouchers for $10 per month for fruits and vegetables, we support the National WIC Association’s request to increase the cash-value of the fruit/vegetable vouchers for fully breastfeeding WIC moms to $12 per month.

3. **Require State WIC Agencies to allow split tender to enable WIC families to use the full benefit of their fruit/vegetable vouchers.**

Split tender provides WIC families with the ability and option to add cash to their fruit/vegetable voucher purchases at check out so they can fully maximize their benefits.

Currently, 12 State WIC Agencies including: Colorado, Delaware, Illinois, Maine, Massachusetts, Mississippi, Missouri, Montana, New Hampshire, Texas, Utah, and Wyoming do not allow split tender. The result is that WIC families in these states have to put a fruit/vegetable item back so they do not go over the cash value of their fruit/vegetable voucher. The ultimate result is that they are never able to use the full value of their fruit and vegetable benefits.

Disallowing split tender negatively impacts public health for the vulnerable WIC population in these 12 states. This decision impacts 2 million WIC participants which is approximately 22% of the total WIC population.

In the interim rule the Food and Nutrition Service encouraged State WIC Agencies to allow split tender. Thirty-eight State WIC Agencies follow this recommendation. Those states report no problems from retail vendors with implementation of split tender. There also appears to be no problem for small vendors in those 38 states.

We strongly recommend that USDA require State WIC Agencies to allow split tender so that WIC families can utilize the full value of their fruit and vegetable vouchers.

4. **Expand access to whole grains.**

We support the addition of whole grains to the food packages for women and children. However, many states have experienced challenges with availability of whole wheat bread and tortillas in 16-ounce package sizes and with keeping their authorized food lists current as the availability of eligible products increases. We recommend increasing the variety of whole grain options available to participants and enabling states to more easily include a variety of whole grain products on their food lists by:

- Expanding the list of eligible substitutes for whole wheat bread to include whole wheat or whole grain pasta, English muffins, and bagels.
- Allowing states to request approval for additional substitutes for whole wheat bread that meet the minimum requirements.
- Allowing states to authorize any bread or bread substitute that is labeled “100% whole wheat” without specifying brands on their food list.

5. **Remove the medical documentation requirement for children to receive soymilk and tofu.**

Medical documentation should not be required for dairy alternatives that must be nutritionally equivalent to cow’s milk. Required nutritional equivalency provides ample assurance that fortified soymilks authorized by WIC State agencies are good
sources of protein, calcium, vitamin A, and vitamin D, and eliminates any medical concern related to nutritional content. Therefore, the medical documentation requirement is unnecessary and should be removed.

Requiring medical documentation for these products creates an unjustified barrier for families and the program. Women who prefer not to have their child consume dairy products for cultural, religious, or other reasons, may not be able to afford either the expense, inconvenience, or burden of a doctor's visit. Many women participating in the WIC program may not have access to medical care. In addition, the medical documentation requirement creates unnecessary administrative work that can reduce the effectiveness of the WIC Program. With no evidence to suggest there are health concerns from children consuming fortified soymilk or tofu, the medical documentation requirement is an unjustified burden for WIC families and program administrators.

6. Finally, we recommend periodic review and updates of the WIC food packages at least every ten years.

Thank you for the opportunity to contribute suggestions on how to strengthen the WIC Food Packages final rule.

Sincerely,

Margo G. Wootan, D.Sc.
Director, Nutrition Policy