



PI-13

December 15, 2003

Patricia Daniels  
USDA, Director,  
Supplemental Food Programs Division  
3101 Park Center Drive, Room 520  
Alexandria, Virginia 22302

Dear Ms. Daniels:

Thank you for this opportunity to provide comments on "***Special Supplemental Nutrition Program for Women, Infants and Children (WIC): Revisions to the WIC Food Packages***" (68 Federal Register 53903 (September 15, 2003)). We agree with the Department that WIC should play an appropriate role in addressing the increasing prevalence of obesity, ameliorating other pressing health and nutrition problems, improving nutrition, and reducing food insecurity. We agree that a good food package not only provides good nutrition but also is an important nutrition education tool. We are pleased that the Department is working with the Institute of Medicine to undertake this important research. The Department's notice was comprehensive, clear and informative. We have organized our comments to answer the eleven review questions specified in the notice.

When making major changes to the food packages, a great deal hangs in the balance. The WIC food packages have been central to WIC's demonstrated success in improving the health and nutrition of the women, infants and children enrolled in the program. The success of the WIC food packages is dependent on a complex set of interactions. This is not to say that improvements can't be made. But in the context of limited funding, gains in one area can easily lead to losses in other important areas. For this reason, we believe that the full range of factors affecting the nutritional, incentive and food security value of the food packages needs to be taken into account in revising the WIC food packages. With that in mind, we offer the following recommendations:

- 1) Please indicate what elements of the WIC food packages you would keep the same and why.

***Protect Nutritional Integrity of Food Package by Retaining Strong Nutritional Standards***

Food package revisions should protect the nutritional integrity of the WIC food packages by maintaining the current stringent nutrition standards for

WIC foods. These standards include high requirements for iron in cereals and Vitamin C in fruit and vegetable juices, as well as limits on sugar and fat, including the prohibition of high sugar cereals and sweetened juice or milk.

In response to the Department's notice, *Special Supplemental Nutrition Program for Women, Infants and Children: WIC Cereal Sugar Limit*, over 800 commenters opposed changing the sugar limit for WIC cereals. For more detail on the rationale supporting FRAC's opposition to changes in the sugar limit please see the sign-on comment letter we submitted to the Department with the Center for Science in the Public Interest.

#### ***Retain Current WIC Food Package Structure***

The WIC food package has been central to the program's success for 30 years. We support what historically have been the Department's guiding principles for the WIC food package: focusing on bringing target nutrients important to maternal, infant and child health but in short supply in low-income diets, to WIC clients through foods that are acceptable, practical, accessible and cost-efficient. We believe that the current system of 7 food packages organized by maternal and child health categories should be retained. This practical system accounts for both nutritional needs and administrative operational realities.

#### ***Retain Current Targeting of WIC Food Package Benefits***

The current fair and effective system of targeting WIC food package benefits should be retained. For example, we oppose reducing, as some have suggested, the size of the WIC food package for young children by shifting resources toward adult packages. Reducing the size of the WIC food package for young children will diminish WIC's positive impact on the health and nutritional status of children enrolled in the program. As the Department points out in the notice, research has shown WIC's positive effect on children's diet and diet-related outcomes including

*“Higher mean intakes of iron, vitamin C, thiamin, niacin and vitamin B6, without an increase in food energy intake, indicating an increase in the nutrient density of the diet; Positive effects on the intakes of ten nutrients without an adverse effect on fat or cholesterol; More effective than other cash income or food stamps at improving preschoolers' intake of key nutrients; and Decline in the rate of iron deficiency anemia from 7.8 percent in 1975 to 2.9 percent in 1985 which the Centers for Disease Control and Prevention attributed to both a general improvement in iron nutrition and participation in WIC and other public nutrition programs.”*

Cutting the children's food package seems unjustifiable given the demonstrated success of the current level of resources in the WIC children's food package. The negative impact of reducing the nutritional support for these nutritionally at-risk young children during one of their most critical periods of physical and cognitive growth and development could last a lifetime. Less WIC food for these young children will also result in the consumption of more non-WIC foods, which according to the recent Mathematica study, FITS, all too often include unhealthy foods such as french fries, sweetened drinks and candy.

The WIC food package functions not just as a source of nutritional support but also as an incentive to bring clients into the WIC clinic and engage them with the clinic's nutrition education and referrals to health care. This incentive is important: if parents decide not to enroll their children in WIC because the children's food package is too small to be worth the effort, then the children can't reap any of the program's benefits.

Shifting resources away from children in WIC could change the nature of the program given that fully half of the WIC clients are children. This change could fundamentally alter who participates in WIC and why. (According to the *WIC Participant and Program Characteristics 2002*, half (50.1 percent) of WIC's 8 million enrollees were children. Infants account for 25.7 percent and women 24.1 percent of those enrolled in WIC. Eleven percent of the women participating in WIC are pregnant, 7.5 percent are postpartum, and 5.7 percent are breastfeeding.)

- 2) What changes, if any, are needed to the types of foods currently authorized in the WIC food packages?

#### ***Retain Current WIC Foods***

All the types of food currently in the WIC food packages, including iron-fortified infant formula, infant cereal, milk, iron-fortified breakfast cereal, cheese, Vitamin C-rich fruit and vegetable juices, beans, peanut butter, eggs, and (for breastfeeding women,) carrots and tuna fish, should be retained because each type of food makes an important contribution to the nutritional content of the package. In addition, these foods are acceptable, practical, accessible and cost-efficient.

In the *Factors Affecting Enrollment and Continued Participation* section of USDA's report, *National Survey of WIC Participants*, WIC participants made clear the importance of the current WIC food package. They rated the two highest benefits as "vouchers for foods I know are nutritious" and "money saved on grocery bills." WIC participants reported high levels of satisfaction with the WIC food package:

*"The distribution of satisfaction with food quantities was consistent across all food categories. More than 80 percent of respondents were "very satisfied" with the quantities of food, including breakfast cereal. These high levels of satisfaction with brands and quantities of food correlate well with respondents' answers to questions of whether they usually purchased all food items listed on the food voucher. Nearly 93 percent of respondents said they usually purchased all items. No single WIC food category was identified as being particularly prone to being not purchased."*

In addition, USDA's study, *Adolescent WIC Participants Study, Volume 1: Final Report*, found that "WIC adolescents are a vulnerable population," and

*"they frequently desired to receive greater quantities of WIC foods, particularly juice, cereal, cheese, milk and infant formula."*

### **Add New WIC Foods**

Increase the types of foods offered in the standard WIC food packages by adding a fruit and vegetable category and by adding more high calcium food choices including yogurt and soymilk. (We will address the cultural food package issues under question number 9.)

### **Fruits and Vegetables:**

Fruits and vegetables provide fiber and vitamins important in the diets of WIC clients. The low-income families participating in WIC may not be able to afford fruits and vegetables on their limited food budgets. In addition, the inclusion of fruits and vegetables will provide a valuable educational tool for WIC nutritionists.

Adding fruits and vegetables to the current standard packages, without reducing any of the current foods, would increase the incentive and nutritional value of the WIC food package. But, a cost-neutral proposal could have a different effect. The incentive value of the food package will be reduced if foods that participants are satisfied with are replaced with foods that are less acceptable or accessible. If juice, milk and cheese, foods clients value and use, are reduced and replaced with a limited variety of vegetables, then the trade-off may reduce the incentive and nutritional value of the food package for clients. The nutritional value of the food package will also suffer because the clients will not eat the new foods if they don't like them and they are no longer able to benefit from the nutritional value of the food that have been cut. The balance for this trade-off depends on a complex set of variables related to the type of vegetables, their availability, their acceptability, particularly for children, and the change, if any, in the number of servings of food provided. WIC parents, like all parents, consider the taste preferences of their children as a key factor in making food decisions. Generally speaking, fruit juice, a widely available food, is very acceptable for children. Some vegetables are not readily accepted by children. The best approach would be to include a variety of popular nutrient dense choices in both the fruit and vegetable categories.

Unfortunately, the selection of fruits and vegetables available in stores serving low-income communities is often limited and substandard, a factor which could also make a WIC vegetable/fruit category less effective. For this reason, any plan to include fruits and vegetables in the WIC food package must include 1) detailed Vendor requirements specifying the selection of fruits and vegetables and forms that must be available to be approved as a WIC vendor (consistent with current Vendor management regulations) and 2) a dedicated enforcement effort of these requirements by state and local WIC agencies prior to implementation of these revisions and on an ongoing basis. The required selection of fruits and vegetables and forms should not be limited. This raises issues related to the ability of small markets to stock these items because of limited refrigerator and freezer space. It would indeed be a disappointing failure if clients are left, for example, with dusty cans of spinach as their only choice.

We would like to reiterate the suggestion we made in our October 31, 2002 letter to the Department: fast track a proposal to implement on an interim basis, a modified food package revision focused on a fruit and vegetable pilot option. This will help to gain a better understanding of the variables affecting the impact of adding fruits and vegetables to the WIC food package, including client preferences and buying habits, as well as availability, cost, seasonal variation, and market response. This understanding could help inform the final food package revisions. Please see Appendix A for a summary of that section of FRAC's October 31, 2003 letter.

#### **Yogurt and Soymilk:**

Yogurt and soymilk could provide additional high-calcium options for WIC clients. Yogurt is a popular dairy choice. In addition, yogurt is more easily digested for individuals with lactose intolerance. Soymilk is an important alternative for clients with milk allergies and is the more common calcium rich drink for some cultures. Both yogurt and soymilk are more expensive than cow's milk. Again, adding yogurt and soymilk would undoubtedly add to the nutritional and incentive value of the food package for some clients. However, there are complicated trade-offs that must be assessed related to the addition of these foods in a cost neutral environment.

#### ***Foods Not to Add***

The addition of low-cost starches such as bread, rice and pasta would not improve the WIC food packages. Since these low-cost foods are consumed as staples and would be purchased and consumed regardless of availability from WIC, this kind of addition is unlikely to have a positive impact on the health or nutritional status of WIC clients. This change could also generate possible political costs if the sense of WIC's distinctive nature as a special supplemental food program is undermined by the addition of what the public and policy makers generally perceive as cheap starches.

- 3) Should the quantities of foods in the current WIC food packages be adjusted? If yes, by how much and why?

#### ***New Money is Necessary***

The Department's request for cost neutral comments is clear: the addition of new food categories should be offset by food package reductions. However, since the current WIC food packages offer much-needed nutrients and do not provide unhealthy amounts of any foods, there is no imperative to lower the amount of any WIC food for health reasons. For this reason, the best way to cover additional food packages costs is to plan on securing additional Congressional appropriations.

According to the notice, the Institute of Medicine's, Food and Nutrition Board will review the available science and attempt to address the issue of appropriate criteria to guide trade-offs in a cost neutral environment. We recommend that the full range of factors affecting the nutritional, incentive and food security value of the food packages be taken into account in this process. In addition, based on WIC's success for each category of participant -- women, infants and children -- we recommend that the trade-offs be

confined within each type of food package. The realities of family life should also be considered when determining food distribution. If, after reviewing the science, the Institute of Medicine, Food and Nutrition Board determines that the necessary food revisions to the adult or other food packages can't be wholly financed through trade-offs, then they should have the option of reporting that finding.

### ***Medical Foods***

Addressing the issue of the medical foods in this revision, without resolving the issue of payment with Medicaid, likely will be so expensive as to unnecessarily siphon off resources that could be used to include more fruits and vegetables or other foods. The medical food costs generated could potentially force more than a WIC foods trade-off; they could result in a reduction in the WIC caseload. This is particularly a danger in light of the current state budget downturn, which may encourage states to shift costs away from Medicaid because of its state match.

Although we recognize the importance of medical foods to many women and children, the best way to resolve this issue is for Medicaid to pay for the medical foods in all states. In any event, given the complexity of the issue and potential expense, the parameters must be understood and carefully defined before proceeding. We understand that the Department believes it needs additional information on the use, costs and types of medical foods, as well as WIC's interface with Medicaid as a payer for medical foods, and has issued a Request for Proposals to study these issues. This seems to indicate that the medical foods provisions should not be considered in this revision, but should be considered separately once the study has been completed and the Department has all the facts it needs.

- 4) Recognizing that the WIC program is designed to provide supplemental foods that contain nutrients known to be lacking in the diets of the target population, what nutrients should be established as priority nutrients for each category of WIC participant?

### ***Preserve Emphasis on Key Nutrients in WIC Food Packages***

The WIC food packages should continue as a special supplement of nutritionally dense foods that supply key nutrients important to the health and development of pregnant women, new mothers, infants and children. The current key nutrients – iron, calcium, Vitamins A and C, and protein – should be retained as priority nutrients. The B vitamin, folate, should be added as a key nutrient based on research revealing its importance in preventing birth defects. Other nutrients should be considered based on the findings of the Institute of Medicine's Food and Nutrition Board review. One area of particular concern is the low level of zinc in the diets of the women and children in the WIC population.

- 5) Keeping in mind that foods provided by WIC are designed to be supplemental, can the WIC food packages be revised (beyond what is allowed under current regulations) to have a positive effect on addressing overweight concerns?

### ***Excellent Revitalizing Nutrition Education Initiative Helps WIC Combat Obesity***

We agree with the Department that WIC should play an appropriate role in addressing the increasing prevalence of obesity. Clearly, nutrition education with a preventative focus and integrating physical activity promotion into WIC's message are key to addressing obesity. The Department's efforts to revitalize nutrition education have been exemplary, including the clear and comprehensive new nutrition education training guidelines, the excellent resource-filled WIC website and the innovative WIC Fit projects. The addition of new nutrition risk criteria for infants and children – at risk of becoming overweight – to the allowable criteria that may be used to establish WIC program eligibility is also helpful. In addition, the Department should be commended for aggressively pursuing new funding for nutrition education efforts focused on obesity. The addition of fruits and vegetables to the WIC food package would provide an excellent nutrition education tool for building lifelong healthy habits.

The current WIC food packages don't contribute to overweight, and can actually help in weight control efforts. ERS reported in, *The WIC Program Background, Trends, and Issues*, that "a study by the Centers for Disease Control and Prevention (1996) concluded that WIC foods provide necessary nutrients without contributing to overweight." ERS concluded that, "In fact, WIC may have a positive effect on reducing overweight if participants substitute nutritious WIC foods for high-caloric-content foods in their usual diet."

Reducing the current children's WIC food package would not be a constructive approach to addressing obesity. The findings in USDA's report, *The Prevalence of Overweight among WIC Children*, reveal that overweight children are in nutritional jeopardy:

*"While overweight status is a nutritional risk that qualifies low-income children for WIC enrollment, it is clear from WIC data that overweight WIC children have health concerns that are more complicated than simple excess weight. The majority of overweight children (88.9 percent) have nutrition risks in addition to overweight status."*

Food insecurity and hunger are also factors that contribute to obesity among low-income families. This connection is another reason to avoid cutting the food package that supports low-income nutritionally at-risk children. The WIC food packages can help increase the amount of healthy food available which can have a positive impact on hunger and food insecure children. The Community Childhood Hunger Identification Project and other hunger studies, have found that hunger in families is often cyclical, occurring at the end of the month, when welfare payments, paychecks, or food stamps run out. To keep a roof over their heads, poor families generally pay rent and utilities first and then use whatever is left for food. For many families, what is left over just does not buy enough food to last to the next paycheck. To cope with this situation, many families buy inexpensive, high calorie foods and prepare starchy, high fat meals to fill up on while there is food. This fills up the children but they become malnourished because they lack adequate vitamins and minerals, and they become overweight because they have a surfeit of calories.

Toward the end of the month or paycheck even this strategy may not work, because there is simply no money for food – first parents and then children go without meals. The psychological effect of this can be powerful. It can lead to overeating when the family finally has resources again. Some children may feel the need to stock up by eating as much food as possible while the food is available because they are afraid that at any time the food might run out again.

Science does not support recommendations that have been made to eliminate juice completely from the children's food package as a measure against obesity. Juice in the WIC food package serves an important role in providing much-needed nutrients, including Vitamin C, potassium and folate. Vitamin C, a WIC target nutrient, is also important in the absorption of iron as part of efforts to prevent anemia.

Regarding the claims of a relationship between juice intake and obesity, the American Academy of Pediatrics' policy paper, *The Use and Misuse of Fruit Juices in Pediatrics*, states that "*More research is needed to better define this relationship.*" The amount of juice currently issued in the children's WIC food package does exceed the one serving a day recommended by AAP but it does not reach the "high" and "excessive" amounts (12 ounces a day) referred to in the AAP policy paper as possibly being linked to problems in toddlers and young children. Since the Academy finished their deliberations, more research has been published that does clarify that there is no relationship between juice consumption and obesity. *A longitudinal study of children's juice intake and growth: The juice controversy revisited*, by Skinner, et al, published in the Journal of the American Dietetic Association (JADA), concluded that:

*"Children's longitudinal juice intake was not associated with either short stature or overweight. As juice consumption decreased, intakes of less nutritious beverages increased. Consumption of 100% juices should be encouraged by health professionals and parents/caregivers."* They continued: *"One hundred percent juices are acceptable, affordable, and nutritious beverages that do not compromise children's growth."*

In addition, *Fruit juice consumption not related to growth among preschool-aged children enrolled in the WIC Program*, a study reported on in the Letters to the Editors in JADA, found:

*"no relationship between fruit juice intake and growth indicators among a sample of low-income predominantly minority children,"* and concluded that *"The present findings do not support previous recommendations to limit intake of 100% fruit juice to (less than) < 12 ounces/day."*

- 6) Are there other concerns that affect foods issued through the WIC food packages that should be considered in designing the food packages? For example, should WIC provide options to address allergies...cultural food patterns or food preferences?



### ***Maximize Standard Food Package Options***

When designing food package options allergies, cultural food patterns and food preferences should be addressed. We will address the cultural food package revisions under question 9. For the purposes of this section, we will address issues related to the standard food packages. It is important to include choices as part of the standard package that will accommodate some of these issues.

The ethnic diversity of the United States and particularly the low-income population, is represented in the WIC population. For example, there has been a significant increase in the number of Hispanic families participating in WIC. A range of allowable amounts and types of cheese (including low-fat cheese options) should be retained in order to continue to serve the needs of the many Hispanic families that will choose to receive the standard WIC food package. Our staff's experience in Texas, for example, was that many of the Hispanic families used cheese daily in the preparation of traditional foods. In the 2002 WIC conference power point presentation "*Food Trends within WIC Categories*," the AC Nielsen Company showed that, in comparison to the general population, "*Hispanics over-index to most WIC food categories*" - that is, they buy much more cheese and other foods in the WIC food categories.

To the extent possible, the standard WIC food package selection of fruits and vegetables should include commonly consumed nutrient dense choices for all groups such as peppers, tomatoes, greens, and sweet potatoes.

### **Food Intolerance and Allergies:**

Food intolerance or allergies can render portions of the WIC food package useless to some clients. Since these clients are already at additional risk because of the allergies and intolerance it is especially important to address this situation. The high prevalence of some of these conditions makes it imperative that to the extent possible the standard food package have options to accommodate them. Because of the high prevalence of lactose intolerance in African American and Asian American populations it is important for WIC agencies to offer lactose-reduced milk as an option in the standard food package. In addition, retaining the current range of amounts of cheese will also help to accommodate those with lactose intolerance.

The WIC food packages would be made more usable to a broader range of participants by adding soymilk and yogurt as allowable high calcium WIC foods. Soymilk is an effective substitute for most adults and children with allergies to cow's milk.

For clients with wheat allergies, fortified corn, oat or rice based cereals may be a helpful substitute. This requires careful label reading to sort through all the ingredients because many cereals that are predominantly corn or oat based also contain wheat. Revisions to the food package should assure that these choices are available as part of the allowable WIC cereal choices. State agencies can then be sure to include them on their lists. Clients allergic to peanut butter should be offered beans. The introduction of fruits and

vegetables can also raise the allergy issue for some individuals because oranges and berries are fairly common allergens.

Clients presenting with a complex set of allergies may require a special food package that allows for substitutions not on the standard voucher. These substitutions could include for example, tuna fish for eggs. Revisions allowing for this type of situation should be covered under a food-package for food-package substitution under the regulatory provisions (7 CFR § 246.10(e)).

- 7) What data and/or information (please cite sources) should the Department consider in making decisions regarding revisions to the WIC food packages..?

***Preserving WIC's Food Security Value Supports Good Nutrition***

Since WIC clients depend increasingly on WIC as a safety net during hard times, it is critically important to maintain the food security value of the WIC food package. Some of these families no longer have TANF or food stamps to fall back on. The recently released ***Low-Income Families Participating in Fewer Assistance Programs***, published in USDA's *Food Review*, reported that the "*Bundling of cash assistance, food stamps, and WIC*" among low-income households with children decreased between 1995 and 1999, resulting in more families participating only in the WIC program. The study used Current Population Survey data on federal food program participation to look "*at participation patterns of the neediest participants – families with children whose household incomes are below the poverty level.*" The conclusion highlights the importance of the WIC food package to these families: "*The implication of this research is that since the Welfare Reform Act of 1996, households below the federal poverty line with children are participating in large-benefit programs at lower rates, relying more heavily on the smaller benefit programs*" such as WIC and the National School Lunch Program. The ***WIC Participant and Program Characteristics 2002***, confirm this trend among WIC participants continues:

*"17.5 percent reported participating in the Food Stamp Program (down from 26.6 percent in 1998); and 9.6 percent of WIC participants reported receiving TANF benefits (down from 17 percent in 1998)."*

- 8) Recognizing that current legislation requires WIC food packages to be prescriptive, should participants be allowed greater flexibility in choosing among authorized food items?

***Maintain Strong Federal WIC Food Package Requirements to Protect Benefits***

We believe that strong federal food requirements will ultimately protect food benefits. Clients should continue to have the flexibility to choose within each food category. These choices currently include types of beans, cereals, juice, and cheese. Some States offer clients a choice of non-fat, low-fat, or full-fat milk. Food package revisions should include the requirement that all WIC agencies offer clients a choice of non, low and full

fat milk on the WIC voucher. We believe that each food category should remain a separate part of the food prescription – food package. Combining categories such as beans and eggs into one category moves away from a food prescription toward a shopping list of sorts. While eggs and beans share the common characteristic of being a protein source each food has a very different nutrient profile: beans are a good source of fiber, folate and magnesium and eggs provide a much higher quality of protein.

If new foods are added, for example, fruits and vegetables, then clients should have the opportunity to choose the kind they want at the grocery store. Fruits and vegetables could be added as a separate category. Or it could be added as part of the juice category as a specific amount or there might be different combinations possible. For example, 1) half juice, half fruits and vegetables, 2) or all juice and no vegetables or fruits or 3) all fruits and vegetables and no juice. If the fruit and vegetable category is merged with the juice category in this way we strongly recommend that the WIC client have the flexibility to choose which option suits them best at the grocery store. In addition, the Department and the Institute of Medicine's Food and Nutrition Board committee should consider creating a separate category of fruits and vegetables in addition to a fruit and vegetable juice category. This would release the fruit and vegetable category from the need to meet high concentration of Vitamin C and A requirements thus lifting the limit on fruit and vegetable options and allowing such favorites as apples and bananas. The introduction of yogurt and soymilk into the food package will raise choice issues within the current dairy category. In addition, the cultural food packages should be optional for WIC clients.

- 9) How can WIC food packages best be designed to effectively meet nutritional needs in culturally and ethnically diverse communities?

#### ***Expand WIC Cultural Food Package Options***

In order to increase the utility of the standard food package for WIC's diverse population, we recommend the addition of several new foods and increasing the use of existing options. These suggestions are included in our answers to question 6. In addition, we recommend that the rules should better accommodate cultural food preferences through an expansion of USDA's current cultural food package regulatory provisions (7 CFR § 246.10(e)). This would allow State WIC agencies to seek USDA approval for a food-package to food-package substitution of nutrient-dense culturally appropriate foods. The substitution would be nutritionally equivalent or superior, widely available to participants in the areas where the substitution is intended to be used, and the cost of the substitute would be equivalent to or less than the cost of the food-package it is intended to replace. This would allow for example, a cultural food package that contained tofu and other foods acceptable to a child newly immigrated from Asia. However, it is important to emphasize that this system would not allow the child receiving the cultural food package to be short-changed – the nutritional and economic value of the children's cultural WIC food package must be equal to the value of the children's standard WIC food package.

- 10) Should WIC State agencies be afforded more or less flexibility in designing WIC food packages?

***Maintain Strong Federal WIC Food Package Requirements to Protect Benefits***

To reiterate our statement made in response to question 8, we believe that strong federal food requirements will ultimately protect food benefits. Currently, State WIC agencies have flexibility in many areas of the WIC food package including tailoring and cost containment options. This level of State WIC agency flexibility should be maintained. Our cultural food package proposal to expand (7 CFR § 246.10(e)) provisions for cultural and allergy reasons will provide increased State agency flexibility were it is necessary. Hopefully, the food package revisions can address our concern that, despite the prohibition against lowering the amount of food in the food package for budget purposes, this type of adjustment still occurs.

In addition, State WIC agencies should have the option of including locally grown produce in the fruit and vegetable category. However, federal standards should specify the amounts offered in each WIC food category. There is no nutritional rationale for allowing State WIC agencies to eliminate a food category altogether.

- 11) The WIC program's overall goal is to achieve the greatest improvement in health and development outcomes for WIC participants, achieved partly by providing food that targets nutrients determined to be lacking or consumed in excess in the diets of the WIC population... It would be helpful if commenters would identify/recommend WIC food selection criteria..

***WIC Food Package Evaluation Should Be Comprehensive***

Since the food packages were last reviewed, there has been an explosion of research and recommendations related to nutrition and health. The planned review should include an evaluation of the current health and nutritional needs, dietary habits and food preferences of the WIC population as a basis for understanding how to apply the new science to the WIC food packages. This understanding should be used to make revisions that maximize the nutritional, food security and incentive value of the packages and, consequently, WIC's ability to continue to offer foods that empower WIC families to make the best choices for their health.

The WIC food packages should continue as a special supplement of nutritionally dense foods that supply "priority" nutrients important to the health and development of pregnant women, new mothers, infants and children. In the current environment, interpreting the practical meaning of the WIC statutory requirement "*supplemental foods as those foods containing nutrients determined by nutritional research to be lacking in the diets of*" will be a complex and challenging task. The current environment includes increased fortification of foods (including Vitamin C fortification of some very unhealthy fruity sugary drinks and candies,) changes in the levels and structure of the Dietary References Intakes and the Food Guide Pyramid, and barriers to accurately determining what the

nutritional intake of the WIC population would be without WIC. As the Department knows, the saturation rate of WIC is so high that researchers have difficulty in finding WIC eligible but not participating individuals. Because this group is usually small and has a significantly higher socioeconomic status than the WIC eligible participating group, findings may not always reveal the extent of nutrient shortcomings that would exist without WIC.

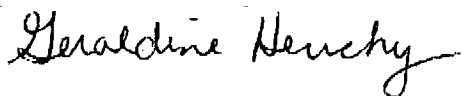
The food package revisions should maximize the intake of "priority" nutrients, group planning targets should be set for zero prevalence of inadequate intakes and food group choices should maximize intake of these "priority" nutrients within a framework informed by an understanding of nutrient interactions, bioavailability, the realities of individual food consumption patterns in the WIC population and food distribution within families, and the demonstrated success of the current food packages. When using the food group options it will be best to assume the higher activity level for the WIC maximums.

The exact correct criteria are difficult to predict because of the ongoing and significant change in national nutrition standards and planning tools. The Food Guide Pyramid is in the midst of a controversial revision process. The overhaul of the Dietary Reference Intakes were only relatively recently completed. The Institute of Medicine in their 2003 report, *Dietary Reference Intakes: Applications in Dietary Planning*, makes clear the uncertain nature of the new planning process:

*"By focusing explicitly on the distribution of nutrient intakes of a group as the goal of group planning, the framework presented below is, in many respects, a new paradigm, and it should be tested before being implemented in large-scale group-feeding situations."*

In conclusion, we want to assure the Department that FRAC is willing to provide assistance in this important process. We look forward to working with the Department and the Institute of Medicine's Food and Nutrition Board on these issues. Thank you for this opportunity to share our views.

Sincerely,



Geraldine Henchy, MPH, RD  
Senior Policy Analyst

## Appendix A

### Fruit and Vegetable Proposal Summary of FRAC October 31, 2002 letter to USDA: Enhancing the WIC Food Package without Jeopardizing Benefits

It is important to address your question about how to reconcile the need for a comprehensive study of the food package with the pressing need to 1) increase access to fruits and vegetables and ... in the WIC food package. Below we outline a strategy to accomplish this goal: a two stage plan that in the short term moves quickly to address the fruit and vegetables ... issues while preserving benefits, and at the same time sets the stage for a comprehensive review of the full WIC food package.

As a first step, USDA could propose and then implement, perhaps on an interim basis, a modified food package revision focused on:

- 1) Adding a cost neutral fruit and vegetable option within the juice category of the children's package without cutting other foods, and ...
- 2) State agencies could choose to implement these new options.

The Department could accomplish this by 1) making changes to the proposed vegetable rule... and 2) deferring consideration of the remaining cost items in the final full food package proposal to be completed after a study. By eliminating reductions in any current WIC foods, this approach preserves the target nutrients that otherwise would be lost by making trade-offs prior to an adequate study of the cost of those trade-offs to the program and participants.

USDA could then work in partnership with the National Academies/Institute of Medicine or some other scientific body to undertake a comprehensive review, which could form the basis for a revision of the full WIC food package. As discussed earlier, this review would examine the target nutrients by category, and look at the health and nutritional needs, dietary habits and food preferences of the WIC population.

#### ***Adding Fruits and Vegetables:***

The Department can provide a simplified, cost-neutral fruit and vegetable proposal for children by building on its work on the vegetable provision in the last proposal. However, we must caution that implementing a fruit and vegetable provision without a study or pilot to provide the information needed to predict the impact is a hazardous undertaking and at the very least requires close attention to designing a structure that protects client benefits.

Providing this protection will require:

- 1) Retaining the current juice option, and
- 2) Allowing clients the choice of options 1) Juice or 2) Juice and fruits/vegetables, to use when shopping.

Under this type of cost-neutral proposal, the quantity of juice allowed in the food package would remain unchanged. The juice and fruit and vegetable options would be of

approximately equal value to the juice option within each food package. This practical proposal would be cost neutral and workable within the current structure of WIC food instruments. . Allowing clients the choice of which option to use when shopping will also minimize logistical problems that would be created by allowing client choice at the WIC clinic level.

Offering a juice and a juice and fruit and/or vegetable option offers considerable advantages, including:

**General advantages:**

- WIC clients have access to fruit and vegetables through the WIC food package.
- Valuable nutrition education opportunities are provided.
- WIC agencies can incorporate locally grown produce and culturally appropriate fruits and vegetables.

**Specific advantages of this approach:**

- It offers fruit and vegetables (i.e., not limited to only vegetables.)
- It enhances the food package without jeopardizing benefits or the incentive value.

It allows WIC clients to make decisions that maximize the nutritional, incentive and food security value of the food package based on a range of factors. (These factors include the selection of produce available in the grocery store on shopping day.)

- It allows states to gain a better understanding of the variables affecting the impact of adding fruits and vegetables to the WIC food package, including client preferences and buying habits, as well as availability, cost, seasonal variation, and market response. (At this point, WIC only has limited experience with produce: a small number of women receive the exclusive breastfeeding women's food package, which includes two pounds of carrots.)
- It maintains the broad popularity of the WIC program among policy makers.

**Process Issues:**

The Department could publish:

- 1) A Notice of Proposed Rule Making (NPRM) with a request for comments on the proposed rule containing the children's cost-neutral fruit and vegetable option...in the WIC food package, and
- 2) An Advanced Notice of Proposed Rule Making (ANPRM) soliciting a)

questions that should be addressed by a study of the full WIC package, and b) information and recommendations related to a revision of the full WIC food package. This would be an excellent opportunity to collect information and recommendations from a broad range of constituents prior to revising the full WIC package.

Both notices could explain the action plan and the timeline for the implementation of the cost-neutral fruit and vegetable...options as an interim rule, the WIC food package study and the final full food package revisions. In addition, as the interim fruit and vegetable options are implemented, states will be able to report back on many of the currently unknown variables related to fruits and vegetable preferences, buying habits and the market response. All of this will allow the Department to devote its considerable expertise and skill to any comprehensive revision of the full WIC food package.