

HOUSE RESOLUTION NO.256

Reps. Warren and Ellison offered the following resolution:

1 A resolution to urge the Congress of the United States to
2 allow grocery store managers to authorize a substitution for a WIC-
3 approved food if the store runs out of the food during a public
4 health emergency.

5 Whereas, The federal Special Supplemental Nutrition Program
6 for Women, Infants, and Children (WIC) provides supplemental foods
7 and nutrition education for low-income women who are pregnant or
8 post-partum, infants, and children up to age five who are at
9 nutritional risk. More than 200,000 mothers, infants, and children
10 in Michigan rely on the WIC program every month as a key source of
11 nutritious food; and

12 Whereas, The public health emergency caused by the COVID-19
13 pandemic has resulted in panic-buying in grocery stores and other



1 food establishments approved as WIC vendors, leaving some stores
2 with few WIC-approved foods available for WIC participants; and

3 Whereas, A lack of WIC-approved foods could increase the risk
4 for participants of developing certain medical conditions related
5 to nutrition, such as anemia, underweight, and poor pregnancy
6 outcomes for families who are already particularly vulnerable to
7 the economic impacts and uncertainties of the COVID-19 pandemic;
8 and

9 Whereas, Federal regulations prohibit WIC vendors from
10 substituting WIC-approved foods with other foods and also prohibit
11 similar foods from being provided as part of WIC food packages that
12 do not meet the minimum federal requirements. For example, WIC
13 stipulates the size of certain food items, and any deviation from
14 the requirement, such as a larger package of an identical type of
15 bread or eggs, requires a federal waiver from the United States
16 Department of Agriculture (USDA). In a public health emergency, the
17 benefits of making this type of substitution outweigh the risks;
18 and

19 Whereas, USDA has granted Michigan waivers from a few federal
20 WIC requirements in response to the COVID-19 pandemic, but the
21 federal regulations prohibiting substitution for WIC-approved foods
22 remain in effect for the state of Michigan, preventing the state
23 from responding to the lack of WIC-approved foods on store shelves.
24 The state of Michigan has temporarily expanded the number of WIC-
25 approved foods, but in some locations, options may remain limited;
26 and

27 Whereas, It is imperative that the hundreds of thousands of
28 WIC participants in Michigan continue to have access to foods
29 through WIC. A lack of access to good nutrition prenatally and in

1 the first five years of life can negatively impact a child's health
2 and development for years to come; now, therefore, be it

3 Resolved by the House of Representatives, That we urge the
4 Congress of the United States to allow grocery store managers to
5 authorize a substitution for a WIC-approved food if the store runs
6 out of the food during a public health emergency; and be it further

7 Resolved, That copies of this resolution be transmitted to the
8 President of the United States Senate, the Speaker of the United
9 States House of Representatives, and the members of the Michigan
10 congressional delegation.