



United States Department of Agriculture

Office of the Secretary
Washington, D.C. 20250

SEP 12 2014

The Honorable Mary L. Landrieu
United States Senate
703 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Landrieu:

Thank you for your letter of May 30, 2014, to Secretary Thomas J. Vilsack, on behalf of the Circle Foods Store regarding the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC). I apologize for the delayed response.

In your letter, you indicated that the Federal moratorium on the authorization of new WIC vendors is preventing the Circle Foods Store, which closed due to excessive flooding following Hurricane Katrina, from becoming recertified for the WIC Program because it did not qualify for an exemption under current Department of Agriculture (USDA) criteria.

You raise some valid concerns regarding the Louisiana moratorium exemption criteria. We agree that the moratorium should not exclude existing, previously-authorized WIC stores that are rebuilding their facilities due to natural disasters or renovating their buildings. We also understand that the process to rebuild or renovate can be lengthy, so we have modified the Federal temporary closure exception so that it is not limited to stores that have been closed for less than 6 months. With this change, provided there was no change in ownership and the vendor was not in a disqualification period for a sanction, the Federal moratorium exception criteria no longer exclude consideration of the Circle Foods Store.

USDA has notified the WIC State agency (Louisiana Department of Health and Hospitals) of the modification to the temporary closure exemption criterion. Under WIC regulations, the State agency is responsible for authorizing an appropriate number and distribution of vendors in order to ensure the lowest practicable food prices consistent with adequate participant access to supplemental foods, and to ensure effective State agency management, oversight, and review of its authorized vendors. Therefore, the State agency will have the final decision regarding the authorization of Circle Foods Store.

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Again, thank you for writing. If you have any questions, please have a member of your staff contact Scott A. Carter, Chief of Governmental Affairs, Food and Nutrition Service, at (703) 305-2313.

Sincerely,

A handwritten signature in cursive script that reads "Kevin W. Concannon".

Kevin W. Concannon
Under Secretary
Food, Nutrition, and Consumer Services