Return of Unused WIC Formula and Foods

Authority
7 CFR § 246.4 (a)(14)(x)
USDA FNS WIC Food Package Policy and Guidance

Policy
1. The Local Agency must maintain documentation of all returned formula containers.

2. Local Agencies may only accept unopened containers of formula from participants when there has been a prescription change by the participant’s health care provider or need for a different form of formula (such as ready to use) to meet participant or authorized representative needs.

3. The Local Agency assumes responsibility for proper handling and storage of formula containers that are returned by participants.

Procedures
1. When a formula prescription changes, Local Agency staff must request unopened cans of formula to be returned by the authorized representative/participant.

2. Returned cans of undamaged, undented, sealed, unopened formula shall be recorded on the Formula Returned and Reissued Log (Appendix FD-7-A), including:
   2.1. Date of return
   2.2. Staff member initials accepting returned formula
   2.3. Participant ID number
   2.4. Initials of the person or relationship to participant (such as authorized representative or proxy) of the one returning formula
   2.5. Name of formula
   2.6. Container size
   2.7. Form of formula (powder, concentrate, RTU)
   2.8. Number of units
2.9. Final disposition of formula (reissued, disposed, sent to State Agency) and date of final disposition

2.10. If disposed of, reason for disposal (such as past expiration date, damaged, dented, ready to use or concentrated liquid)

3. Returned, unopened formula must be inspected for damage before being placed in storage

3.1. If returned formula container(s) are damaged (such as past expiration date, dented, or unsealed in any way), the returned formula must be recorded as returned, then disposed of, with reason for disposal noted.

3.2. All returned liquid formulas (ready to use and concentrated liquid) must be disposed of.

3.3. Damaged containers shall be counted as returned benefits for the participant.

3.4. The total number of fluid ounces or reconstituted ounces from damaged and/or undamaged cans as well as returned liquid formula may be included in the calculation of replacement ounces if the participant has been prescribed a different formula.

4. Documentation of returned formula must also be recorded in a General Note in the participant record, including:

4.1. Name of formula

4.2. Form (concentrate, powder, ready to use)

4.3. Number of units

4.4. Date of return

4.5. Reason for return

5. WIC formulas that are not usable by another participant at the Local Agency must be sent to the State Agency as soon as possible. This includes but is not limited to:

5.1. Powdered formulas such as Neocate, Elecare, PurAmino, or Pregestimil

5.2. Direct ordered liquid formulas which have not been issued, such as ready to use nursettes and quarts or Pediasure products

6. Cans of returned sealed, undamaged powdered standard infant formula may be reissued in the following situations:

6.1. To provide an additional can of supplemental formula for a partially breastfed baby (only to be used after FI issuance of at least one can of formula for the issuance month).
6.2. To provide formula for a prescription change when FLs for the current month have already been redeemed and authorized representative returns unused cans already purchased for participant.

6.3. To provide partial formula amount at the time of issuance in place of maximum monthly issuance on FLs (such as issuing 5 cans powdered formula on FLs plus 5 cans of powdered formula from returned stock for a baby needing 10 cans total for the issuance month).

7. It is the responsibility of Local Agency staff to manage the stock of returned formula.

7.1. Stock of returned powdered infant formula(s) must be rotated appropriately.

7.2. Outdated containers of powdered infant formula(s) must be removed from inventory and destroyed.

7.3. Powdered infant formula must not be issued when there is not sufficient time for the product to be consumed prior to the expiration date.

7.4. Expired or damaged infant formula products must be discarded in such a way as to prevent human consumption:

7.4.1. All liquid formula products must be poured down a sink drain.

7.4.2. All powdered formula products must be opened and dumped into a trash bag.

8. When a participant exchanges physical cans of formula for another formula, the reissued amount shall be prorated based on the number of days remaining in the issuance period, the amount of formula needed per day and the fluid ounces or reconstituted ounces of the formula returned without exceeding the maximum monthly allowance.

8.1. Staff shall not exchange formula benefits can for can without first assessing the number of days in the current issuance period, how much formula was returned, and how much formula was never issued (such as the dangling reconstituted ounces not allocated based on package size, or infants changing from partial breastfeeding to nonbreastfeeding who previously received less formula than the full monthly maximum amount).

9. All returned WIC food items must be destroyed, including jarred infant foods and other shelf-stable WIC foods purchased with WIC food instruments.