Arizona Department of Health Services

ARIZONA WIC ALERT Special Edition

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Outdated Infant Formula

Consumers are concerned about outdated infant formula on retail shelves in Arizona. Current Food and Drug Administrative (FDA) regulations require that a "use by" date be declared on each container of infant formula. The purpose of this "used by" date is to inform retailers and consumers that the infant formula, until that declared date, will contain the quantity of each nutrient as specified on the label and that the formula is otherwise of an acceptable quality. Per U.S. Food and Drug Administration Center for Food Safety and Applied Nutrition: "An infant formula that has passed its "use by" date may not provide the nutrient levels required under the Federal Food, Drug and Cosmetic Act (the act)." Without knowing the condition of the infant formula, we are unable to estimate the potential harm of consuming out of date formula. Therefore, this risk should be avoided at all cost.

It is the responsibility of all retailers of infant formula, especially authorized WIC Vendors, to ensure that all infant formula made available to consumers for purchase are in code and removed from the shelves prior to the expiration date printed on the can.

The Arizona WIC Program Vendor Contract specifically outlines the Vendor's Responsibilities and the terms to which the Vendor has agreed (pages 2 - 4).

On page 4 of 12, item number 23, under "THE VENDOR AGREES TO" states:

> "Not provide WIC food items, including infant formula, that are expired, spoiled or beyond their "sell by", "best if used by" or other date limiting the sale or use of the food item in exchange for WIC food instruments.

Providing expired infant formula is a violation of your Vendor Contract and could result in the termination of the Arizona WIC Program Vendor Contract. Please be aware that <u>effective immediately</u>, the Arizona WIC Program is monitoring to ensure participants have access to in date formula.

The health, safety and welfare of our most vulnerable participants (infants), is of grave concern to the Arizona WIC Program.

If you have any questions regarding this WIC Alert or need technical assistance, please contact any member of the Vendor Management Team at 1-866-737-3935.

WIC Women Infants & Children

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