



## Memorandum

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**#11-011**

**TO:** WIC Regional Directors  
WIC Local Agency Directors

**FROM:** Linda Brumble, Unit Manager  
Nutrition Education/Clinic Services Unit  
Nutrition Services Section

**DATE:** February 4, 2011

**SUBJECT:** Lactose-Free Milk No Longer Least Expensive Brand

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Effective February 1, 2011, lactose-free milk will no longer be considered a least expensive brand (LEB) item. Starting in February, WIC participants may choose any brand of lactose-free milk including Lactaid, Dairy Ease or the store brand.

This decision was made because the lactose-free sales at individual stores were minimal and trying to keep the LEB brand available all the time was problematic. If a grocer sold one or two half gallons and quarts of a brand that was not the LEB brand, it caused the grocer to be out of compliance with *WIC Policy WV: 02.0*. This policy requires grocers to be in compliance in selling their LEB items 85% of the time. A vendor's failure to have its declared traditionally LEB be at least 85% of its WIC redemptions in each of the applicable WIC food categories is cause for termination of the vendor agreement.

WIC staff should continue to provide the current *Texas WIC Shopping Guide Effective October 1, 2010* while informing participants on a lactose-free food package of this change. This brochure will be revised to reflect the above mentioned adjustment when the current warehouse supply is depleted. Grocers have been notified about this modification and were requested to remove the "WIC Approved Item" tag from their shelves.

If you have any questions or require additional information, please contact Paula Kanter, Clinical Nutrition Specialist, Nutrition Education/Clinic Services Unit, Nutrition Services Section, at (512) 341-4574 or [paula.kanter@dshs.state.tx.us](mailto:paula.kanter@dshs.state.tx.us).