



USDA, FNS, WIC-specific Nondiscrimination Statement

What is the approved WIC-specific nondiscrimination statement (NDS)?

Full NDS:

In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity.

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (e.g., Braille, large print, audiotape, American Sign Language), should contact the responsible state or local agency that administers the program or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339.

To file a program discrimination complaint, a Complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form which can be obtained online at: <https://www.usda.gov/sites/default/files/documents/ad-3027.pdf>, from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to USDA. The letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted to USDA by:

1. **mail:**
U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410; or
2. **fax:**
(833) 256-1665 or (202) 690-7442; or
3. **email:**
Program.Intake@usda.gov

This institution is an equal opportunity provider.

Important notes on full version:

- CANNOT be altered in any way.
- Must be black or a dark color text.
- There is no specific font size requirements for the full NDS, as long as it is legible and readable. FNS does encourage creating materials in a manner that would accommodate all persons, including persons with limited vision or those with vision impairment disabilities. Therefore, FNS prefers using a font size that is at least 9 point font or larger, but they recognize that is not always possible.

WIC-Specific Nondiscrimination Statement

Short NDS: This institution is an equal opportunity provider.	Important notes on short version: <ul style="list-style-type: none">• CANNOT be altered in any way.• Must be black or a dark color text.• Must be, at least, 11-point font and the same size as the majority of the text used in the document.• Must be a full sentence with a period at the end.• Must not be in quotation marks.• The word "This" is the only capitalized word.
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What documents require using the full NDS?

All vital documents require the full NDS.

What is considered a vital document?

Vital documents provide important WIC program related information that is necessary for an applicant, participant or potentially eligible person to know about, apply for and/or access benefits. Vital documents include, but are not limited to, an application, program brochure, website, electronic PDF documents on the website, news release, adverse action notice, denial notice and approval notice.

If a document provides a great deal of substantive information about the WIC program, it requires the full NDS. The short NDS would not be adequate.

How do you tell if a document is considered vital or non-vital?

If an applicant, participant or potentially eligible person does not receive the information in the document or notice, and it could potentially negatively impact their opportunity to participate in the program, then it is considered a vital document.

What documents require using the short NDS?

Non-vital documents that contain information about the WIC program need the short NDS, at a minimum.

Are there any circumstances where a vital document can have the short NDS instead of the full NDS?

If the document is too small and a separate page would be needed for the full NDS, it might be permitted to use the short NDS if it would be too costly to have another page printed. If unsure when this would be allowed, please contact your administrative technical assistance staff at the state agency.

What is considered a document?

When considering if a document is vital or non-vital, “document” does not just refer to a piece of paper handed out. Document refers to any form of communication that provides WIC program related information. This includes, but is not limited to, forms and brochures handed out or provided in electronic form, websites, social media accounts, news releases, billboards, signs, banners, advertisements, contracts and applications. See the list of common documents below for more information.

Can the short NDS be put on everything just to make sure it is not missed when needed?

Yes, it is allowable to add the short NDS on everything. Keep in mind, it must be displayed correctly when used, even if not required to be used. If the short NDS is displayed incorrectly on a document and is not required, it will be a finding during monitoring.

Who do I contact if I am unsure of which NDS to use?

Contact your administrative technical assistance staff at the state agency.

Do referral lists and other agency produced documents used by all programs in the agency require the NDS?

The short NDS is required on the document only when it contains WIC program information or is vital to the enrollment in the WIC program for the agency. An example of WIC program information would be listing that WIC provides healthy foods, nutrition counseling or breastfeeding support. If the document only lists the WIC name and contact information, it is not required. However, the short NDS would be necessary if the document is required by the local agency to enroll in WIC, for instance, a multi-program enrollment form created by the local agency that all applicants are required to fill out before they can be enrolled.

For example, the health department created a service brochure which lists WIC and the phone number as a service provided. This would not require the NDS.

For example, the health department created a service brochure which lists WIC, a phone number and states WIC provides healthy foods. This would require the short NDS.

WIC-Specific Nondiscrimination Statement

Do you have a list of common documents and which NDS to use on those documents?

Type of document:	Regulations or notes:	NDS to use:
Websites.	FNS Instruction Section IX (Public Notification)(A)(3) states: “Nondiscrimination Statement. All information materials and sources, including websites, used by FNS, state agencies, local agencies, or other subrecipients to inform the public about FNS programs must contain a nondiscrimination statement. It is not required that the nondiscrimination statement be included on every page of the program information website. At the minimum, the nondiscrimination statement, or a link to it, must be included on the home page of the program information.”	Shall have the full NDS on, at least, the main WIC page of the website, or link to the state’s page. The below language may be used: Nondiscrimination Statement/Aviso de No Discriminación on the Missouri WIC website .
Social media pages/accounts.	Including, but not limited to, Facebook, Instagram, YouTube, Snapchat, Twitter, TikTok and Pinterest. Individual posts or boosted posts on social media do not require the NDS, short or full. Paid advertisements on social media platforms are considered marketing materials, please see marketing materials below.	The account or page’s details or more information area shall have the full NDS or link to the state’s page. The below language may be used: Nondiscrimination Statement/Aviso de No Discriminación on the Missouri WIC website . For social media accounts that have limited characters for the bio section, an abbreviated version may be used: Nondiscrimination Statement .
Retractable banners, feather flags, billboards, window clings.	Short NDS is required if it contains program information, for instance, healthy foods, nutrition counseling, breastfeeding support. Nothing is required if it only provides name/logo and contact information and/or generic information, for instance, WIC is Here For You.	Short NDS or none.

WIC-Specific Nondiscrimination Statement

<p>Materials that inform the public about WIC.</p> <p>The materials may be handed out or provided electronically.</p> <p>Materials include, but are not limited to, news releases, brochures, flyers, forms, contracts and applications.</p>	<p>FNS Instruction 113-1 Section IX (A)(4)(d) states “For all other FNS nutritional assistance programs, state or local agencies and their subrecipients, must post the following nondiscrimination statement (or current applicable revision) and include it, in full, on all materials regarding such programs that are produced for public information, public education or public distribution. The authorized statements below or current applicable revisions cannot be modified. If a State authorizes additional language, it must be included in a separate statement.”</p> <p>FNS Instruction 113-1 Section IX (A)(4)(d)(2) states, “If the material is too small to permit the full statement to be included, the material will at a minimum include the statement, in print size no smaller than the text, This institution is an equal opportunity provider.”</p>	<p>Vital document-Full NDS. Non-vital document-Short NDS.</p>
<p>Materials with general non-substantive program information.</p>	<p>Considered non-vital. The materials may be handed out or provided electronically.</p>	<p>Short NDS.</p>
<p>Marketing materials. Marketing materials include, but are not limited to, social media ads, radio ads, television ads, magazine or newspaper ads and internet ads.</p>	<p>FNS Instruction 113-1 Section IX (A)(4)(3) “In addition, recognizing that Internet, radio, and television public service announcements are generally short in duration, the nondiscrimination statement does not have to be read in its entirety.” The short NDS can instead be used.</p>	<p>Short NDS.</p>
<p>Small outreach items to handout.</p>	<p>FNS Instruction 113-1 Section IX (A)(4)(3) “A nondiscrimination statement is not required to be imprinted on items such as cups, buttons, magnets, and pens that identify the program, when the size or configuration makes it impractical.”</p>	<p>None.</p>