

United States Senate

WASHINGTON, DC 20510-0609

March 8, 2023

Ms. Stacy Dean
Deputy Under Secretary
Food, Nutrition, and Consumer Services
United States Department of Agriculture
1400 Independence Ave S.W.
Washington, D.C. 20250

Dear Deputy Undersecretary Dean,

On November 21st, 2022, the Food and Nutrition Service issued a proposed rule to revise the Women, Infants, and Children (WIC) Supplemental Nutrition Program as it currently stands in order to more closely align with the Dietary Guidelines for Americans and reflect recommendations made by the National Academies of Science, Engineering, and Medicine. We are strong supporters of the WIC program, and acknowledge the nutritional and health value that it brings to American families.

We are certain that the proposed rule published in November could bring additional nutritional security and health benefits to the WIC program and applaud the Food and Nutrition Service for their efforts. The proposed rule provides additional flexibility to mothers purchasing fresh fruits and vegetables, seafood, and whole grains, as well as allowing for new substitution options and greater package size flexibilities for dairy and requiring states to authorize lactose-free milk. It is clearly a shared priority between lawmakers and your agency to ensure that our nation's infants and toddlers are receiving the proper nutrients in order to grow up healthy and strong.

For this reason, we are deeply concerned by the proposed reduction of dairy allotments in the newest guidelines for WIC food packages. Study after study has shown that dairy provides essential nutrients like Vitamin D and Calcium for infants, children, mothers, and expectant mothers — nutrients that are under consumed by the WIC population. Three of the top five foods redeemed are dairy products, and current WIC allotments allow cost-sensitive families to continue purchasing dairy products, especially as milk prices alone have increased nearly 20% since last year, according to the Bureau of Labor and Statistics.

Reducing dairy in the food packages may in turn reduce access to nutrients provided by other foods in the program. Dairy products are among the most popular foods with program participants, therefore reducing dairy in the food packages may well make the overall program less attractive to eligible mothers, and participation is likely to fall. Currently, only about half of individuals eligible for WIC participate in the program, a share that has remained stagnant or declined for the past several years.

Finally, reducing access to nutritious foods for mothers and their children will lead to consequences well past the life stages covered by the WIC program. With 13 essential nutrients,

studies have shown that increased dairy consumption has been associated with better general cognitive function, as well as protection against infectious agents. It is well known that dietary intake of Vitamin D enhances calcium absorption, which is necessary for bone growth and reducing the risk of bone conditions like osteoporosis and osteoarthritis. The first 1,000 days beginning with conception is a crucial period for brain, cognitive, and physical development, and children's potential is dramatically affected by their and their mothers' nutritional intake. Because the WIC program serves lower-income children and mothers, reducing the amount of nutrient-dense dairy in the program could inadvertently increase inequities instead of reducing them. Lower intakes of nutrient-dense dairy foods among communities of color and low-income populations, as documented by the 2020 Dietary Guidelines Advisory Committee, may have adverse impacts on children's future health outcomes, well after they leave the WIC program.

We urge FNS to retain the proposed changes to the WIC food package program except its proposal to reduce the overall dairy allotment, which will cause unintended negative consequences to WIC participants' nutritional health and to WIC enrollment. We ask that you instead highlight other flexibilities added to the program like requiring states to authorize lactose-free milk. USDA's final rule should preserve the current dairy amounts in the updated WIC food package. We look forward to a continued dialogue and collaboration to improve health outcomes for our nation's infants, toddlers, mothers, and expectant mothers.

Sincerely,



Roger Marshall, M.D.
U.S. Senate



Kirsten Gillibrand
U.S. Senate



Mike Braun
U.S. Senate



Amy Klobuchar
U.S. Senate



Susan Collins
U.S. Senate



Peter Welch
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Tina Smith
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