

Subject: Treatment of Individuals

Item: Use of the Nondiscrimination Statement on Print and Media Materials

PURPOSE:

Instructions for the use of the nondiscrimination statement.

POLICY:

- I. To ensure that WIC program requirements and benefits are consistently applied to all applicants and participants regardless of race, color, national origin, sex, age or disability, the local agency (LA) must include a nondiscrimination statement on all materials used for certification and eligibility, program outreach, program promotion and participant rights that are distributed, posted or aired for public viewing.

PROCEDURE(S):

- I. The following nondiscrimination statements are approved by the United States Department of Agriculture (USDA):

- A. In English

1. Standard version:

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at: http://www.ascr.usda.gov/complaint_filing_cust.html, and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the

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information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter 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

(2) fax: (202) 690-7442

(3) email: program.intake@usda.gov.

USDA is an equal opportunity provider and employer.”

2. Short version:

“USDA is an equal opportunity provider and employer.”

B. In Spanish

1. Standard versión:

“De conformidad con la Ley Federal de Derechos Civiles y los reglamentos y políticas de derechos civiles del Departamento de Agricultura de los EE. UU. (USDA, por sus siglas en inglés), se prohíbe que el USDA, sus agencias, oficinas, empleados e instituciones que participan o administran programas del USDA discriminen sobre la base de raza, color, nacionalidad, sexo, discapacidad, edad, o en represalia o venganza por actividades previas de derechos civiles en algún programa o actividad realizados o financiados por el USDA.

Las personas con discapacidades que necesiten medios alternativos para la comunicación de la información del programa (por ejemplo, sistema Braille, letras grandes, cintas de audio, lenguaje de señas americano, etc.), deben ponerse en contacto con la agencia (estatal o local) en la que solicitaron los beneficios. Las personas sordas, con dificultades de audición o discapacidades del habla pueden comunicarse con el USDA por medio del Federal Relay Service [Servicio Federal de Retransmisión] al (800) 877-8339. Además, la información del programa se puede proporcionar en otros idiomas.

Para presentar una denuncia de discriminación, complete el Formulario de Denuncia de Discriminación del Programa del USDA, (AD-3027) que está

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disponible en línea en:

http://www.ocio.usda.gov/sites/default/files/docs/2012/Spanish_Form_508_Compliant_6_8_12_0.pdf. y en cualquier oficina del USDA, o bien escriba una carta dirigida al USDA e incluya en la carta toda la información solicitada en el formulario. Para solicitar una copia del formulario de denuncia, llame al (866) 632-9992. Haga llegar su formulario lleno o carta al USDA por:

(1) correo: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410;

(2) fax: (202) 690-7442; o

(3) correo electrónico: program.intake@usda.gov.

Esta institución es un proveedor que ofrece igualdad de oportunidades.”

2. Short versión:

“Esta institución es un proveedor que ofrece igualdad de oportunidades.”

II. Statement inclusion

A. The standard nondiscrimination statement must be included on any printed WIC Program materials used for certification and eligibility, program outreach, referrals, program promotion and participant rights intended for public information, public education, or public distribution.

1. Examples include applications, publications, informational materials, posters, outreach materials, handouts, referral materials, videos, leaflets, brochures, and flyers.
2. Where space restraints make it infeasible to include the standard long statement, the short version may be used to satisfy the nondiscrimination statement requirement.

A. The nondiscrimination statement does not have to be read in its entirety for radio and television public service announcements (PSA) because PSAs are generally short in duration. Instead, the short version is sufficient.

III. Statement exclusion

A. The nondiscrimination statement is not required on items such as cups, baby bibs, buttons, tote bags, magnets, nutrition education and breastfeeding

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promotion material, other incentive items, pens that identify the State WIC Program.

- B. Nutrition education and breastfeeding promotion and support materials that strictly provide a nutrition message and simply carry the WIC logo with no other mention of the WIC Program are not required to display the nondiscrimination statement.

IV. Public Service Announcement, Paid Television or Radio Advertising

- A. A public service announcement (PSA) is a non-commercial advertisement typically on television or radio and broadcast for the common good at no charge. Paid television and radio advertisements require a fee for broadcasting.
- B. As WIC PSAs are generally short in duration the entire standard non-discrimination statement does not have to be read in its entirety. Instead, the shorter statement, "WIC is an equal opportunity provider" is sufficient to meet the federal nondiscrimination requirement.
- C. The California Department of Public Health's (CDPH) Office of Public Affairs requires that all PSAs, paid television and radio advertising, outdoor print ads, videos/websites and collateral materials that are produced and/or paid for with CDPH funds must also include the following statement(s):
 - 1. Public Service Announcements – Television and radio:
 - a. "Brought to you by the California Department of Public Health."
 - b. "Brought to you by the State of California." (For campaigns that include funds from another state agency)
 - 2. Paid television or radio advertising:
 - a. "Sponsored by the California Department of Public Health."
 - b. "Sponsored by the State of California (For campaigns that include funds from another state agency)
 - 3. Outdoor print ads:
 - a. "California Department of Public Health."
 - 4. Videos/Websites:
 - a. "California Department of Public Health." Individual program names/logos may be included, as appropriate.

PARTICIPANT RIGHTS

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NOTE(S):

The LA should include its agency or organization contact information as part of the tag line as well as the state WIC logo and organization logo (if applicable.)

AUTHORITY:

[7 CFR §246.8 Nondiscrimination](#)

WRO All States Memorandum 818C

WRO All States Memorandum 06-21