

G.S. 150B-21.3A Report for 10A NCAC 43D, WIC/NUTRITION												
Agency - Commission for Public Health												
Comment Period - 5/11/26 - 7/20/26												
Date Submitted to APO - Filled in by RRC staff												
Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
SUBCHAPTER 43D – WIC/NUTRITION	SECTION .0200 – WIC PROGRAM GENERAL INFORMATION	10A NCAC 43D .0201	DESCRIPTION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 23, 2017.	Necessary	Yes If yes, include the citation to the federal law	7 C.F.R. 246	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 43D .0202	DEFINITIONS	Amended Eff. March 1, 2020	Necessary	Yes	7 C.F.R. 246	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 43D .0203	REFERENCES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 23, 2017.	Necessary	Yes If yes, include the citation to the federal law	7 C.F.R. 246	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 43D .0204	CONTRACT WITH FNS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 23, 2017.	Necessary	Yes If yes, include the citation to the federal law	7 C.F.R. 246.4	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 43D .0205	POLICIES: GUIDELINES AND MANUALS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 23, 2017.	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		10A NCAC 43D .0207	LOCAL WIC AGENCY AGREEMENT AND BUDGET	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 23, 2017.	Necessary	Yes If yes, include the citation to the federal law	C.F.R. 246.6	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0300 – SELECTION OF LOCAL WIC AGENCIES	10A NCAC 43D .0301	INITIAL APPLICATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 23, 2017.	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		10A NCAC 43D .0302	CRITERIA FOR SELECTION OF LOCAL AGENCIES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 23, 2017.	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		10A NCAC 43D.0303	CONTINUATION OF LOCAL WIC AGENCIES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 23, 2017.	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		10A NCAC 43D .0304	EXPANSION OF LOCAL WIC PROGRAMS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 23, 2017.	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		10A NCAC 43D .0305	TERMINATION OF LOCAL WIC AGENCIES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 23, 2017.	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	SECTION .0400 - ELIGIBILITY FOR WIC PROGRAM PARTICIPATION	10A NCAC 43D .0408	WAITING LIST	Amended Eff. March 1, 2020	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		10A NCAC 43D .0410	PARTICIPANT VIOLATIONS AND SANCTIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 23, 2017.	Necessary	Yes If yes, include the citation to the federal law	7 C.F.R. 246.2	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 43D .0411	DUAL PARTICIPATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 23, 2017.	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	SECTION .0500 – WIC PROGRAM FOOD PACKAGE	10A NCAC 43D .0501	SUPPLEMENTAL FOODS	Amended Eff. March 1, 2020	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		10A NCAC 43D .0502	QUANTITY OF FOODS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 23, 2017.	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		10A NCAC 43D .0503	USE OF WIC SUPPLEMENTAL FOODS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 23, 2017.	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	SECTION .0700 - WIC PROGRAM FOOD DELIVERY SYSTEM	10A NCAC 43D .0701	THE NORTH CAROLINA AUTOMATED WIC SYSTEM	Amended Eff. March 1, 2020	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		10A NCAC 43D .0702	ISSUANCE OF FOOD BENEFITS	Amended Eff. March 1, 2020	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		10A NCAC 43D .0703	USE OF FOOD BENEFITS	Amended Eff. March 1, 2020	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code

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		10A NCAC 43D .0705	PAYMENT OF WIC FOOD BENEFITS	Amended Eff. March 1, 2020	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		10A NCAC 43D .0706	VENDOR PEER GROUPS	Amended Eff. March 1, 2020	Necessary	Yes If yes, include the citation to the federal law	7 CFR 246.12	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 43D .0707	VENDOR APPLICANTS	Amended Eff. March 1, 2020	Necessary	Yes If yes, include the citation to the federal law	7 CFR 246.12	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 43D .0708	AUTHORIZED VENDORS	Amended Eff. March 1, 2020	Necessary	Yes If yes, include the citation to the federal law	7 CFR 246.12	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 43D .0709	LOCAL WIC AGENCY	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 23, 2017	Necessary	Yes If yes, include the citation to the federal law	7 CFR 246.12	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 43D .0710	VENDOR VIOLATIONS AND SANCTIONS	Amended Eff. March 1, 2020	Necessary	Yes If yes, include the citation to the federal law	7 CFR 246.12	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0800 - WIC PROGRAM ADMINISTRATIVE APPEALS	10A NCAC 43D .0802	APPEALS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 23, 2017	Necessary	Yes If yes, include the citation to the federal law	7 C.F.R. 246.18	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 43D .0804	CONTINUATION OF PARTICIPATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 23, 2017	Necessary	Yes If yes, include the citation to the federal law	7 C.F.R. 246.18	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 43D .0806	CONTINUING RESPONSIBILITIES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 23, 2017	Necessary	Yes If yes, include the citation to the federal law	7 C.F.R. 246.18	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0900 - WIC PROGRAM PARTICIPANT FAIR HEARINGS	10A NCAC 43D .0902	GENERAL CONDITIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 23, 2017	Necessary	Yes If yes, include the citation to the federal law	7 C.F.R. 246.9	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 43D .0903	AVAILABILITY	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 23, 2017	Necessary	Yes If yes, include the citation to the federal law	7 C.F.R. 246.9	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 43D .0904	NOTIFICATION OF THE RIGHT TO A FAIR HEARING	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 23, 2017	Necessary	Yes If yes, include the citation to the federal law	7 C.F.R. 246.9	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 43D .0905	REQUEST FOR A FAIR HEARING	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 23, 2017	Necessary	Yes If yes, include the citation to the federal law	7 C.F.R. 246.9	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 43D .0906	DENIAL OR DISMISSAL OF A REQUEST	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 23, 2017	Necessary	Yes If yes, include the citation to the federal law	7 C.F.R. 246.9	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 43D .0907	CONTINUATION OF BENEFITS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 23, 2017	Necessary	Yes If yes, include the citation to the federal law	7 C.F.R. 246.9	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 43D .0908	NOTICE OF HEARING	Amended Eff. March 1, 2020	Necessary	Yes If yes, include the citation to the federal law	7 C.F.R. 246.9	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 43D .0909	HEARING OFFICER	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 23, 2017	Necessary	Yes If yes, include the citation to the federal law	7 C.F.R. 246.9	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 43D .0910	HEARING PROCEDURE AND RIGHTS OF THE AGGRIEVED PARTY	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 23, 2017	Necessary	Yes If yes, include the citation to the federal law	7 C.F.R. 246.9	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 43D .0911	DECISION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 23, 2017	Necessary	Yes If yes, include the citation to the federal law	7 C.F.R. 246.9	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt