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**INDEPENDENT REGULATORY REVIEW COMMISSION
COMMONWEALTH OF PENNSYLVANIA
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August 14, 2003

Honorable Calvin B. Johnson, M.D., M.P.H., Secretary
Department of Health
802 Health and Welfare Building
Harrisburg, PA 17108

Re: Regulation #10-169 (IRRC #2289)
Department of Health
Supplemental Nutrition Program for Women, Infants & Children

Dear Secretary Johnson:

The Independent Regulatory Review Commission approved your regulation today. Our Order is enclosed and will be available on our website at www.irrc.state.pa.us.

We appreciate the joint effort that went into producing a regulation that meets the criteria and intent of the Regulatory Review Act.

Sincerely,

Alvin C. Bush
Vice Chairman
evp
Enclosure

cc: Honorable George T. Kenney, Jr., Majority Chairman, House Health and Human Services Committee

Honorable Frank L. Oliver, Democratic Chairman, House Health and Human Services Committee

Honorable Harold F. Mowery, Jr., Chairman, Senate Public Health and Welfare Committee

Honorable Vincent J. Hughes, Minority Chairman, Senate Public Health and Welfare Committee

**INDEPENDENT REGULATORY REVIEW COMMISSION
APPROVAL ORDER**

Commissioners Voting:

Public Meeting Held August 14, 2003

Alvin C. Bush, Vice Chairman
Daniel F. Clark, Esq.
Arthur Coccodrilli
Murray Ufberg, Esq.

Regulation No. 10-169
Department of Health
Supplemental Nutrition Program for
Women, Infants and Children

On September 11, 2002, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Department of Health (Department). This rulemaking amends 28 Pa. Code Part VIII, Chapters 1101, 1103, 1105, 1107, 1109 and 1113. The proposed regulation was published in the September 21, 2002 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on June 30, 2003.

This regulation amends the Supplemental Nutrition Program for Women, Infants and Children (WIC Program) to achieve compliance with federal amendments to the WIC program; to eliminate the criteria used to limit the number of stores permitted to participate in the WIC program; and to establish a Vendor Advisory Workgroup to review retail store and food delivery issues.

We have determined this regulation is consistent with the statutory authority of the Department (42 U.S.C.A. § 1786 and 71 P.S. § 532(g)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

BY ORDER OF THE COMMISSION:

This regulation is approved.





Alvin C. Bush, Vice Chairman