



SPONSOR: Sen. Pettyjohn & Sen. Gay & Sen. Lockman &
Sen. Townsend on behalf of all Senators &
Rep. Briggs King & Rep. Minor-Brown on behalf of all
Representatives

DELAWARE STATE SENATE
151st GENERAL ASSEMBLY

SENATE CONCURRENT RESOLUTION NO. 110

PROCLAIMING THE URGE OF ADDRESSING THE INFANT FORMULA SHORTAGE IN THE STATE OF
DELAWARE.

1 WHEREAS, WIC is the supplemental nutrition program for Women, Infants, and Children and provides
2 supplemental nutritious foods to income eligible pregnant, breastfeeding and non-breastfeeding postpartum women, infants
3 and children up to 5 years of age; and

4 WHEREAS, WIC recognizes and promotes breastfeeding on the optimal source of nutrition for infants but for
5 women who do not fully breastfeed, WIC provides iron-fortified formula; and

6 WHEREAS, approximately half of infant formula nationwide is purchased by participants using WIC benefits,
7 based on both federal requirements and additional rules set by individual states that have a large effect on the availability
8 and distribution of infant formula in each state; and

9 WHEREAS, WIC state agencies are required by law to have competitively bid infant formula rebate contracts
10 with infant formula manufacturers; and

11 WHEREAS, child care providers who participate in the Child and Adult Care Food Program (CACFP) program
12 purchase infant formula as part of the provision of infant care; and

13 WHEREAS, according to Datasembly, a grocery store and retail pricing data firm, baby formula at Delaware
14 retailers was 54.51% out of stock at the beginning of May; and

15 WHEREAS, President Biden announced additional steps to bolster work to get infant formula onto our store
16 shelves as quickly as possible without compromising safety; and

17 WHEREAS, the United States Department of Agriculture (USDA) is urging states to allow WIC recipients to use
18 their WIC benefits on a wider variety of products so that if certain types sizes or types of formula are out of stock, they can
19 use their benefits on those that are in stock; and

20 WHEREAS, the USDA is urging states to relax their requirements that keeps a certain amount of formula in stock,
21 as this will offer relief to retailers and allow companies to manage inventories to meet demand; and

22 WHEREAS, these actions will make it easier for families to get the necessary nutritional support for their infants.

23 NOW, THEREFORE:

24 BE IT RESOLVED by the Senate of the 151st General Assembly of the State of Delaware, the House of
25 Representatives therein, that the Legislature affirms the importance of addressing the infant formula shortage in the State of
26 Delaware.

27 BE IT FURTHER RESOLVED that the Legislature urges immediate action to expand efforts to make it easier for
28 families and child care providers to get necessary nutritional support for infants.

SYNOPSIS

This concurrent resolution recognizes the urgent nature of the formula shortage, and urges additional steps to address the infant formula shortage.

Author: Senator Pettyjohn