



Food Distribution National Policy Memorandum

United States
Department of
Agriculture

Food and
Nutrition
Service

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Center Drive

Alexandria, VA
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DATE: August 31, 2004

POLICY NO.: FD-036: The Emergency Food Assistance Program (TEFAP)

SUBJECT: TEFAP - Local-Level Record Keeping and Reporting Requirements

The Emergency Food Assistance Program (TEFAP) Community has raised a number of questions and concerns about program record keeping and reporting requirements for locations that either distribute commodities to households or serve meals in a group setting. While the federal requirements are limited, clarification is needed because State agencies have the authority to implement them in a variety of ways. This memorandum clearly states the federal requirements and explains the minimum requirements a State agency could choose to adopt.

The federal requirements, and this guidance, are based on the operational realities of the program. TEFAP depends primarily on a structure of community-based charitable services that existed long before the program. TEFAP sites are typically neighborhood organizations that receive small amounts of Department of Agriculture (USDA) commodities. Often they are staffed mainly or entirely by volunteers. The unit value of the benefit--the TEFAP part of either food given to a household or a meal served in a soup kitchen--is usually small. Therefore, the program should be made accountable to the taxpayer in a way that does not impose excessive paperwork burdens on sites.

TEFAP foods can be used in two ways. They can be used in the preparation of meals that are served to a group. For example, a Salvation Army soup kitchen might use TEFAP foods in the meals it cooks and serves to participants (prepared meals). Program foods can also be given to participants who then take them home for use by their families (household distribution). This is how food pantries use TEFAP foods.

GUIDANCE FOR SITES THAT CONDUCT HOUSEHOLD DISTRIBUTION

Eligibility for Household Distribution:

Individual eligibility information must be gathered for household distribution. Regulations require that the State agency establish "income-based standards and the

methods by which households may demonstrate eligibility under such standards. . .” [section 251.5(b)(2)], and that households “reside in the geographic location served by the State agency at the time of applying. . .” [section 251.5(b)(3)]. The site cannot require households to have lived in the area for any period of time before they apply for TEFAP. Regulations also require that the distribution site collect “the name of the household member receiving commodities, the address of the household (to the extent practicable), the number of persons in the household, and the basis for determining that the household is eligible. . .” [section 251.10(a)(3)]. Homeless persons, or people who have just arrived in the area, may not be able to provide an address.

- The regulations do not require that applicant households provide independent verification of income, for example, pay stubs.
- State agencies can have a policy that makes applicants automatically eligible for TEFAP if they participate in one or more other local, State, or federal means-tested programs. Participation in another program need not be independently verified. For example, if the State decides that participants in the Food Stamp Program are automatically eligible for TEFAP, applicants only have to indicate that their household receives food stamps; they do not have to show a letter or other document to prove it. The State, not local agencies, must decide which other programs yield automatic eligibility for TEFAP.
- Attached is a sample form that may be used, with State approval, for determining eligibility to receive food for home use. Applicants:
 - Enter their name, number of persons in the household, and, if practicable, address;
 - Review the income guidelines or, if they participate in one of the means-tested programs listed for automatic eligibility, check the box next to that program; and
 - Sign and date the form. By signing, they are certifying that their household is either participating in another program listed on the form, or that their gross household income is at or below the limit listed on the form for households of their size. They are also certifying that they live in the State where they are applying as of the date of application.

The distribution site could meet its responsibility for determining income eligibility by having each applicant complete the form, and retaining the completed forms.

Issuance Records:

Sites must keep a record, for each day on which they distribute food, of the names of all households that receive food. Site staff can meet this requirement by having the recipient sign a receipt or list. We recommend that sites obtain recipient signatures.

It is not a federal requirement to record the specific foods--for example, two cans of green beans, two boxes of corn flakes, etc.--distributed to each household.

Commodities Received by the Site:

All sites must sign a receipt for the USDA commodities they receive. Records of the receipts must be maintained [section 251.10(a)(1)].

GUIDANCE FOR SITES THAT SERVE MEALS

Eligibility for Prepared Meals:

There is no federal standard or requirement for determining the eligibility of people to receive prepared meals. They are presumed to be needy because they seek meals at an approved TEFAP site.

Issuance Records:

Sites do not have to maintain records of the names of people to whom they serve meals, and meal recipients do not have to sign for their meals.

Commodities Received by the Site:

All sites must sign a receipt for the USDA commodities they receive. Records of these receipts must be maintained [section 251.10(a)(1)].


GUIDANCE FOR SITES THAT BOTH CONDUCT HOUSEHOLD DISTRIBUTION AND SERVE MEALS

- If a single site both distributes food for home use and serves meals, it only needs to do income eligibility determinations for households receiving food to take home.

ADMINISTRATIVE FUNDS: RECORD KEEPING AND REPORTING FOR
SITES THAT CONDUCT HOUSEHOLD DISTRIBUTION AND SITES THAT
SERVE MEALS

Sites that receive TEFAP administrative funds, as either advances or reimbursements, must maintain annual records documenting that they have paid allowable program costs at least equal to the amount of TEFAP money they received.

Regulations authorize the use of TEFAP administrative funds for allowable costs associated with USDA food, as well as food obtained from other sources and distributed through the TEFAP network. It is not necessary to record separately the costs of dealing with USDA and non-USDA commodities.


For Cathie McCullough
Director
Food Distribution Division

Attachment

Date Originally Issued: March 20, 2000 (Replaced October 29, 1999 memorandum of the same title)

**EMERGENCY FOOD ASSISTANCE PROGRAM (TEFAP):
ELIGIBILITY TO TAKE FOOD HOME**

Name: _____

Number of people in household: _____

Address: _____

This table shows a yearly gross income for each family size. If your household income is at or below the income listed for the number of people in your household, you are eligible to receive food.

[Insert State's TEFAP family-size/income guidelines.]

You are also eligible to receive food from TEFAP if your household participates in any of the following programs. If you participate in one of these programs, please check the box next to it.

[List programs the State has selected for determining automatic TEFAP eligibility.]

Please read the following statement carefully. Then sign the form and write in today's date.

I certify that my yearly gross household income is at or below the income listed on this form for households with the same number of people as my household, OR that my household participates in the program that I have checked on this form. I also certify that, as of today, my household lives in the area served by the [insert State name] Emergency Food Assistance Program. This certification form is being completed in connection with the receipt of Federal assistance. Program officials may verify what I have certified to be true. I understand that making a false statement may result in having to pay the State for the value of the food improperly issued to me and may subject me to criminal prosecution under State and Federal law.

(Signature)

Date