

Recipient Agency Oversight



STATE DISTRIBUTING AGENCY (SDA) RESPONSIBILITIES



Recipient Agency Eligibility



- **SDA determines eligibility of agency applying to participate in program;**
- **SDA must consider past performance of agency applying to participate in program;**
- **Once approved, SDA enters into written agreement with agency and makes commodities available;**



Recipient Agency Eligibility §250.11

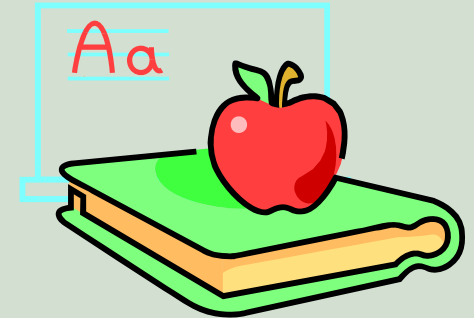


- **§210 & §220 - School Food Authorities**
- **§226 – Child & Adult Care Food Program**
- **§250.41 Charitable Institutions**
- **§250.42 Nutrition Services Incentive Program (formerly Nutrition Program for the Elderly)**
- **§225 – Summer Food Service Program**

SFAs and Commodity Schools

§250.48

- **NSLP, commodity schools, and others;**
- **National per-meal value, # meals served;**
- **Commodity offer value - no less than the average per meal value;**
- **Bonus foods for other schools.**



SFAs and Commodity Schools




- **Must offer SFAs full range of foods;**
- **Offer and refusal system;**
- **Use of donated foods for training.**



Charitable Institutions



§250.41

- **Tax-exemption and agreement specs;** 
- **Report number meals served and needy persons (financial data);**
- **Adult correctional institutions (rehabilitation certification of 10 hrs/wk to majority of inmates);**
- **Donated foods by average number of meals served daily to needy persons;**
- **Surplus foods, as available.**

CACFP



§250.49

- **Eligibility of child and adult care institutions in CACFP;**
- **National per-meal value, meals served;**
- **May receive cash-in-lieu of foods.**

SFSP



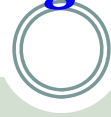
§250.50

- **Eligibility of service institutions (camps) in SFSP;**
- **Percentage of adults to children;**
- **Distribution based on # meals served.**



NSIP

(formerly Nutrition Program for Elderly or NPE)



Purpose

The NSIP is intended to provide incentives to States and Tribes for the effective delivery of nutritious meals to older adults.

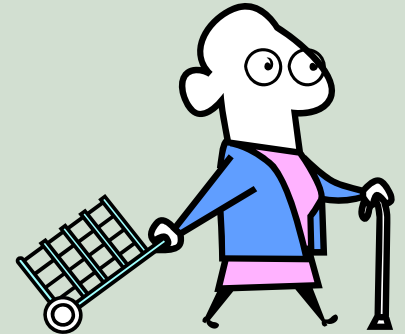
NSIP

(formerly Nutrition Program for Elderly or NPE)

10

§250.42

- **Assistance based on the Older Americans Act as amended;**
- **State Agency on Aging certifies number of meals;**
- **USDA purchases and provides donated foods as selected;**
- **May receive cash-in-lieu of food.**



RA Agreement Requirements

11

§250.12

- **Agreements are permanent;**
- **Must ensure that RA provides information changes to SDA;**
- **Allows incorporation of changes in Federal regulatory requirements;**
- **May be terminated with cause by either party with 30 days notice;**

RA Agreement Contents

12

§250.12

- **Distribution & use of commodities in accordance with 7CFR 250;**
- **RA responsible to SDA for improper distribution, damage or loss through negligence;**
- **RA has right to assert claims;**
- **RA will take action to obtain restitution**

Commodity Usage

13

§250.13 (except single inventory programs)

- Commodities may not be sold, exchanged, or disposed without approval of USDA;**
- Entitlement commodities may be transferred between like recipients only, with prior authorization of SDA;**
- Entitlement commodities may be transferred between unlike recipients only with approval by FNS;**

Commodity Usage

14

- **Bonus commodities may be transferred between all recipient agencies eligible to receive them with SDA authorization;**
- **Transfers must be documented and retained per recordkeeping requirements;**
- **SDA must monitor quantities of commodities in state warehouses and during agency reviews to salvage food not being utilized in a timely fashion;**

Out of Condition Commodities



§250.13(f)

- **May be disposed of in accordance with instructions of the Department;**
- **If sold, all USDA markings must be obliterated (vendor overruns, salvage operations);**
- **If destroyed, must be in accordance with local sanitation laws and regulations;**

SDA Must Establish Review Procedures Encompassing



- **RA eligibility;**
- **RA food ordering procedures;**
- **RA storage practices;**
- **RA inventory controls;**
- **RA reporting and recordkeeping practices.**

On-Site Review Cycles



- **Schools – five year cycle;**
- **Charitable Institutions & Summer Camps – as SDA identifies deficiencies warranting an on-site review;**
- **Processor – every two years unless it is a multi-State processor (might be changing);**
- **State contracted storage – annually.**

Civil Rights



§250.21

- **DAs, sub-distributing agencies, and RAs shall comply with the Department's nondiscrimination regulations (7CFR 15, 15a, 15b)...and**
- **FNS civil rights instructions to ensure that no person is discriminated against because of race, color, national origin, age, sex or handicap.**

Program Complaints



§250.22

- Distributing Agencies shall investigate complaints received in connection with the distribution or use of donated foods
- Notify FNSRO of serious irregularities
- Retain evidence of investigations and actions taken

Questions and/or Comments

