USDA

**United States
Department of
Agriculture**

Food and
Nutrition
Service

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SUBJECT: Implementation of the Food, Conservation, and Energy Act of 2008,
(Public Law 110-246) - Commodity Supplemental Food Program (CSFP)

On June 18, 2008, the Food, Conservation, and Energy Act of 2008 (the Farm Bill) was enacted into law. Section 4406(b)(3) of the Farm Bill authorizes appropriations for CSFP through 2012. The purpose of this memorandum is to implement the provisions of the Farm Bill that relate to CSFP.

Previously, State and local agencies were required by statute to serve all women, infants, and children eligible to participate in the program before serving low-income elderly. Section 4221 of the Farm Bill eliminates the statutory preference by amending Section 5(g) of the Agriculture and Consumer Protection Act of 1973. Effective October 1, 2008, all State and local agencies must begin serving all CSFP applicants on a first-come, first-served basis.

Because the Farm Bill eliminates the preference in CSFP for women, infants, and children, some of the individuals who previously participated in the program may be denied program benefits when States do not have sufficient caseload to serve all eligible applicants. Therefore, it is particularly important, in areas where both CSFP and the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) operate, for local agencies to best serve the interests of women, infants, and children by referring them to the appropriate program. Given the greater accessibility to health care and nutrition education, as well as the elimination of the statutory preference, WIC is the more appropriate program for women, infants, and children who are eligible for benefits.

Should you have any questions as to the implementation of the Farm Bill provisions with regard to CSFP, please contact Michelle Waters or Lillie Ragan at (703) 305-2662.

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