

FDD Headquarters and Regional Office Roles

Guidance for State Distributing Agencies

State Distributing Agencies routinely interact with Food and Nutrition Service (FNS) staff on a number of issues concerning Food Distribution Programs; to seek advice and guidance about operations, as well as for program reporting purposes.

With the understanding that oversight responsibilities for certain aspects of the Food Distribution Programs continue to evolve, the following sections of this guidance identify the current responsibilities of the Food Distribution Division Headquarters (FDD HQ) staff and the responsibilities of the FNS Regional Office (RO) staffs with regard to these programs.

I. FDD Headquarters Responsibilities:

1) National Policy Issuance – FDD HQ issues nationwide policy (regulations, Handbooks, Instructions, policy memos, etc.) for all FDD programs after soliciting comments from FNS ROs. FDD HQ will disseminate notice of new policy issuance to the FNS ROs before posting them on the FDD website at (www.fns.usda.gov/fdd) so that ROs have advance notice of the issuance. FDD HQ has the ultimate responsibility for interpretation of all national policy.

Note: State agencies should call the RO for state-specific guidance and advice on FD program policy issues.

2) DoD Fresh Produce Program (NSLP) – FDD HQ allocates entitlement among participating states, makes adjustments to allocations as appropriate, receives and reviews DoD bills, notifies states about expenditures to-date, acts on billing discrepancies, authorizes payments to DoD, and coordinates with ROs and DoD on the activation of new programs.

Note: The FNS RO reconciles FDPIR DoD Fresh Produce bills with ITO invoices and assists HQ with other DoD Fresh Produce issues as necessary.

3) Child Nutrition Program Commodity Orders – The FDD HQ FOCUS Team manages all issues related to commodity ordering for NSLP, SFSP, NSIP, and CACFP including questions concerning requisitions, food surveys, entitlement spending, order cancellations, and destination changes. FDD HQ also works closely with ROs to monitor Household program entitlements.

Note: The FNS RO manages all commodity ordering issues for the Household programs except for the FDPIR Southwest Pilot Project.

Note: The Kansas City Commodity Office (KCCO) resolves transit claims, shipping and delivery issues, and issues new entity codes.

4) National Processing Agreements (NPA) – FDD HQ has waived a number of 7 CFR 250 regulations to implement the NPA. The waivers apply only to the NPA. FDD's Processing Initiatives Team manages all issues related to NPA including the agreement, End Product Data Schedules (EPDS), Summary End Product Data Schedules (SEPDS), State Participation Agreement (SPA), surety

instruments, claims against processors, and multi-state processor audit reviews. FDD HQ provides processing guidance/advice to States with single state, multi-state, and NPA processors.

Note: Although FDD HQ has issued several NPA waivers, the regulation at 7 CFR 250.30 (o) (requiring distributing agencies to forward to the FNS ROs the inventory summary of the monthly performance report submitted by the processors) has not been waived for the NPA and thus still applies.

5) Commodity Complaints – FDD HQ Program Support staff manage all commodity complaints. State Agencies analyze recipient agency complaints and enter the required commodity complaint details into ECOS for processing by FDD HQ. FDD HQ staff will also accept a commodity complaint via the Commodity Complaint Hotline, and enter the required details into ECOS as appropriate.

Note: Most ITOs and CSFP agencies, and some TEFAP agencies, lack access to ECOS and must therefore utilize the Commodity Complaint Hotline (1-800-446-6991) to register complaints. FDD HQ Program Support staff will respond to these calls and enter the required details into ECOS.

6) ECOS – FDD HQ Systems staff manage all issues related to access to and operation of ECOS including issuance of IDs, passwords, registrations, etc. The ECOS Help Desk is available online from within ECOS.

7) Management Evaluations (MEs) – FDD HQ tracks the number of RO MEs completed, analyzes them for trends that may indicate the need for national policy or guidance, assists the ME module update teams, and identifies areas of future ME emphasis.

8) Claims – FDD HQ is responsible for review of all claim determinations over \$50,000 per FNS Instruction 410-1.

9) Commodity Fact Sheets and Commodity Acceptability Progress (CAP) Reports – FDD HQ is responsible for developing/updating Commodity Fact Sheets and CAP Reports. State agencies send CAP reports to the RO which forwards them to FDD HQ (CAP reports are on a two-year cycle). FDD HQ analyzes and summarizes all CAP Report information.

10) Food Safety Issues – The FNS-HQ Food Safety Unit monitors, tracks, and evaluates food safety issues including issues resulting from commodity complaints. It initiates commodity holds and recalls, and represents FNS on all food safety/biosecurity issues related to FNS programs.

II. FNS Regional Office Responsibilities:

1) Household Program Commodity Orders – FNS ROs manage commodity food orders for TEFAP, CSFP, and FDPIR (including questions concerning requisitions, food surveys, entitlement spending, order cancellations, and destination changes) except:

The Southwest Region FDPIR Pilot Project is primarily managed by HQ, with assistance from the RO as needed.

Note: The FDD HQ FOCUS Team manages all commodity ordering issues for the Child Nutrition Programs.

2) FDPIR DoD Fresh – The FNS RO reconciles FDPIR DoD Fresh bills with ITO invoices and assists FDD HQ with other DoD Fresh issues as needed.

3) Commodity Holds and Recalls – Although the FNS HQ Food Safety Unit initiates Commodity Holds and Recalls, the FNS ROs coordinate the recall process with their State Distributing Agencies. The FNS ROs coordinate all information exchange between their SDAs and the FNS HQ Food Safety Unit.

4) Disaster Feeding Response – The FNS ROs are the designated contact for SDAs responding to requests for food assistance in a Situation of Distress or a Presidentially Declared Disaster. The FNS ROs coordinate all information exchange between their SDAs and FDD HQ staff.

5) Single State Processors – FDD HQ's responsibility for waiving 7 CFR 250 regulations regarding NPA does not apply to state activity involving single

state processors. Thus, the FNS RO is required to review such contracts, receive distributing agency certifications of accuracy of the annual inventory reconciliation reports from such processors, receive the inventory section of monthly performance reports each quarter, and provide State Distributing Agencies with general oversight of such processing activity.

In addition, the FNS RO is required to review all state processing activity, including NPA, when conducting management evaluations of the State Distributing Agency.

6) State Specific Policy Issues – The FNS RO has responsibility for general oversight of State Distributing Agency operations for all Food Distribution Programs including interpretation of regulations and policy as they apply to specific State circumstances. State Agencies should call the RO for State specific advice, technical assistance, and guidance on regulatory and policy issues.

This includes questions on State Agreements, Plans of Operation, commodity re-donations, inventory reports, commercial warehouse contracts, shipping policies relevant to FNS Instruction 709-5, claims determinations (over \$2,500 and under \$50,000 relevant to FNS Instruction 410-1), and financial management issues.

7) Management Evaluations – FNS ROs schedule and conduct management evaluations of state administered programs.

8) FDPIR Budget Negotiations and Funds Allocation – The FNS RO is responsible for negotiating FDPIR administrative budgets with ITOs and State agencies, and allocating FDPIR administrative funds.

9) Commodity Acceptability Progress (CAP) Reports – The FNS RO is responsible for receiving CAP reports from States every two years, reviewing them for completeness, and forwarding them to FDD HQ.

III. Forms:

Forms and reports currently submitted by State Distributing Agencies to FNS Regional Office commodity program staff:

ALL Food Distribution Programs:

- FSA-21: Public Voucher Commodity Programs
- Form FNS-292: Report of Food Stamp Benefit Issuance and Commodity Distribution for Disaster Relief
- Annual Processing Reconciliation Reports Claims Recoveries
- Processing Contracts for single state processors (prior to MEs)
- Commodity Transfer Requests (between programs or state agencies or processors)
- Salvage Account Deposit and Expenditure Requests (greater than \$2,500)
- Corrective Action Plans associated with Management Evaluations
- FNS-74: Federal/ State Agreement (new

- FNS-74 needed if change of State Agency)
- Warehouse Claims Recoveries

Child Nutrition Programs:

- FNS-155: Inventory Management Register (bi-annual)
- DA Form 663A: Commodity Acceptability Progress (CAP) Report - NSLP (biennial)
- DA Form 663B: (CAP) Report – CACFP (biennial)
- FNS-7: Destination Data for Delivery of Donated Foods

TEFAP:

- FNS-667: Report of Storage and Distribution Costs for The Emergency Food Assistance Program (TEFAP)
- State Plan of Operations (full plan every 4 years with amendments as needed)

- Commodity Survey Response
- FNS-7: Destination Data for Delivery of Donated Foods

FDPIR:

- FNS-152: Monthly Distribution of Donated Foods to Family Units
- FNS-101: Participation in Food Programs by Race
- FNS-52: Food Requisition for Direct Shipment Orders
- FNS-53: Multi-Food Requisition
- FNS-155: Inventory Management Report
- DA Form 663 E: Commodity Acceptability Progress (CAP) Report – FDPIR (biennial)
- FNS-7: Destination Data for Delivery of Donated Foods (ITOs send directly to RO or to KCCO depending on the Region)

CSFP:

- FNS-153: Monthly Report of the Commodity Supplemental Food Program & Quarterly Administrative Financial Status Report
- FNS-52: Food Requisition for Direct Shipment Orders
- FNS 53 or alternative for Multi-Food Shipment Orders
- FNS-191: Racial/Ethnic Group

- Participation (CSFP) Annual Report
- SF-269A: Financial Status Report for CSFP
 - FNS-74: Federal/State Agreement CSFP (permanent-with amendments to RO for CSFP only)
 - DA Form 663 D: Commodity Acceptability Progress (CAP) Report – CSFP (biennial)

- CSFP Annual Requests for Additional Expansion
- CSFP State Plans (permanent-with amendments to RO)
- Commodity Survey Response

NSIP:

- DA Form 663C: Commodity Acceptability Progress (CAP) Report – NSIP (biennial)

Other forms and reports sent to FNS Regional Office Financial Management staff – if not listed per program above. (The State Distributing Agency should be aware that some of these reports are submitted by the State Education Department if the State Distributing Agency is located in a different state agency.):

- FNS-10 - Report of School Program Operations
- FNS-13 - Annual Report of State Revenue Matching
- FNS-44 - Report of the Child and Adult Care Food Program
- FNS-203 - Farmer's Market Nutrition Program Recipient Report
- FNS-418 - Report of the Summer Food Service Program for Children
- FNS-525 - State Administrative Expense Funds Reallocation Report
- FNS-640 - Coordinated Review Effort (CRE) Data Report
- FNS-665 - Administrative Costs in Nutrition Education and Training Program
- SF-269 - State Administrative Expense (SAE) Financial Status Report
- SF-269 - Financial Status Report for Child Nutrition Program (CNP)
- SF-269A - Financial Status Report for Team Nutrition
- SF-269A - Financial Status Report for School Breakfast Program Start-up
- SF-269A - Financial Status Report for FDPIR
- SF-269A - Financial Status Report for CSFP

REMINDER:

Civil Rights Complaints should be directed to USDA, Office of Civil Rights, Rm. 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, DC 20250-9410.

As necessary, the Civil Rights Office may forward the complaint to the appropriate program, and request assistance from FDD HQ or the FNS RO for further investigation.