



United States  
Department of  
Agriculture

Food and  
Nutrition  
Service

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Alexandria, VA  
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DATE: October 28, 2005

SUBJECT: Revised – Replacement of Commodities due to Natural Disasters

TO: State Child Nutrition Directors  
All States

State Distributing Agencies  
All States

Regional Directors  
Child Nutrition Programs  
All Regions

This memorandum supersedes the October 19, 2005 memorandum on Replacement of Commodities due to Natural Disasters. As published in the Food and Nutrition Service (FNS) *Commodity Program Disaster Manual*, those States recently affected by the natural disasters should follow the procedures outlined below to obtain replacements for commodities lost or made unfit for consumption as a result of the disasters.

#### Commodities Used for Congregate Feeding and Household Distribution

FNS will replace all USDA commodities removed from inventory at the State or local level that are used for approved disaster congregate feeding or FNS-approved household distribution following a Presidentially declared disaster. The State agency is required to submit a written request for replacement within 30 days of the end of the disaster, although interim requests for replacement may be made.

Unfortunately, FNS does not have the authority or the resources, to replace non-USDA commodities used for these purposes, nor to reimburse organizations for the other costs, including labor costs, associated with commodity disaster feeding. We have sought such authority; however, this is dependent on Congressional action.

Local Educational Agencies (LEAs) should be notified to maintain adequate records for submission to their State Distributing Agency. The State Distributing Agency will report to the State Office of Emergency Services, who will submit State claims to the Federal Emergency Management Agency (FEMA), which has the primary responsibility for providing disaster assistance.

#### Lost or Damaged Commodities

FNS also does not have the authority to replace USDA or non-USDA commodities that are lost, destroyed, contaminated or otherwise rendered unusable in a disaster due to flooding, fire, wind, power outage, or other cause. The State agency should contact the State Office of Emergency Services for possible assistance, and should contact any private insurance companies to file a claim for the lost commodities. As stated above, LEAs should be notified to maintain adequate records for submission to their State

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Distributing Agency. The State Distributing Agency will report to the State Office of Emergency Services, who will submit State claims to FEMA.

The FNS *Commodity Program Disaster Manual* can be downloaded at <http://www.fns.usda.gov/fdd/programs/fd-disasters/>. If there are any questions, please contact your Regional office.



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