



Washington  
State Department of  
Agriculture

## FOOD ASSISTANCE

TEFAP STATE PLAN

## SEPTEMBER 2019

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WSDA Food Assistance*

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# SECTION 1: STATE AGENCY INFORMATION

## Section 1: State Agency Information

# TEFAP STATE PLAN SECTION 1: STATE AGENCY INFORMATION

# OVERVIEW OF WSDA FOOD ASSISTANCE

## Overview of WSDA Food Assistance

Through service, regulation, and advocacy, the Washington State Department of Agriculture (WSDA) supports the viability and vitality of agriculture while protecting consumers, public health, and the environment. Food Assistance is part of the Food Safety & Consumer Services Division which plays an active role in defending the availability, safety, and integrity of our food system.

WSDA's Food Assistance programs serve food insecure families by providing food, funding, logistics services and outreach to hunger relief providers and tribes. We work with over 50 contractors statewide that are made up of a mix of food banks, community action agencies, tribes and tribal organizations, who typically operate more than one of our six Food Assistance programs. We work with a wide variety of partners, stakeholders, and state agencies to support our mutual goals. Our goals are to develop key partnerships and data-driven strategies to alleviate hunger and increase access to healthier food options available in the emergency food system while supporting the agricultural community.

WSDA's Food Assistance programs have traditionally provided about \$23 million worth of state and federal food and funding to our local contractors who provide direct support to 500 food banks, food pantries, meal programs, tribes, and tribal organizations. We anticipate that these resources will grow to over \$40 million due to increased federal funding and food through the temporary Trade Mitigation Program.

One in six Washingtonians (1.15 million people) receive food from emergency food providers that are supported with resources from our programs.

### **CORE FUNCTIONS INCLUDE:**

- Distributing U.S. Department of Agriculture (USDA) federal commodities.
- Providing state and federal funds to support food banks, food pantries, community action agencies, meal programs, tribes and tribal organizations.
- Helping partners leverage existing resources to create a collaborative statewide food assistance network.
- Providing technical assistance and information to community programs that deliver emergency food and services to hungry people.
- Providing the necessary framework to keep food assistance distributions flexible and responsive to client needs and meet regulatory requirements to maintain the integrity of the programs.

### **PROGRAMS INCLUDE:**

#### **Commodity Supplemental Food Program (CSFP)**

A federally funded (USDA) program that provides nutritious food “packages” designated specifically for the needs of lower-income elderly people at least 60 years of age (limited availability). CSFP provides food and limited operational funding for distribution to nonprofit organizations, such as community action councils, food banks, and food pantries.

# OVERVIEW OF WSDA FOOD ASSISTANCE

## **Emergency Food Assistance Program (EFAP)**

A state funded program that supports local emergency food providers with funding to help alleviate hunger for lower-income Washingtonians, including the homeless, receiving services from a food pantry. The funding is flexible and may be used for the purchase of food, operational costs, nutrition training and equipment or repairs.

## **Emergency Food Assistance Program (EFAP) Tribal**

A state funded program that supports tribal organizations with funding to help alleviate hunger for lower-income Washingtonians, including the homeless, receiving services from a food pantry or receiving a tribal food voucher. The funding is flexible and may be used for the purchase of food or food vouchers, operational costs, nutrition training and equipment or repairs.

## **The Emergency Food Assistance Program (TEFAP)**

A federally funded (USDA) program that helps supplement the diets of lower-income Washingtonians, including the homeless. TEFAP provides food and limited operational funding for distribution to nonprofit organizations, such as community action councils, food banks, food pantries, mobile food pantries, back pack programs for kids, shelters, and meal programs.

## **Trade Mitigation Program (TMP)**

In August of 2018, the USDA announced the launch of a trade mitigation package of programs which were established to help off-set the impact of the trade tariffs to farmers. Through the TMP, producers of certain commodities were able to sign up for the Market Facilitation Program so that USDA could purchase and distribute these foods through domestic channels, including TEFAP and Child Nutrition Programs. Hunger relief providers across Washington will receive two to three times more commodity foods than ever before due to TMP, including new products not usually available through federal commodity programs, like fresh milk, fresh produce, and pork products.

## **Farm to Food Pantry (F2FP) Initiative**

The initiative, established in 2014, is a partnership with Rotary First Harvest. It helps bridge gaps between agriculture and hunger relief agencies, connects farmers to their communities and increases access to healthier food options for lower-income families (limited availability).

## **FOOD ASSISTANCE ADVISORY COMMITTEE:**

The WSDA Food Assistance (FA) Advisory Committee, which is part of the Washington Food Coalition (WFC), plays an important role in shaping how WSDA Food Assistance programs can provide the most value to the food assistance provider network and to those whom they serve.

The FA Advisory Committee is comprised of a Chair, Vice Chair, provider members, the WFC Executive Director, WSDA staff and other interested parties. The Advisory Committee works on making

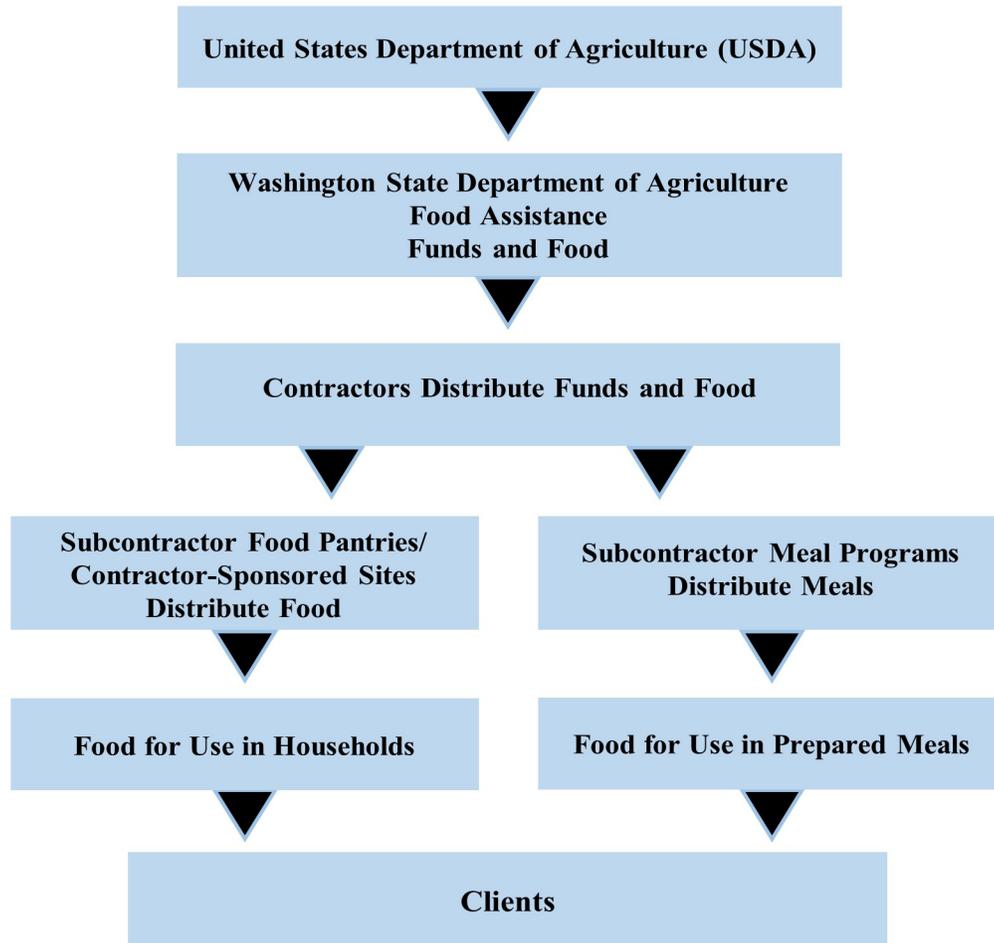
# OVERVIEW OF WSDA FOOD ASSISTANCE

recommendations for program policy and emergency food system improvements, and streamlining program processes.

The WFC has set up a page on their website where notes and information from Committee meetings are posted for anyone interested in staying informed. Please visit [www.wafoodcoalition.org/food-assistance-advisory-committee](http://www.wafoodcoalition.org/food-assistance-advisory-committee) for more details.

# TEFAP OVERVIEW

## Overview of TEFAP



TEFAP began in Washington State in 1981, this federal USDA food distribution program has evolved to include a focus on healthier foods, more variety in the types of foods being offered, and using commercial labels instead of just the USDA label. In the state of Washington, WSDA manages the administration, storage and distribution of TEFAP and TMP funding and commodities by contracting with 19 contractors to provide statewide coverage in all 39 counties. WSDA also utilizes a distribution contractor to provide for state-level storage and trucking for USDA products that cannot be direct shipped to the contractors. The contractors receive the commodities and administrative funding. Contractors enter into subcontracts with eligible local emergency food providers to assist in the distribution of food to eligible recipients within their service area. This program reaches over 375,000 individuals each month. WSDA initially passes through a minimum of 78% of the USDA funding directly to contractors. Depending upon funds available for reallocation at the end of the Federal fiscal year, the final pass-through is closer to 90%.

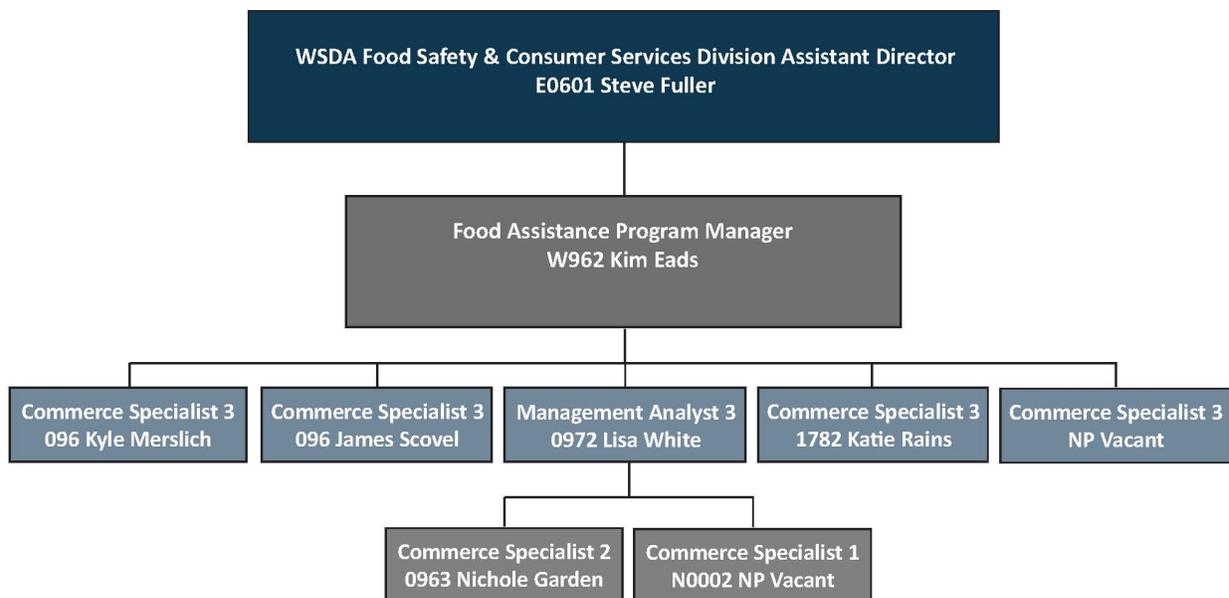
# STATE AGENCY AND ORGANIZATIONAL CHART

## Responsible State Agency and Organizational Chart

### RESPONSIBLE STATE AGENCY:

The Revised Code of Washington (RCW) Title 43.23.290 designates the Washington State Department of Agriculture (WSDA) to be the State agency responsible for the distribution of commodities and administrative funds of The Emergency Food Assistance Program (TEFAP). WSDA administers TEFAP in accordance with the provisions of 7 CFR 250 and 251, as applicable, and the Federal-State Agreement FNS-74. Food Assistance (FA) is located within the Food Safety & Consumer Services (FS&CS) Division and is the work unit inside WSDA handling the day to day program management and operations. Detailed information regarding TEFAP implementation is contained in the WSDA Food Assistance [TEFAP Procedures Manual](#), which is available on the Food Assistance webpage.

### 2019 ORGANIZATIONAL CHART:



### COMMUNICATIONS:

Food Assistance communicates and disseminates program information and policy updates to contractors, subcontractors, and stakeholders on a regular basis. Our communication methods include emails, newsletters, and conferences, trainings both in person and web based, and conference calls. Our webpage is updated frequently with the most current information and training tools.

# WSDA CONTACT INFORMATION

## WSDA Contact Information

### FOOD SAFETY & CONSUMER SERVICES DIVISION:

#### **Steve Fuller, Assistant Director**

Office: (360) 902-1834

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### FOOD ASSISTANCE STAFF:

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WSDA Food Assistance

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Olympia, WA 98504-2560

**Program Email:** [foodassistance@agr.wa.gov](mailto:foodassistance@agr.wa.gov)

**Program Webpage:** [agr.wa.gov/services/food-access](http://agr.wa.gov/services/food-access)

## SECTION 2: TEFAP OPERATIONS

### Section 2: TEFAP Operations

## TEFAP STATE PLAN SECTION 2: TEFAP OPERATIONS

# TEFAP ALLOCATION PROCESS

## TEFAP Allocation Process

### CONTRACT AMOUNTS BASED ON THE AVAILABILITY OF FUNDS AND ALLOCATION FORMULA:

Contract awards are based on the amount of TEFAP funds available and the allocation formula.

- **Initial Allocation** – Prior to the start of a biennium, an annual base dollar amount is determined for each county based on discussion and recommendation of the Food Assistance (FA) Advisory Committee. The current base is \$10,000 per county. The remaining pass-through funding is then calculated based on each county's percentage of people living at or below the federal poverty level, based on the 5 year American Commodity Survey (ACS) estimates.
- **Year End Reallocation** – If there are remaining funds at the end of the Federal fiscal year, the following will occur:
  - A percentage of remaining funds may be made available to the “Bonus Redistribution Centers” for reimbursement costs associated with the redistribution of frozen, cold, and/or fresh bonus foods to other contractors. Appropriate documentation must accompany all claims.
  - Remaining funds will be issued to contractors submitting documented claims in excess of their original allocation. These funds are allocated based on the same 5 year ACS poverty data as the initial allocation.

**Reimbursement Method** - The contractor submits expenditure reports on a monthly basis. The expenditure report is supported by either an expanded general ledger with account detail or complete back-up invoices. If the contractor submits only the expanded general ledger, then a financial review is conducted by WSDA staff during the regular program compliance review.

- If there is a reduction or increase in the amount of program funds available, WSDA may reduce or increase the amount of a contractor's original award. However, there may be other causes prompting a change in funding.
- With any increase or reduction in funding, WSDA sends the contractor a contract amendment specifying the amount of the reduction or increase.
- The contractor must also send an amendment to all affected subcontractors indicating their budget changes, where applicable.

### FOOD DISTRIBUTION ALLOCATION:

Commodities are allocated to contractors using the same per county formula as administrative funding with no base. Commodities are ordered only in amounts that can be expeditiously distributed without waste.

Commodities shall be initially allocated by each contractor as follows:

- **25% to Meal Programs**
  - The contractor is not required to distribute the entire 25% to meal programs if the meal programs are unable to fully utilize their allocation.

# TEFAP ALLOCATION PROCESS

- When a contractor doesn't have any meal programs, it doesn't have to allocate any of the food for that purpose.
- The remaining food can be reallocated to the food pantry programs.
- **75 % to Food Pantry Programs**

The contractor does not need to notify WSDA of variances as long the initial 25% was offered to the meal programs and the meal programs took what they could use for the month it was offered.

In addition, reallocation between programs may be necessary to meet the USDA regulations in 7 CFR 250.14(d) and applicable FNS policy memoranda regarding inventory management which states that inventories may not exceed a six-month supply nor extend past the recommended shelf life of any given product. However, the state requires that inventories not exceed a three-month supply.

FA prepares a quarterly USDA **Direct** Shipments Workbook (shipments coming directly **from USDA vendors**) and USDA **Indirect** Shipments Workbook (shipments coming directly from Northwest Harvest (NWH) or Food Lifeline (FLL) and 2nd Harvest as bonus redistribution centers) for each contractor, as applicable, not every contractor receives direct shipments. Projected quarterly allocations will depict the specific type and quantity of food scheduled to be issued for each quarter.

## PRIORITY SYSTEM:

The priority system distributes commodities received under this program to first meet the needs in Category One, then in Category Two, and finally in Category Three. This priority system will be used by the contractor to distribute TEFAP food to subcontractors.

Category One clients meet the direction provided to the State under the EFAP Act of 1983, to place highest priority on emergency and distress needs, including lower-income and unemployed individuals/households. Category One includes both meal programs and food pantry programs.

Examples of the three categories are:

### *Category One – Emergency and Distress:*

Households	Soup Kitchens	Shelters	Transitional Housing
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### *Category Two – Low-income*

Low Income Housing (Congregate Feeding)	Senior Programs
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### *Category Three – All Remaining Applicants:*

Drug & Alcohol	Summer Camps	Hospitals	Adult Day Care
Group Homes	Retirement Centers	Nursing Homes	Boys/Girls Club
Mental Health	Foster Care	Job Corps	

# TEFAP ALLOCATION PROCESS

## **ALLOCATION ADJUSTMENTS DUE TO DISASTERS AND SITUATIONS OF DISTRESS:**

In a presidentially declared disaster or a situation of distress determined by the state, all contractors may be required to transfer USDA commodities to the area of crisis.

- There will be no cost to the contractor for the transfer.
- In certain circumstances, USDA will be able to replace the value of the commodities provided for the crisis.

## SECTION 3: ELIGIBILITY CRITERIA

### Section 3: Eligibility Criteria

## TEFAP STATE PLAN SECTION 3: ELIGIBILITY CRITERIA

# ELIGIBILITY CRITERIA FOR CONTRACTORS

## Eligibility Criteria for Contractors

### **CONTRACTORS MUST MEET THE CRITERIA OF 7 CFR 251.3(D) AS AN ELIGIBLE RECIPIENT AGENCY WHICH:**

- Is public, or
- Is private, possessing tax exempt status under the Internal Revenue Code (IRC), or has applied for tax-exempt status with the IRC, and be moving toward such status. Nonprofit agencies organized or operated exclusively for religious purposes are automatically tax-exempt under the IRC; and
- Is not a penal institution; and
- Provides food assistance; and is:
  - Exclusively to needy persons for household consumption, pursuant to a means test established pursuant to 7 CFR 251.5(b); or
  - Predominately to needy persons in the form of prepared meals pursuant to 7 CFR 251.5(a)(2)
- Meets all requirements of the contract and applicable regulations in 7 CFR 521 and 250 with the designated State agency pursuant CFR 251.2(c) for the receipt of commodities or administrative funds; and
- Falls into one of the following categories:
  - Emergency feeding organizations (including community action agencies, food banks, food pantries and meal programs);
  - Charitable institutions (including hospitals and retirement homes);
  - Summer camps for children, or child nutrition programs providing food service;
  - Nutrition projects operating under the Older Americans Act of 1965 (Nutrition Program for the Elderly), including projects that operate congregate Nutrition sites and projects that provide home-delivered meals; and
  - Disaster relief programs
- Meet additional criteria as required by WSDA which may include being an existing contractor or subcontractor for other FA programs.

### **CONTRACTORS SHALL HAVE CONTRACTING CAPABILITIES:**

Contractors shall:

- Be registered as a nonprofit agency with the Secretary of State Office in Washington.
- Have management capabilities to administer the Contract with WSDA.
- Have sufficient dry, cold, and frozen storage and transportation capacity for TEFAP foods.
- Have internal control and fund accounting procedures to assure the proper disbursement of, and accounting for; all funds.
- Secure adequate insurance; additional information can be found in [FD-139 Clarification on Inventory Protection Requirements](#).

# ELIGIBILITY CRITERIA FOR CONTRACTORS

## **ALL CONTRACTORS SHALL PRACTICE NONDISCRIMINATION IN SERVICES AND EMPLOYMENT:**

- Contractors must practice nondiscrimination in the employment of individuals and the delivery of services in all programs of the organization. In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA its Agencies, offices and employees, and institutions participating in or administering USDA program are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.
- The Civil Rights Act of 1964 prohibits employment discrimination based on religion, but exempts religious entities from this prohibition. 7 CFR § 16.3(c) expressly provides that religious organizations participating in USDA assistance programs do not waive this exemption. Consistent with this legal authority, religious employers may preferentially hire persons whose beliefs and conduct are consistent with the employers' religious precepts and not be at risk of losing USDA federal assistance funding.
- The full [USDA Nondiscrimination Statement](#) can be found on the [Food Assistance](#) webpage. Other languages are available from USDA at: [www.fns.usda.gov/cr/fns-nondiscrimination-statement](http://www.fns.usda.gov/cr/fns-nondiscrimination-statement).

## **CONTRACTORS SHALL NOT HAVE BEEN DEBARRED:**

- The contractor certifies that it is not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded in any Federal or State department or agency from participating in transactions.

# ELIGIBILITY CRITERIA FOR SUBCONTRACTORS

## Eligibility Criteria for Subcontractors

### **SUBCONTRACTORS MUST MEET CRITERIA BEFORE RECEIVING TEFAP FOOD OR FUNDING:**

The contractor shall determine the eligibility of a new food pantry, including tribes, and meal providers prior to agreements being issued.

- Subcontractors must meet the criteria of 7 CFR 251.3(d) as an eligible recipient agency which:
  - Is public, or
  - Is private, possessing tax exempt status pursuant to 7 CFR 251.5(a)(3); and
  - Is not a penal institution; and
  - Provides food assistance; and is:
    - Exclusively to needy persons for household consumption, pursuant to a means test established pursuant to 7 CFR 251.5(b); or
    - Predominately to needy persons in the form of prepared meals pursuant to 7 CFR 251.5(a)(2).
- Meets the criteria to enter into an agreement with the designated contractor pursuant to 7 CFR 251.2(c) for the receipt of commodities or administrative funds.
- Falls into one of the following categories:
  - Emergency feeding organizations (including community action agencies, food banks, food pantries and meal programs);
  - Charitable institutions (including hospitals and retirement homes);
  - Summer camps for children, or child nutrition programs providing food service;
  - Nutrition projects operating under the Older Americans Act of 1965 (Nutrition Program for the Elderly), including projects that operate congregate Nutrition sites and projects that provide home-delivered meals; or
  - Disaster relief programs.
- Contractors may also require an organization that is a church and does not have a 501 (c) (3) to complete the [Alternate 501 \(c\) \(3\) Church Verification Form](#) (AGR-2241) verifying that the organization is recognized in the community as a church.

### **Subcontractors must:**

- Be currently registered as a nonprofit agency with the Secretary of State Office in Washington; and
- Have sufficient dry, cold, and frozen storage capacity for TEFAP foods.

### **SUBCONTRACTORS RECEIVING CASH:**

#### **Subcontractors receiving cash must:**

- Have established internal controls and fund accounting procedures to assure the proper disbursement of, and accounting for, all funds provided.

# ELIGIBILITY CRITERIA FOR SUBCONTRACTORS

## **ALL SUBCONTRACTORS SHALL PRACTICE NONDISCRIMINATION IN SERVICES AND EMPLOYMENT:**

- Subcontractors must practice nondiscrimination in the employment of individuals and the delivery of services in all programs of the organization. In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA its Agencies, offices and employees, and institutions participating in or administering USDA program are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.
- The Civil Rights Act of 1964 prohibits employment discrimination based on religion, but exempts religious entities from this prohibition. 7 CFR § 16.3(c) expressly provides that religious organizations participating in USDA assistance programs do not waive this exemption. Consistent with this legal authority, religious employers may preferentially hire persons whose beliefs and conduct are consistent with the employers' religious precepts and not be at risk of losing USDA federal assistance funding.
- The full [USDA Nondiscrimination Statement](#) can be found on the [Food Assistance](#) webpage. Other languages are available from USDA at: <https://www.fns.usda.gov/cr/fns-nondiscrimination-statement>.

## **SUBCONTRACTORS SHALL NOT HAVE BEEN DEBARRED:**

- The Subcontractor certifies that it is not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded in any Federal or State department or agency from participating in transactions.

# SECTION 4: COMMODITY MANAGEMENT

## Client Eligibility and Data Collection

### CLIENT ELIGIBILITY AND REQUIRED INFORMATION FOR FOOD PANTRIES:

The Washington State Department of Agriculture (WSDA) establishes the eligibility criteria for client and household data collection requirements. Eligibility information must be gathered for household distribution using the [TEFAP Client Intake Form](#) (AGR-2271) or the [TEFAP Individual Client Intake Form - Annual](#) (AGR-2342), or an alternate client intake form and/or method approved by WSDA.

- The client is eligible based on meeting the following eligibility criteria and the client must provide the following information:
  - Date
  - Client's name
  - Client's signature (optional, USDA preferred)
  - Client's address, unless homeless
  - Client's zip code
  - Family size - the number of persons residing at the client's household
  - Indicate if it is the first visit of the month or a repeat visit, if applicable, based on the type of client intake form being used.
  
- The client must self-declare:
  - Their name and address listed is correct; if homeless, they can put homeless as the address.
  - Their household size is as stated and they reside within this state and the organization's service area.
  - Their income is within the current 185 percent of the Federal Poverty Guidelines.
  - They agree that TEFAP food is for home consumption only and will not be sold, traded, or bartered.
  - They will not receive TEFAP commodities from another organization.
  - That they have been shown and have read the full [USDA Nondiscrimination Statement](#).
  
- All clients must be informed of the following:
  - They will not be denied TEFAP food if they refuse to disclose any information that is not a requirement of TEFAP.\*
  - They will never need to provide their social security number.\*
  - They will never need to provide proof of income.\*

**\*Note: This information is on the [TEFAP Client Intake Form](#) (AGR-2271), [TEFAP Individual Client Intake Form - Annual](#) (AGR-2342), [TEFAP Client Notification Handout](#) (AGR PUB 609-768) or the [TEFAP Minimum Requirements Sign](#) (AGR PUB 609-721).**

# SECTION 4: COMMODITY MANAGEMENT

## INCOME GUIDELINES:

Income guidelines are based on 185 percent of the USDA Federal Poverty Guidelines and are provided to contractors annually. Contractor must ensure that subcontractors are using current income guidelines and that clients are viewing them at the point of client intake

- The [TEFAP Income Guidelines](#) (AGR PUB 609-445) can be found on the [Food Assistance](#) webpage. Also available in Spanish.

## CATEGORICAL ELIGIBILITY:

Children receiving free or reduced-price meals through the National School Lunch Program are considered automatically income eligible for participating in weekend backpack programs supported with TEFAP/TMP foods. A parent must give approval for their child to participate, at least annually.

## FOOD PANTRY DATA COLLECTION FOR HOUSEHOLD DISTRIBUTION:

Client intake processes have evolved over the years. Unfortunately, some of those processes do not meet the federal requirements. As a way to ensure compliance, WSDA is moving towards standardized client intake forms. WSDA understands that there is a need for alternate forms, which will be allowed as long as forms receive WSDA approval using the [Request for Alternate Language Approval](#) (AGR-2325).

- The [TEFAP Client Intake Form](#) (AGR-2271), sometimes called a client log, is used to collect data from multiple clients on one form each time the client receives TEFAP food.
- The [TEFAP Individual Client Intake Form - Annual](#) (AGR-2342), a new form, is used to collect data from one client and is updated on an annual basis. If using this form the subcontractor must also have a way of “counting” each time the client receives food, often called the client card method.
  - Client Card is a method that can be either paper or electronically based and is used by subcontractors to identify and track program use each time a client picks up food after the client has filled out the initial TEFAP Individual Client Intake Form - Annual. If using this method, then the following requirements apply:
    - The client is assumed to be eligible for future distributions, up to 12 months.
    - The client must be informed that they are required to report any changes in their eligibility information immediately.
- Depending on what type of client intake form the subcontractor uses, the following information may need to be shown to clients.
  - [TEFAP Client Notification Handout](#) (AGR PUB 609-768)
  - [TEFAP Minimum Requirements Sign](#) (AGR PUB 609-721)

## CLIENT INFORMATION INTAKE SYSTEMS:

Client eligibility information can be acquired using one of these systems:

- **Paper intake system** where data is collected and kept on file at the subcontractor’s location and updated on at least an annual basis.

## SECTION 4: COMMODITY MANAGEMENT

- **Combined paper and electronic system** where the data is collected on paper and then entered into an electronic system.
- **Electronic intake system** where client eligibility data is collected solely electronically (i.e. Link2Feed, PantrySOFT). Electronic intake systems must provide the same degree of confidence regarding the accuracy of eligibility determination results from the electronic system as from the traditional, paper-based system.

### CLIENT ELIGIBILITY AND REQUIRED INFORMATION FOR MEAL PROGRAMS:

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.

- No means testing of clients is allowed.
- Sites do not have to maintain records of the names of people to whom they serve meals.
- Meal recipients do not have to sign for their meals.

### MEAL PROGRAM REPORTING REQUIREMENTS:

- Subcontractors report the total number of meals served in the reporting month to their contractor on a monthly basis using the [Subcontractor Inventory Report](#) (AGR-2272).
- Contractors report the total number of meals served in the reporting month to WSDA FA on a monthly basis using the Contractor Inventory Report (AGR-2321)

### MEAL PROGRAM GUIDELINES FOR PROVIDING SERVICE TO STAFF/VOLUNTEERS THAT ARE ALSO ELIGIBLE CLIENTS:

- Eligible staff may partake in meals prepared for clients. TEFAP food may not be used to prepare meals for staff that are separate from client meals.

## SECTION 4: COMMODITY MANAGEMENT

### Section 4: Commodity Management

## TEFAP STATE PLAN SECTION 4: COMMODITY MANAGEMENT

# COMMODITY RECEIPTING

## Commodity Receipting

### **TRANSITION PLAN**

A training document was created to outline the necessary steps to properly receipt USDA shipments into USDA's Web-Based Supply Chain Management (WBSCM) system, including a description of internal checks and balances. The internal process was shifted from one staff member receipting for all of the contractors to all Food Assistance (FA) regional representatives receipting in WBSCM for the contractors. The WBSCM receipting function is in process of being rolled down to the contractor level, with an anticipated completion date of Sept. 30, 2019.

### **ALL COMMODITIES MUST BE RECEIPTED IN WBSCM WITHIN 48 HOURS OF RECEIPT**

Effective Oct. 1, 2019, contractors who receive direct USDA shipments from USDA vendors will be responsible for receipting these shipments into USDA's WBSCM system within 48 hours, per USDA requirements. Training is provided by WSDA.

### **MONITORING**

Currently, the FA staff position responsible for the ordering, receipt management, and inventory will monitor each FA regional representative's compliance for the 48 hours receipting requirement. This staff position will report any noncompliance to the FA program manager. Effective Oct. 1, 2019, FA regional representatives will monitor and track for contractor compliance for receipting into WBSCM within 48 hours on a bi-monthly basis. This timeline is consistent with the 1<sup>st</sup> half and 2<sup>nd</sup> half of the month delivery windows for TEFAP direct shipments. TEFAP compliance reviews currently include a question regarding timely submittal of the TEFAP/TMP USDA Receiving Document (Effective Oct. 1, 2019 this form is no longer required) by contractors which will be updated for FFY 2020 to include timely receipting into WBSCM.

# STORAGE AND DISTRIBUTION

## Storage and Distribution

Distribution of product from the contractor to each site is documented by invoices/bill of ladings. Each site is required to do a physical inventory each month and reconcile it with actual distribution figures. The sites monthly inventory reports are sent to their contractor. Contractor inventory reports are turned in to WSDA.

WSDA and contractors keep an ongoing inventory of all product received and distributed. Physical inventories are taken monthly. Inventory reports are submitted monthly to WSDA and provide information detailing product on-hand, received, distributed, damaged, and remaining amounts in inventory. As a general rule, local agencies (contractors and sites), use a first-in-first-out (FIFO) system of inventory management. In order to implement FIFO, local agencies mark USDA donated food cases or other containers with the date of their receipt at the storage facility. Local agencies are aware that the dates placed on food products by the manufacturers also help to determine how long food products can be expected to remain in optimal condition. Local agencies are to consider such product dates, along with FIFO, in management of food inventories.

The State/USDA approved procedures for reporting damage, spoilage, and/or loss used of TEFAP are also used for CSFP. All commodity loss is investigated and documented on the Commodity Loss/Adjustment Report for Contractors/Subcontractors.

The local agency shall maintain sufficient insurance coverage for all the commodities received from WSDA/USDA. A certificate of insurance is provided annually by the local agency to WSDA showing proof of insurance. The amount of insurance coverage shall be sufficient for paying the replacement cost of contract-related food.

TEFAP foods are to be distributed on at least a monthly basis. Whenever possible, clients will receive other food that is also available at the food pantry. This should reduce the number of trips a client may need to make to the food pantry each month as well as increase the chances that the entire family will be able to have complete meals.

# COMMODITY ORDERING INPUT

## Commodity Ordering Input

Food Assistance (FA) utilizes several different communication channels to gather commodity preferences and input from emergency feeding organizations (EFO's), eligible recipient agencies (ERA's), and stakeholders.

The **FA Food Order Workgroup** provides direct feedback to commodity orders proposed by the FA staff. This workgroup is open to anyone who wishes to be involved, it includes EFO and ERA representation from different regions, sizes, and external partners. Typically a "draft" order, with written options, is developed by FA staff and then sent via email to the workgroup to provide input. This workgroup also has phone calls and GoTo meetings as needed. With the addition of Trade Mitigation Program foods this workgroup also provides input on the volume of food that the distribution system can reasonable absorb due to capacity issues.

There is also a **Monthly Food Distribution GoTo Meeting** that is operated by one of our external partners. This group consists of ERA's, FA staff, and other food distribution and/or purchasing organizations that provide food to emergency food providers. FA staff provide updates on the types of commodity foods coming into the system. This helps shape not only our food orders but also helps to guide our external food distribution partners in their ordering so that EFO's are not flooded with similar food products.

The **WSDA Food Assistance (FA) Advisory Committee**, which is part of the Washington Food Coalition (WFC), plays an important role in shaping how WSDA Food Assistance programs can provide the most value to the food assistance provider network and to those whom they serve.

The FA Advisory Committee is comprised of a Chair, Vice Chair, provider members, the WFC Executive Director, WSDA staff and other interested parties. The Advisory Committee works on making recommendations for program policy and emergency food system improvements, and streamlining program processes. In addition, we provide commodity updates at these meetings and receive feedback on the commodity foods as well as any challenges due to volume or product type.

# USDA FOOD COMPLAINT PROCESS

## USDA Food Complaint Process

Contractors and their subcontractors must accept and process all USDA food complaints received by a participant regardless of whether the complaints are written, verbal, or anonymous by completing the [FA USDA Food Complaint Form](#) (AGR-2329). If a participant reports a food safety or health risk please contact WSDA immediately.

Contractors and subcontractors report directly to WSDA by using the [FA USDA Food Complaint Form](#) (AGR-2329) and/or subcontractors may request that their contractor submit the food complaint form to WSDA on their behalf. USDA food complaints are broad in nature and include things like issues with the packaging, recommendations for quality improvement, food safety, or health risks. The [FA USDA Food Complaint Form](#) (AGR-2329) should NOT be used when a contractor or subcontractor is reporting a receipt or inventory adjustment due to shortages, overages, spoilage, damage or theft.

The [FA USDA Food Complaint Form](#) (AGR-2329) should be completed and submitted to [foodassistance@agr.wa.gov](mailto:foodassistance@agr.wa.gov) within 10 calendar days of receiving a complaint, unless there is a food safety or health risk which needs to be reported immediately.

Make sure that all food complaints are properly documented and reported. WSDA Food Assistance will report the issue into the USDA Web-Based Supply Chain Management (WBSCM) system within 5 calendar days and report any significant issues directly to USDA FNS Western Region upon receipt. WSDA Food Assistance will maintain a record of and track all USDA food complaints including complaint status (pending, follow-up, completed, or referred to FNS).

# HOLDS AND RECALLS

## Holdings and Recalls

WSDA Food Assistance follows all Federal, State, and local requirements for USDA foods subject to a food recall. We have a notification system in-place for contractors and subcontractors that allows for notifications during business hours, as well as evenings and weekends.

In the case of a hold or recall of a USDA food, WSDA provides specific instructions, within 24 hours, to all contractors with inventory of the recalled product. Contractors are responsible for providing the instructions to their subcontractors with inventory of the recalled product.

Contractors submit inventory results to WSDA Food Assistance. WSDA then compiles the results and reports the findings to USDA to determine next steps.

Our [TEFAP Procedures Manual](#) includes step by step instructions of what contractors and subcontractors will need to do if they are impacted by a hold or recall.

# DISASTERS AND SITUATIONS OF DISTRESS

## Disasters and Situations of Distress

In the case of a presidentially declared disaster or a situation of distress determined by the state:

WSDA Food Assistance will participate in Emergency Support Functions #11 conference calls, conduct outreach to contractors and subcontractors in effected areas, assess additional need and shift food resources to assist in disaster feeding as needed and as approved by FNS. WSDA maintains an emergency contact list and also maintains updated inventory records for each of the contractors.

WSDA contractors may be required to transfer USDA commodities to the area of crisis. There will be no cost to the contractor for the transfer. In certain circumstances USDA will be able to replace the value of the commodities provided for the crisis. Our contractors have been informed that information regarding disasters and situations of distress, can be accessed at the FNS Disaster website at:

[www.fns.usda.gov/disaster/disaster-assistance](http://www.fns.usda.gov/disaster/disaster-assistance) and the USDA Foods Program Disaster Manual can be found at [fns-prod.azureedge.net/sites/default/files/fdd/disaster-manual.pdf](https://fns-prod.azureedge.net/sites/default/files/fdd/disaster-manual.pdf).

# SECTION 5: COMPLIANCE MANAGEMENT

## Section 5: Compliance Management

# TEFAP STATE PLAN SECTION 5: COMPLIANCE MANAGEMENT

# WSDA COMPLIANCE REVIEWS

## WSDA Compliance Reviews

### **WSDA STAFF SHALL MONITOR FISCAL REPORTS ON A MONTHLY BASIS:**

WSDA staff conducts monitoring of contractors by evaluating monthly submitted expenditure reports and responses. At any time, WSDA may request a contractor to send in any and all supporting documentation for expenditures.

- If a contractor violates any conditions set forth in the Contract, WSDA staff will investigate the violation.

### **WSDA COMPLIANCE REVIEWS OF CONTRACTORS AND SUBCONTRACTORS:**

WSDA is responsible for monitoring the operation of the program to ensure that it is being administered in accordance with federal and state requirements and promotes program integrity. The WSDA monitoring system will include:

- An annual review of at least 25 percent of all contractors provided that each such agency must be reviewed no less frequently than once every four years.
- An annual review of 20 TEFAP subcontractors which receive TEFAP commodities and/or administrative funds pursuant to an agreement with a contractor. Subcontractors are chosen for a review based on the TEFAP Annual Risk Assessment (approx. 50%) and on a random sample. In addition, subcontractors may be chosen for review based on performance concerns. Reviews must be conducted, to the maximum extent feasible, simultaneously with actual distribution of commodities and/or meal service and eligibility determinations, if applicable.
- Contractors are also required to conduct compliance reviews of at least 10% of their subcontractors on an annual basis.
- When FNS concurs, reviews of contractors or subcontractors which have been conducted by USDA Food and Nutrition Services (FNS) Regional Office personnel may be incorporated into the minimum coverage required.
- At a minimum, each review must encompass, as applicable, eligibility determinations, distribution rate formula, storage and warehousing practices, fiscal and inventory control, reporting and record keeping requirements, and compliance with civil rights policies and training. WSDA compliance review forms for contractors and subcontractors are available on the [Food Assistance](#) webpage.

## Civil Rights

### FEDERAL CIVIL RIGHTS TRAINING

WSDA, its contractors, and recipient agencies comply with the civil rights instructions, procedures and regulations. Pursuant to [FNS Policy Memo FD-113](#), contractors are responsible for providing their frontline and non-frontline staff and volunteers with training on civil rights. Contractors also ensure their contracted recipient agencies' frontline and non-frontline staff and volunteers receive the same training. WSDA provides civil rights training instructions and training checklists on its website for contractors and subcontractors to use as a minimum standard for annual civil rights training. Our compliance reviews also incorporate questions regarding civil rights training.

All WSDA staff civil rights training occurs annually in October. This training includes not only civil rights but also training regarding accessing interpreter services through the state system.

### FEDERAL CIVIL RIGHTS COMPLAINT PROCESS

Contractors and their subcontractors must accept and process all federal civil rights complaints received by a participant regardless of whether the complaints are written, verbal, or anonymous. Civil rights complaints may be submitted on behalf of a participant or the participant may address complaints directly to the United States Department of Agriculture (USDA) using the [USDA Program Discrimination Complaint Form](#) (AD-3027).

If a contractor or their subcontractor submits a civil rights complaint on behalf of a participant, then WSDA Food Assistance must be notified within 5 calendar days of receiving a complaint. If available, attach the completed [USDA Program Discrimination Complaint Form](#) (AD-3027).

Make sure that all civil rights complaints are properly documented and reported. All civil rights complaints will be investigated by the Food Assistance program manager (or delegate) and notification will be given to USDA FNS Western Region upon receipt. WSDA Food Assistance will maintain a record of and track all federal civil rights complaints including complaint status (pending, follow-up, completed, or referred to FNS).