

2022

# NCDA&CS FOOD DISTRIBUTION

## Handbook for Soup Kitchens

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## I. INTRODUCTION

The Emergency Food Assistance Program (TEFAP) is a Federal program administered by the Food and Nutrition Service (FNS), an agency of the United States Department of Agriculture. TEFAP is designed to supplement the diets of low-income Americans, including elderly people, by providing them with emergency food assistance at no cost. Through TEFAP, the U.S. Department of Agriculture (USDA) purchases a variety of nutritious, high-quality USDA Foods, and makes those foods available to state distributing agencies. For more information, please see [TEFAP Fact Sheet](#).

In partnership with FNS, the NC Department of Agriculture & Consumer Services, Food Distribution Division (NCDA&CS FDD) makes USDA foods available to non-profit agencies that prepare and serve congregate meals to those in need. All USDA foods available are procured through surplus removal and price support programs. These programs are designed to stabilize prices in the agricultural commodity markets by balancing supply and demand. The programs also increase the availability of healthy food to low-income households.

This handbook is designed to provide administrative and operational guidance for management of the USDA Soup Kitchen Program in accordance with Federal and NCDA&CS FDD requirements.

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## II. REFERENCE MATERIALS

### A. USDA Regulations and Instructions

The Food Distribution Program is authorized by the U.S. Congress through several pieces of legislation. The primary pieces of legislation which enable the various USDA foods to be provided to soup kitchens are:

1. Section 32 of the Agricultural Act of 1935, which authorizes the purchase and distribution of perishable USDA foods to remove surplus product and stabilize farm prices; and
2. Section 416 of the Agricultural Act of 1949, which authorizes the purchase and distribution of USDA foods to support farm prices.
3. Regulations are developed and issued by USDA based upon provisions contained in the enabling legislation. Copies of pertinent regulations (*e.g., Code of Federal Regulations 7CFR Part 250 & 7CFR Part 251*) are available at: <https://www.fns.usda.gov/tefap/emergency-food-assistance-program>

In addition to regulations, formal instructions and policy memoranda are issued to provide more detailed guidance in dealing with specific areas of the program.

The guidance contained in this handbook incorporates requirements for program administration identified in legislation, regulations, instructions, policy memoranda and guidance material regarding good management practices issued by both the federal and state offices. Other Soup Kitchen Program resources are available on the [NCDA&CS Food Distribution web site](#).

## B. USDA Food Specifications

The US Agricultural Marketing service (AMS) purchases a variety of 100% domestically produced and processed USDA food products. These purchases support American agriculture by providing an outlet for surplus products and encouraging consumption of domestically produced foods.

USDA food specifications identify the product characteristics in terms that are mutually understood by the purchaser (USDA) and the vendor. USDA foods meet high standards for quality and wholesomeness and must be produced and processed per detailed USDA specifications. The USDA food specifications can be found at:  
<https://www.ams.usda.gov/selling-food/product-specs>

## C. USDA Foods Fact Sheets

USDA Household Food Fact Sheets are available for most USDA food items. Each Food Fact Sheet provides the following information about the product:

1. Product description
2. Pack/Yield (number of servings in each unit)
3. Storage
4. Preparation/Cooking
5. Uses and Tips
6. Nutrition Information
7. Food Safety Information
8. Other Resources
9. Recipes

USDA Food Fact Sheets for TEFAP Programs are available at:  
<https://www.fns.usda.gov/usda-foods/household-product-information-sheets-and-recipes>

## D. USDA Recipes

Quantity recipes that utilize TEFAP foods can be found at:  
<https://www.choosemyplate.gov/myplatekitchen>

Additional recipes, tips, and ideas for preparing and serving USDA foods are available by contacting NCDA&CS Food Distribution Division.

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### III. ELIGIBILITY/AGREEMENTS

A. Soup Kitchens are eligible to participate in the food distribution program if the following criteria are met:

1. Agency must submit a letter of intent to the NCDA&CS FDD Director by email or mail with a brief description of their agency, location, number of meals served daily (breakfast, lunch, and/or dinner), average number of people served and the food program they are interested in participating.
2. Agency must provide congregate meals to people in need (not subjected to a means test).
3. Agency must maintain a non-profit status and public service and provide proof of 501(c)(3) tax exempt status
4. Agency must be registered in SAM.gov before receiving USDA foods. Effective April 4, 2022, the Federal government transitioned away from the use of the DUNS Number and toward the new Unique Entity ID as the primary means of entity identification for Federal awards government-wide. Agencies registered in SAM.gov will automatically be assigned a Unique Entity ID. SAM registration must be renewed annually to remain in active status.
5. Agency must have adequate dry, refrigerated and freezer storage facilities.

B. Soup Kitchens, upon meeting eligibility requirements, will be contacted by the NCDA&CS Grants & Contracts Coordinator who will prepare a contract and agreement packet for the agency to complete and return. Contract packets and instructions for completion will be emailed to the agency representative.

#### IV. USDA FOODS AVAILABLE

The types and quantities of food that USDA makes available varies per agricultural market conditions and preferences of States.

All the foods that USDA purchases must be certified by the USDA's inspection services to ensure they meet established specifications. Specifications for the quality of the foods purchased are continually updated. To support the recommendations addressed in the most recent edition of US Dietary Guidelines for Americans, USDA food specifications have been modified to reduce the fat, sodium and sugar content in foods procured. In addition, USDA has updated many food specifications also improve the cooking quality of foods available. In 2016, there were nearly 90 nutritious high-quality products available through TEFAP including canned, frozen & fresh fruits and vegetables, fresh & frozen eggs, meat, poultry, fish, milk and cheese, pasta products and cereal.

All USDA foods are made available on a "use without waste" basis. All USDA foods requisitioned and received ***must be used within six (6) months of receipt.***

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#### V. REQUISITIONING

##### A. Making Foods Available

USDA foods are purchased based on several factors such as market conditions and the amount, variety and cost of foods available.

##### B. Ordering USDA Foods

USDA informs NCDA&CS-FDD of actual or estimated quantities of specific foods expected to be available. Once this information is received, NCDA&CS FDD Household Programs Administrator emails the quarterly SKP-PAL (Planned Assistance Level) to all Soup Kitchen agencies. The SKP-PAL ordering process is completed electronically via an email link. The email link is specific to each individual agency. Agencies can select the quantity they wish to order or select the opt out option. Agencies are not mandated to order every quarter.

Soup Kitchen agencies should note the pack size of each case being requisitioned so that reasonable quantities of food are being requisitioned each quarter to supplement the needs of the congregate meal program. Before food is requisitioned, consideration should be given to the number of meals provided, customer acceptability, planned serving size, and available storage space. It is also recommended that agencies refer to the USDA fact sheet to determine the yield of the product. *For example, USDA peaches are packed 24/#300 cans per case. Per the [USDA Fact Sheet for peaches](#), one #300 can will yield 4-½ c. servings or 2 -1 c. servings. If providing ½ servings, one case will yield approximately 96 servings. If providing 1 cup servings, 1 cases of peaches will yield approximately 48 servings.* Agencies should remember that long term storage of USDA

food is not authorized, and that all product must be used within six months of receipt.

Agencies have the option to make changes to their SKP PAL food order requested until the catalog closes. Once the SKP PAL catalog closes it is the Soup Kitchen's responsibility to advise the NCDA&CS FDD Household Programs Administrator *in writing* of any changes that need to be made to their quarterly PAL submitted.

To avoid missing an opportunity to requisition quarterly USDA foods, it is imperative that any changes in agency contact information, including email addresses, be communicated, preferably by email, to the NCDA&CS FDD Grants and Contracts Coordinator.

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## VI. RECEIVING USDA FOODS

Soup Kitchens may receive USDA foods from a state warehouse, where the USDA foods have been received, stored, and have become available. The warehouse will send each agency an invoice via e-mail. The invoice will indicate the foods and quantities to be shipped, unit and total value of foods to be received, and the specific date, time and location where the foods requisitioned are to be picked up.

### A. Guidelines

General guidelines apply to Soup Kitchens receiving USDA foods:

1. The product being delivered is the product requested (including amount) and identified on the delivery ticket.
2. The product is in good condition – not damaged or spoiled. The receiving party should verify the type of foods, quantities received, and the condition of products before signing the invoice. If any food is questionable, products or portions thereof should be rejected or conditionally accepted. Every exception should be noted on the actual delivery document and signed by both the receiving party and the delivery person. NCDA&CS FDD should be notified immediately of any significant problems associated with the delivery.

### B. Shipments Through State Warehouses

The NCDA&CS-FDD will notify the Soup Kitchen of the amount of available USDA foods to be shipped from the state warehouse on the notice of delivery or invoice. Included in this notification will be estimated case value of the food, the arrival date, and type of storage required for the foods. To avoid problems during the delivery process, the Soup Kitchen and NCDA&CS-FDD should have a clear understanding of any special needs. The delivery notice or invoice indicates the location, date, and time to meet the

state-owned truck. **It is the responsibility of the agency (Soup Kitchen) to arrange to pick-up the USDA foods at the location and time designated by the state warehouse.** It is also the responsibility of the Soup Kitchen to be *on time* to pick up their foods. USDA foods not picked up will be returned to the state warehouse and put back into inventory. These foods will be recycled and returned to the Soup Kitchen at the next appointed delivery date, **if** the agency (Soup Kitchen) notifies the warehouse within **ten days**. Otherwise, the Soup Kitchen will no longer be entitled to the foods previously requisitioned.

Prior to the day of delivery, Soup Kitchen personnel should have necessary storage areas prepared to accept the delivery. Upon arrival, Soup Kitchen personnel should compare the invoice received to the delivery ticket carried by the truck driver. If the invoices are the same, unloading should proceed with the responsible Soup Kitchen employee verifying the number of cases received.

#### C. Unloading

During the unloading process, any damaged foods, out-of-condition foods, frozen foods with an indication of thawing, spoilage, or any indication of spillage or breakage must be noted. Foods with any indication of rodent or insect contamination should be refused. Any USDA food product quality or food safety issue should be investigated and reported to NCDA&CS-FDD at the time of delivery and noted on the delivery notice/invoice. This may be done by completing a [USDA Foods Complaint Form](#) found on our NCDA&CS Food Distribution webpage, <https://www.ncagr.gov/fooddist/>.

#### D. Inventory

As soon as foods are received, they should be moved into correct storage areas to ensure food safety, protect quality, and prevent theft. The food received should now be recorded into the perpetual inventory.

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### VII. STORAGE

The storage of USDA foods involves both storage conditions and storage practices. Soup Kitchen employees and volunteers should be aware of state and local health codes that need to be practiced to ensure food safety in addition to the USDA and NCDA&CS-FDD storage guidelines that follow.

#### A. Storage Conditions

Storage conditions are those factors that must be considered to prevent the premature deterioration of foods.



## B. Temperatures

1. To maintain quality, food must be stored at proper temperatures. Soup kitchens should refer to the [USDA information sheets](#) for each food and/or NCDA&CS-FDD invoice and for each USDA food storage temperature instructions.
2. Temperatures in freezers, dry storage, and refrigerators/coolers should be checked and recorded daily or more frequently when known or potential power losses have occurred. **It is required that freezers and coolers be checked and recorded seven (7) out of every seven (7) days when USDA foods are in storage.** It is *also recommended* that dry storage be checked and recorded seven (7) out of every seven (7) days including scheduled holidays and closures.

### **The Recommended storage temperatures are:**

<i>Freezer:</i>	<i>-10° F to 0° F</i>
<i>Cooler:</i>	<i>35° F to 39° F</i>
<i>Dry Storage:</i>	<i>50° F to 70° F</i>

## C. Storage Practices

Storage practices refer to the daily activities which maintain both USDA foods and storage areas in good condition.

1. First In, First Out (FIFO)

USDA foods should be stacked so that the foods with the oldest pack dates are in front and are used first. USDA foods, unlike many commercial foods, may have the pack date or contract number on the case. Although the cases are usually marked with a pack or best if used by date, the cases/cans should also be marked by receiving party as to the date received. **NOTE:** If food is taken out of the cases, the individual units (cans, boxes, etc.) should be marked with the pack date.

2. Stacking

- a. Stacks should not be so high as to cause bursting or crushing of the bottom layers.
- b. All USDA foods should be cross stacked to keep the stack solid and to allow air circulation.
- c. USDA foods should not be stacked near sources of steam or heat.

### 3. Protection of USDA Foods in Storage

- a. USDA foods should be checked regularly for signs of deterioration
- b. Inspections should be made regularly for torn sacks and broken cartons. If food is contained in torn sacks and broken cartons and is in good condition, it should be repacked; otherwise, it should be properly destroyed. (See Section VIII. Food Losses).
- c. Storage areas and freezers/coolers should be maintained in a clean and orderly manner.
- d. An effective preventive pest control program should be in place to prevent infestations. Monthly extermination treatments, preferably by a licensed company, are recommended; however, more often if sightings or infestation occurs.
- e. USDA foods should be stored away from pesticides, cleaning supplies and paper products.
- f. USDA foods should be stored so that they are secure from theft.
- g. Refer to storage guide codes listed on the [delivery notice/invoice](#) . Descriptions of storage code numbers are listed at the bottom of each delivery notice or invoice.

### 4. Air Circulation

- a. Air circulation is important to maintaining the safe temperature of foods in storage.
- b. USDA foods should be stacked on pallets or shelves at least six inches from the wall, six inches off the floor, and two feet ceiling clearance for circulation. Blowers should not be blocked by USDA foods.

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## VIII. FOOD LOSSES

Occasionally, Soup Kitchens will experience losses of USDA foods that were received in good condition. Generally, such losses will be due to inventory adjustments or due to theft, damage, infestation, or spoilage. Foods that become unusable (damage, swollen cans, and spoilage) frequently create sanitation problems. The NCDA&CS-FDD should be contacted immediately in such situations for guidance in dealing with the matter. Inspection of the food by health authorities or representatives of the NCDA&CS-FDD, or USDA may be necessary. Losses of either purchased foods or USDA foods, are expensive, and care should be taken to prevent them. When losses occur, it is the responsibility of the Soup Kitchen to demonstrate that reasonable efforts were made to safeguard foods.

## A. Loss Reports

1. When a USDA food loss occurs, it must be reported to NCDA&CS-FDD office. A claim number will be assigned and a form (USDA Food Loss Report) will be forwarded to the Soup Kitchen agency for completion. The report should include all information related to the loss along with an explanation of how the loss occurred. While some losses are unavoidable, some occur due to the lack of proper handling or management of the foods. Losses that could have been avoided may result in the Soup Kitchen being required to replace the food or pay for the loss.
2. For USDA food losses under \$500 per incident, the loss should be documented, the food properly disposed of, and the lost amount reduced from the inventory. **All USDA food losses \$500 and over must be reported to NCDA&CS-FDD.**

## B. Disposal of Out-Of-Condition Foods

1. Labels from cartons should be obliterated so that innocent people will not consume contaminated food.
2. Food should be adulterated so that it is no longer edible or fit for human or animal consumption. For example, bleach should be poured on the food.
3. Food can also be taken to a landfill and buried or burned. The Soup Kitchen must witness disposition of foods and obtain a receipt from the landfill operator as proof of proper disposal.

## D. Claim Determination

If negligence is determined, a claim will be assessed. Examples of negligent storage practices may include not monitoring and recording food storage temperatures as required, lack of preventive pest control to control infestation, improper storage of foods, and/or allowing foods to remain in inventory past the BIUB or expiration date. Bonus foods may be replaced with like or similar items at the discretion of NCDA&CS-FDD. In cases where it would not be practical to replace lost food, the Soup Kitchen may be required to pay the actual value of USDA food lost.

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## IX. INVENTORY AND UTILIZATION RECORDS

### A. Inventory Records

Soup Kitchens should maintain the following:

1. A [perpetual inventory](#) will be used for documenting when USDA foods are added or removed from storage.

2. A [monthly physical inventory](#) of all USDA foods placed in all storage facilities shall be maintained. This inventory record should be reconciled with the perpetual inventory monthly to ensure accurate balances. Both inventory records should be retained for five (5) years.
3. If any USDA foods are stored in commercial storage facilities, physical inventory of these foods is required. A contract containing specific criteria must be signed and dated by the respective Soup Kitchen and the commercial storage facility. The original contract is kept on file at the agency (Soup Kitchen) and a current copy of this contract must be on file at NCDA&CS-FDD, Butner office.
4. If the Soup Kitchen contracts with a food service management company, a physical inventory of USDA foods on hand at the company's production facility or other storage location is required. A contract containing specific information must be signed and dated by the respective Soup Kitchen and the food service management company. The original contract is kept on file at the agency (Soup Kitchen) and a current copy of this contract must be on file at the Food Distribution Division, Butner office.

The inventory report should give the names of all storage locations. Good inventory management procedures are necessary for the Food Distribution Program. NCDA&CS-FDD staff should be consulted for technical assistance in these management areas.

NCDA&CS-FDD staff will check the inventory reports for excessive supply levels. Where excesses exist, transfers will be arranged and/or future allocations will be reduced.

Soup Kitchen agencies can obtain a summary of USDA foods planned for shipment and USDA foods received 24/7 on line at: [www.ncagr.gov/fooddist](http://www.ncagr.gov/fooddist).

Once on the home page, look to the left of the page and you will see "[Get your 209 Report](#)". Select that option and the next screen comes up. This page requires you enter your RA code and a pin number. Once those two fields are entered, select login and your agency name will appear. Select "generate 209 report" for the fiscal year desired. *Please note the estimated ship date is not necessarily the actual delivery date.* The invoice emailed will reflect the actual date, time, and place of delivery. If you need assistance with obtaining the RA code or pin number for your agency, contact NCDA&CS-FDD or your Field Services Representative for assistance.

If assistance is needed with physical or perpetual inventory procedures or forms, please contact the Field Services Representative servicing your agency.

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## B. Transfer of USDA Donated Foods

1. Anytime a USDA food needs to be moved from one Soup Kitchen to another Soup Kitchen, a [Record of Transfer](#) is required. For assistance completing the Record of Transfer form, please contact your Field Services Representative or call the Butner office at (919) 964-6110.
2. Before a USDA food is transferred to another agency, it must be approved by NCDA&CS-FDD. Once approved, a transfer number is assigned by NCDA&CS-FDD. A transfer form is completed and arrangements are made to transfer USDA foods from one participating Soup Kitchen to another.

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## X. MONITORING

NCDA&CS-FDD Field Services Representatives will visit all Soup Kitchen Agencies on an annual basis to provide technical assistance and monitor program compliance relating to accountability and recordkeeping, utilization of USDA foods, food storage and inventory management, food safety, and adherence to Civil Rights policies. NCDA&CS-FDD will perform an Administrative Review of Soup Kitchen agencies every four (4) years. This review includes an evaluation all program areas relating to Soup Kitchen program administration and operations. Federal USDA representatives may also review and/or audit programs operating in NC.

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## XI. CIVIL RIGHTS COMPLIANCE

All agencies participating in the USDA Foods Program, including Soup Kitchens, are required to assure that recipients are not discriminated against because of race, color, national origin, age, sex (including gender identity and sexual orientation), age, disability, and reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA. Staff and volunteer training must be completed and documented annually. Civil Rights compliance will be evaluated at the same time as the program review. If there is a civil rights complaint, it should be reported immediately to NCDA&CS-FDD to be forwarded to USDA

(<https://www.usda.gov/sites/default/files/documents/usda-program-discrimination-complaint-form.pdf>).

Two important documents must be present during the serving of USDA foods. The most current USDA “[And Justice for All](#)” poster should be on display in clear view of participants, wherever food is being served. In addition, all faith-based organizations must also post the [Written Notice of Beneficiary Rights](#) poster in clear view to participants in the serving or dining area.

## XII. FOOD ALERTS

Although quality controls and inspections are in place, products sometimes find their way into the marketplace which may be suspected to cause a potential health hazard. Full cooperation is necessary at all levels (federal, state, and local) to identify and place a “**Hold**” on suspected products. Upon notifying USDA’s Regional Office of a food alert and receiving a response, NCDA&CS-FDD representatives will contact each Soup Kitchen with details and instructions.

When the food alert is over, The NCDA&CS-FDD will contact the Soup Kitchen with further instructions and/or any additional steps to be taken.

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## XIII. FOOD COMPLAINTS

As with any food business, companies will occasionally have complaints regarding their products. This is also true with USDA foods. If a Soup Kitchen experiences problems with foods such as a packaging issue (rusty cans, bags not sealed properly), foreign objects in the food, poor quality/texture of food, NCDA&CS-FDD should be contacted immediately. Before The NCDA&CS-FDD is contacted, the Soup Kitchen should gather all available information concerning the problem, such as the full name of the food, the nature of the complaint, the number of cases/bags involved, pack date, total number of cases in inventory, packer’s name, and NCDA&CS-FDD invoice number. Photos of the affected product are a great way to provide details about the issue.

The food in question should be *placed on hold* until it can be inspected and/or a decision made regarding what action should be taken. Depending upon the circumstances, every effort will be made to replace the food.

The USDA Food Complaint Form can be submitted electronically via <http://www.ncagr.gov/fooddist/>, located under at [USDA Complaint Form](#) or can be mailed to:

NCDA&CS-FDD,  
PO Box 659  
Butner, NC 27509-0659.

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#### XIV. CONTRACT CHECK-OFF FORM AND CONTRACT

To become eligible to receive supplemental USDA foods for congregate meals served to those in need, a contract must be completed with NCDA&CS-FDD and the agency must be registered and active in SAM.gov. The Recipient Agency's project title is *Emergency Food Assistance Program* (USDA foods only). The contract is funded by a grant from USDA, Food and Nutrition Service, in accordance with the "Catalog of Federal Domestic Assistance" (CFDA) number 10.569. Funds awarded under this contract must be used only for the purposes for which they are intended.

#### XV. ANNUAL REPORTING

Soup Kitchen programs are required to submit the Notice of Certain Reporting and Audit Requirements annually at the close of the current fiscal year. The document requests that the Soup Kitchen agencies verify the value of USDA foods received each year. The report requests the printed name and title of agency representative, and current agency contact information. Based on NCDA&CS-FDD records (209 report), the state agency will provide the Soup Kitchen agency with the total dollar value of USDA foods received at the close of fiscal year. If the agency agrees with the value of USDA food received, the authorized agency representative will sign, date, and submit the document as specified.

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