

**NORTH CAROLINA DEPARTMENT OF AGRICULTURE
AND CONSUMER SERVICES**

FOOD DISTRIBUTION DIVISION

**PERMANENT STATE PLAN OF PROGRAM OPERATIONS AND
ADMINISTRATION**

OF

THE EMERGENCY FOOD ASSISTANCE PROGRAM

NORTH CAROLINA DEPARTMENT OF AGRICULTURE & CONSUMER SERVICES

FOOD DISTRIBUTION DIVISION

Permanent State Plan of Program Operations and Administration of
The Emergency Food Assistance Program

The Food Distribution Division, as administering agency for The Emergency Food Assistance Program, will implement the procedures herein described.

This document represents our plan for the administration of The Emergency Food Assistance Program (TEFAP) in North Carolina. Under State law, and by agreement with the United States Department of Agriculture (USDA), the North Carolina Department of Agriculture & Consumer Services (NCDA&CS) is the distributing agency in North Carolina for USDA Donated Foods.

The State Plan provides:

I. State Agency Identification

North Carolina Department of Agriculture & Consumer Services - Food Distribution Division
(NCDA&CS-FDD)

Mailing address: Box 659
 Butner, NC 27509-0659

Location: 1015 Food Distribution Drive
 Creedmoor, North Carolina 27522

Telephone: (919) 964-6110

Fax Number: (919) 964-6134

Commodities allocated to RAs for household distribution are based on the counties number of participants with NC Food and Nutrition Services/Supplemental Nutrition Assistance Program (SNAP).

All counties in North Carolina receive TEFAP. The Food Distribution Division recognizes one lead agency per county to receive USDA commodities for household distribution. If the lead TEFAP agency in a county decides to relinquish the program, NCDA&CS will consider a recommendation from the local county government or county Department of Social Services if another eligible agency in the county wishes to assume the distribution of TEFAP. NCDA&CS will make the decision if the local county agency assumes the TEFAP distribution or will notify the Second Harvest Food Bank in the area to assume the distribution of TEFAP in the county.

The State and RA's will distribute TEFAP commodities in accordance with the priority system established based on the requirements outlined in 7CFR 251.4. Priority will be to distribute to EFO's (food banks, food pantries, soup kitchens and other feeding sites). Once all EFO needs are met, remaining commodities may be distributed to second priority level eligible recipient agencies which serve needy people, but do not relieve situations of emergency and distress.

II. Eligibility Criteria

The State eligibility criteria for the receipt of USDA foods by household are as follows:

- A.** Proof of Eligibility for participation in Supplemental Nutrition Assistance Program (SNAP); or
- B.** Completion of a signed application, Self-Declared Income Statement (*see attachment A*) requiring the total amount of household income to be below 200% of the current income poverty guidelines, according to the income eligibility scale provided annually by the North Carolina Department of Health and Human Services.
- C.** Mobile drive through distributions is recommended when possible, allowing participants to remain in their vehicles. An agency representative will be allowed to complete the application process with the participant one on one and the packages be brought out to the participants vehicle.

NCDA&CS FDD developed the attached TEFAP Application form (*see attachment B*) to be used for mobile distributions during the pandemic. This method will allow the assigned agency staff or volunteer to sign in place of the participant when receiving a TEFAP packet. Participant confidentiality will be maintained as no other participant will be able to view another participants information.

- D.** Ideally recipients must be a resident of the county where they are requesting commodities. Flexibilities regarding this policy allow participants to apply for assistance at a pantry site nearest their residence within the State.

The State eligibility criteria, as described above, will be specified in the program agreement between The Emergency Feeding Organization (EFO) and the State Agency (*see attachment C for TEFAP Agencies and attachment D for Soup Kitchen Agencies*).

III. Household Distributions and Distribution Rates

The State recommended distribution rate will be established by NCDA&CS

The State recommended distribution rate for distributing USDA foods to households is 1 for families of 1-3 persons and 2 for families of 4+. The rates will remain effective from July 1, 2000, or until revised as described in this section.

In addition, households will be permitted to refuse any part of an allotment that they do not intend to use.

IV. TEFAP Distribution System - Soup Kitchen

Soup kitchens receiving donated commodities serve predominantly needy persons. These agencies must be non-profit and apply for and be approved for their 501-C tax exempt letter. The Food Distribution Division allocates commodities to soup kitchens based on the agency's quarterly request.

Out of concern for public health and safety of agency representatives, volunteers and participants, Soup Kitchens have the option to serve meals in either a traditional congregate feeding area or via grab and go.

The State does not operate food pantries.

V. TEFAP Allocation System

EFO's who distribute to households are allocated commodities quarterly. These allocations are based on the counties number of persons who participate in the Supplemental Nutrition Assistance Program (SNAP) formerly known as food stamps. The participation rate for each county is updated annually using SNAP data retrieved from the NC Department of Health and Human Services Food and Nutrition Services. EFO's do receive reimbursement as indicated in VII.

Soup kitchens submit a request quarterly for the commodities they can use. They may request what amount they can use for the quarter without waste, they do not receive reimbursement.

VI. Monitoring System

The State's program monitoring system is as follows:

A. Staffing

The designated Regional Field Representative will conduct the on-site reviews and provide technical assistance. The State office will be responsible for staff coordination and correspondence with EFO's, as well as reviewer training.

B. Emergency Feeding Organization Reviews

EFO's with a signed contract with NCDA&CS will be visited annually. Site & Civil Rights Reviews will be conducted annually at 25% or more of the EFO's pantries in counties served.

Each EFO will receive an administrative review at least once every four years. EFO's are to have an active/signed *Emergency Feeding Organization to Sub-Distributing Agency*

Agreement Covering USDA Foods form (see Attachment E) for all TEFAP sub-distributing agencies on file and available for review.

EFO administrative reviews will include coverage of:

1. TEFAP applications if EFO distributes TEFAP foods directly from the warehouse or if EFO sponsors mobile distributions.
2. Examination of distribution records to ascertain that TEFAP foods are distributed fairly based upon need identified in each county served.
3. Food receipt, storage, and transportation practices, including records of same.
4. Reporting of food losses.
5. Procedures used for approving new sites and training new personnel.
6. A detailed review and verification of the most recent monthly report to the State Agency, including back-up documentation of: the number of households served, reporting and record keeping, civil rights, program costs, and inventory data, including the quantity of food distributed to households. Should this process reveal problems, additional reports and records will be reviewed.

C. Sub-recipient agencies Site Reviews

Of the sub-recipient agencies distributing TEFAP in the state, 25% of pantries served by the EFO in each county will be reviewed annually. The State Agency will select the sites required for review. When possible, site reviews will be conducted during the actual distribution when eligibility determinations are established and will include coverage of the records of same. If applicable, other program areas, such as food ordering, on-site storage practices, inventory controls, and disposition of damaged or spoiled product, will be evaluated during the site reviews. Site reviews will also ensure that sub-recipients agencies conduct and document annual Civil Rights training for staff/volunteers and display required public notifications.

D. Corrective Action Procedures

At the completion of each EFO review or distribution site review, an exit conference will be held with the responsible EFO official.

A copy of the review findings will be given to the EFO official at the exit conference, outlining (1) a description of the deficiencies and contributing factors and comments on program strengths, (2) specific recommendations for corrective action, and (3) the timetable for implementing corrective action. The EFO will be required to respond, in writing within a 10-day period, describing corrective action that has been or will be taken. The review will be closed in writing to the EFO within 30 days.

VII. State's Formula for Allocating Funds to EFO's

All EFO's are entitled to the same percentage of reimbursement which is based on a percentage of the total pounds of USDA Foods received for distribution each month. The percentage to be reimbursed is determined by the state agency based on administrative funds available. TEFAP and Bonus foods received will be reimbursed monthly unless otherwise communicated with contracting agency. Agencies will receive a Reimbursement Form at the end of each month that will include the total pounds of food received and the total amount to be reimbursed. Along with the reimbursement form

agencies will receive a detailed electronic TEFAP report at the end of each month including the foods received, delivery dates, invoice numbers, quantity, and pounds. Agencies will be required to complete the bottom portion of the reimbursement form with the direct and indirect expenditures as well as the number of households and persons served as it relates to TEFAP distributions.

The State agency will make not less than 40% of the Federal TEFAP allocated funds available to the EFO's, either by direct payments to the EFO's or payments on behalf of the EFO's on costs identified with TEFAP.

VIII. Description of State's Matching Contribution

The State Agency will meet the matching requirements by in-kind contributions.

IX. State Advisory Board

In compliance with Section 202A(b)(6) of the Emergency Food Assistance Act of 1983 (EFFA) effective December 20, 2018, NCDA&CS Food Distribution Division has a TEFAP Advisory Board. The TEFAP Advisory Board will consist of 11 members, which includes the NCDA&CS Food Distribution Director, Assistant Director, Household Programs Administrator, Field Services Administrator, and one Field Representative (will rotate off annually), and one representative from each of the six North Carolina Food Banks. The goal of the TEFAP Advisory Board is to allow the Emergency Feeding Organizations (EFO's) contracted to receive and distribute USDA Foods an opportunity to contribute and provide input regarding commodity preferences and needs of the EFO's.

X. TEFAP Farm to Food Bank Project

In compliance with the final rule entitled, The Emergency Food Assistance Program: Implementation of the Agriculture Improvement Act of 2018 (84 FR 52997), codified in TEFAP regulations at 7 CFR 251.6 and 251.10, the NCDA&CS FDD will be participating in the Farm to Food Bank Projects. Please see *Attachment F* for the State Plan Amendment for FY2024 Farm to Food Bank Projects.

ON BEHALF OF NCDA&CS FOOD DISTRIBUTION

Walter G. Barf

SIGNATURE

Director

TITLE

10-06-2023

DATE

ON BEHALF OF USDA FOOD AND NUTRITION SERVICE

SIGNATURE

TITLE

DATE

Attachment A –State Plan Amendment Template for FY 2024 Farm to Food Bank Projects

Date Submitted:

State Agency:

State Agency Point of Contact (POC):

POC Email:

POC Phone Number:

1. Provide a high-level summary (1-2 paragraphs) of the anticipated uses of the Farm to Food Bank Project funds. Please note that projects must meet the statutory definition of a Farm to Food Bank project (i.e., they must involve the harvesting, processing, packaging, or transportation of unharvested, unprocessed, or unpackaged commodities donated by agricultural producers, processors, or distributors, for use by emergency feeding organizations (EFOs)).

2. What types of agricultural commodities do you expect will be donated for this project(s) and who will donate them?

3. How will the project(s) reduce food waste at the agricultural production, processing, or distribution level through the donation of food?

4. How will the project(s) provide food to individuals in need?

5. How will the project(s) build relationships between agricultural producers, processors, and distributors and EFOs through the donation of food?

6. List all EFOs that will partner with the State agency to carry out the project(s), and describe the role of the EFO(s) in the project. You must list at least one EFO. You do not need to list all EFOs that will distribute Farm to Food Bank foods; only those that will carry out the project(s) in partnership with the State agency.

7. List any other State agency(ies) from other States that the State agency will partner with and describe the role of the other State agency(ies) in the project.

8. State the percentage of Farm to Food Bank Project funds that will be kept at the State level.

9. As per 7 CFR 251.10(j)(4), all Federal funds utilized for Farm to Food Bank Projects must be matched dollar-for-dollar by non-federal funds through a cash or in-kind contribution from either the State or partner EFOs. Please describe how the match requirement will be met for this project. If the match will be met in-kind, please provide a description of in-kind resources that will be used to meet the match.

10. Will the State agency accept its full initial allocation of FY 2024 Farm to Food Bank Funding, if available?

11. Is the State agency interested in receiving additional funding beyond its initial allocation of FY 2024 Farm to Food Bank Project, if available?

Yes

If yes/unsure, what is the maximum amount of additional funds the State agency is willing and able to accept while still meeting the match requirement? If unsure, please insert an estimated amount in the box below, and we will contact you to verify final funding totals prior to finalizing them.

Maximum amount of additional funding (in addition to what is estimated to be allocated in Appendix B):

OMB Disclosure Statement: Section 4018(b) of the Agriculture Improvement Act of 2018 (P.L. 115-334) amended Section 203D of the Emergency Food Assistance Act of 1983 to provide funding for TEFAP State agencies to pay for projects to harvest, process, package, or transport commodities donated by agricultural producers, processors, or distributors for use by emergency feeding organizations. These projects are known as Farm to Food Bank Projects. To be eligible for funds to carry out a Farm to Food Bank Project in FY 2024, TEFAP State agencies must submit an amendment to their State Plan to their FNS Regional Office which requires this information collection. This is a mandatory collection and FNS will use the information to allocate funding for such projects. The collection does not request personally identifiable information under the Privacy Act of 1974. According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0584-0293. The time required to complete this information collection is estimated to average 4 hours per response, including the time for reviewing instructions, gathering and providing the data needed, and completing, reviewing and submitting the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: U.S. Department of Agriculture, Food and Nutrition Service, Office of Policy Support, 1320

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Braddock Place, 5th Floor, Alexandria, VA 22314. ATTN: PRA (0584-0293). Do not return the completed form to this address.