



Food and
Nutrition
Service

Park Office
Center

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DATE: December 27, 2019

POLICY NO: FD-147: Child and Adult Care Food Program (CACFP), the Commodity Supplemental Food Program (CSFP), the Food Distribution Program on Indian Reservations (FDPIR), the Nutrition Services Incentive Program (NSIP), the National School Lunch Program (NSLP), and The Emergency Food Assistance Program (TEFAP)

SUBJECT: Cancellation of Policy Memoranda FD-010, FD-027, FD-028, FD-029, FD-032, FD-053, FD-055, FD-071, FD-073, FD-074, FD-083, FD-086, FD-087, FD-090, FD-105, and FD-115

In order to update and streamline policy guidance for the Child and Adult Care Food Program (CACFP), the Commodity Supplemental Food Program (CSFP), the Food Distribution Program on Indian Reservations (FDPIR), the Nutrition Services Incentive Program (NSIP), the National School Lunch Program (NSLP), and The Emergency Food Assistance Program (TEFAP), the Food and Nutrition Service (FNS) is cancelling Policy Memoranda FD-010, FD-027, FD-028, FD-029, FD-032, FD-053, FD-055, FD-071, FD-073, FD-074, FD-083, FD-086, FD-087, FD-090, FD-105, and FD-115. The guidance provided by these memoranda are either outdated, obsolete, or otherwise captured in more current memoranda.

The cancelled memoranda are as follows:

- Policy Memorandum FD-010 (CSFP), “Counting the Pregnant Woman’s Embryo or Fetus in Utero as a Household Member”, dated March 31, 2003, is cancelled. The information in this memorandum is applicable to pregnant women, which are no longer a population served in CSFP.
- Policy Memorandum FD-032 (CSFP), “Maximum Monthly Distribution Rates for Powdered Infant Formula”, dated May 20, 2008, is cancelled. The information in this memorandum applies to infant products, which are no longer provided in CSFP.
- Policy Memorandum FD-083 (CSFP), “Infant Formula – “Use-By” Date”, dated December 11, 2008, is cancelled. The information in this memorandum applies to infant products, which are no longer provided in CSFP.
- Policy Memoranda FD-027 (TEFAP), FD-028 (FDPIR), and FD-029 (CSFP), “Medicare Prescription Drug Card”, dated June 29, 2004, are cancelled. These memoranda are obsolete.
- Policy Memoranda FD-053, FD-071, and FD-105, “Setting Aside the Commodity Acceptability Reporting Requirement”, dated March 24, 2006, January 16, 2008, and April 13, 2010, respectively, are cancelled. These memoranda were

Guidance documents lack the force and effect of law, unless expressly authorized by statute or incorporated into a contract. USDA may not cite, use, or rely on any guidance that is not available through their guidance portal, except to establish historical facts.

applicable to CACFP, CSFP, FDPIR, NSIP, and NSLP. The reporting requirement addressed in these memoranda was removed in a regulatory update to 7 CFR Part 250.

- Policy Memorandum FD-055 (FDPIR), “Medicare Part D Prescription Drug Coverage Premium”, dated March 29, 2006, is cancelled. This memorandum has been superseded by Policy Memorandum FD-132.
- Policy Memoranda FD-073 (FDPIR) and FD-074 (CSFP and TEFAP), “Rebates from the Economic Stimulus Act of 2008”, dated March 31, 2008, are cancelled. These memoranda are obsolete.
- Policy Memoranda FD-086 (CSFP and TEFAP) and FD-087 (FDPIR), “Economic Recovery Payments to Recipients of Social Security, Supplemental Security Income (SSI), Railroad Retirement Benefits, and Veteran's Disability Compensation or Pension Benefits”, dated April 6, 2009 and April 7, 2009, respectively, are cancelled. These memoranda are obsolete.
- Policy Memorandum FD-090 (CSFP, FDPIR, and TEFAP), “American Recovery and Reinvestment Act of 2009 Increases to Unemployment Compensation Payments”, dated July 14, 2009, is cancelled. This memorandum is obsolete.
- Policy Memorandum FD-115 (CSFP, FDPIR, and TEFAP), “Provisions of the Tax Relief, Unemployment Insurance Reauthorizations, and Job Creation Act of 2010”, dated May 9, 2011, is cancelled. This memorandum is obsolete.

Please ensure that your State guidance is updated to reflect these cancellations. Citations must be updated to remove reference to the cancelled memoranda.

/s/ Original Signature on File

Laura Castro

Director

Food Distribution Division