



Food and
Nutrition
Service

October 26, 2015

Park Office
Center

3101 Park
Center Drive
Alexandria
VA 22302

SUBJECT: FMNP Policy Memorandum #2016-1
Updated Nondiscrimination Statement for Farmers' Market Nutrition
Program Materials

TO: Regional Directors
Special Nutrition Programs
All Regions

FMNP State Agency Coordinators
All Regions

This policy memorandum transmits changes from the Office of the Assistant Secretary for Civil Rights regarding the appropriate nondiscrimination statement to use on Farmers' Market Nutrition Program (FMNP) materials. This policy memorandum supersedes, Civil Rights Memorandum, *USDA Nondiscrimination Statement Update*, dated May 24, 2013, and the last issued FMNP Policy Memorandum 2010-1 dated April 15, 2010.

Per FMNP Regulations §248.7 (a), the State agency shall comply with the requirements of title VI of the Civil Rights Act of 1964, title IX of the Education Amendments of 1972, section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, Department of Agriculture regulations on nondiscrimination (7 CFR parts 15, 15a and 15b), and FNS instructions to ensure that no person shall, on the grounds of race, color, national origin, age, sex or handicap, be excluded from participation in, be denied benefits of, or be otherwise subjected to discrimination under the Program. Compliance with title VI of the Civil Rights Act of 1964, title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and regulations and instructions issued thereunder shall include, but not be limited to: notification to the public of the nondiscrimination policy and complaint rights of participants and potentially eligible persons.

FMNP State agencies are required to update FMNP related materials by the dates indicated in the attached memo.

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Regional Directors and FMNP State Agency Coordinators
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States that have questions regarding the attached memo should contact their respective Regional Civil Rights Director.

A handwritten signature in black ink that reads "Debra R. Whitford". The signature is written in a cursive, flowing style.

DEBRA R. WHITFORD
Director
Supplemental Food Programs Division

Attachment

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United States
Department of
Agriculture

Food and
Nutrition
Service

3101 Park
Center Drive

Alexandria, VA
22302-1500

October 14, 2015

Subject: Revised Equal Opportunity Public Notification Policy

To: Associate Administrators
Deputy Administrators
Regional Administrators
Staff Directors

On June 2, 2015, the Office of the Assistant Secretary for Civil Rights' Policy staff, released Departmental Regulation (DR) 4300-003, Equal Opportunity Public Notification Policy. The DR updates the Nondiscrimination Statement and the "*And Justice For All*" poster.

The DR, which includes the Nondiscrimination Statement language for our programs, can be found at: <http://www.ocio.usda.gov/policy-directives-records-forms/directives-categories/whats-new>. New "*And Justice For All*" posters are in the design/printing phase. Posters will be shipped directly to States when printed based on the orders received by each regional office in September. A timeline for distribution cannot be determined until printing commences.

Attached is the revised 2015 Nondiscrimination Statements (NDS) to be used for all FNS programs. All documents, pamphlets, websites, etc. should be updated as follows:

1. Websites must be updated by November 20, 2015;
2. Documents, pamphlets, brochures, etc. using NDS language prior to 2013 must be Updated by December 31, 2015;
3. Documents, pamphlets, brochures, etc. using 2013 NDS language should be updated when supplies are exhausted or by September 30, 2016; or
4. All new printing must use the 2015 NDS.

Please provide this information to your National and Regional Office program staffs and State and local agencies and subrecipients.

If you have questions, please contact Crystal Tolar, Chief, Compliance Branch, at: crystal.tolar@fns.usda.gov or your Regional Civil Rights Director.


David E. Youngblood, Director
Civil Rights Division

Attachment

USDA Nondiscrimination Statement

SNAP and FDPIR State or local agencies, and their subrecipients, must post the following Nondiscrimination Statement:

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 programs are prohibited from discriminating based on race, color, national origin, sex, religious creed, disability, age, political beliefs, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotope, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the [USDA Program Discrimination Complaint Form](#), (AD-3027) found online at: http://www.ascr.usda.gov/complaint_filing_cust.html, and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

- (1) mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410;
- (2) fax: (202) 690-7442; or
- (3) email: program.intake@usda.gov.

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USDA Nondiscrimination Statement (Continued)

For all other FNS nutrition assistance programs, State or local agencies, and their subrecipients, must post the following Nondiscrimination Statement:

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 programs 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.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

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- (3) email: program.intake@usda.gov.

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USDA Nondiscrimination Statement (Continued)

Joint Application Form (HHS)

This institution is prohibited from discriminating on the basis of race, color, national origin, disability, age, sex and in some cases religion or political beliefs.

The U.S. Department of Agriculture also prohibits discrimination based on race, color, national origin, sex, religious creed, disability, age, political beliefs or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

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1400 Independence Avenue, SW
Washington, D.C. 20250-9410
- (2) fax: (202) 690-7442; or
- (3) email: program.intake@usda.gov.

For any other information dealing with Supplemental Nutrition Assistance Program (SNAP) issues, persons should either contact the USDA SNAP Hotline Number at (800) 221-5689, which is also in Spanish or call the [State Information/Hotline Numbers](#) (click the link for a listing of hotline numbers by State); found online at: http://www.fns.usda.gov/snap/contact_info/hotlines.htm.

To file a complaint of discrimination regarding a program receiving Federal financial assistance through the U.S. Department of Health and Human Services (HHS), write: HHS Director, Office for Civil Rights, Room 515-F, 200 Independence Avenue, S.W., Washington, D.C. 20201 or call (202) 619-0403 (voice) or (800) 537-7697 (TTY).

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