United States Department of Agriculture

Food and Nutrition Service

3101 Park Center Drive
Alexandria, VA 22302-1500

DATE: March 12, 2008

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SUBJECT: Informational Memorandum on the Fresh Fruit and Vegetable Program (FFVP)

TO: Regional Offices
All Regions
Child Nutrition Programs

State Agencies
All States
Child Nutrition Programs

The purpose of this memorandum is to provide a summary of the information provided during our calls with Regional Offices (ROs) and State agencies (SAs) regarding implementation of the FFVP as established in The Consolidated Appropriations Act of 2008, P.L. 110-161. Along with the attached synopsis, we have included forms and other pertinent documents that may be useful especially to states just starting the FFVP.

We strongly encourage participating states to act as mentors for states new to the FFVP. States already participating have experience in program operations and their insights and experiences will be useful to states just starting the program. For example, participating states could provide any FFVP forms they are currently using, and/or share information about the process used for selecting schools. We also encourage our ROs to assist in any way they can to facilitate in the sharing of information between the states in their region. Finally, we encourage participating states to share successful strategies for working with partner organizations.

The information contained in this email, including attachments, is on the Child Nutrition Program website under the *Fresh Fruit and Vegetable Program*. Questions regarding program operations should be directed to Mara McElmurray at FNS headquarters, 703-305-2688, or email, Mara.McElmurray@fns.usda.gov. State agencies should ensure that their RO is copied on any email inquiries to headquarters so that everyone has the same information.

Original Signed

CYNTHIA LONG
Director
Child Nutrition Division

Attachments

Background

Child Nutrition and WIC Reauthorization Act of 2004 (Public Law 108-265),

P.L. 108-265, The Child Nutrition and WIC Reauthorization Act of 2004, authorized the FFVP as a permanent program in 11 states with annual funding of $9 million. The permanent program operates in the following 8 states and 3 Indian Tribal Organizations: Indiana, Iowa, Michigan, Mississippi, North Carolina, Ohio, Pennsylvania, Washington, Arizona Inter-Tribal Council ITO, New Mexico-Zuni-ITO, and South Dakota-Oglala Sioux Tribe ITO.

Appropriations Act of 2006, P.L. 109-97

P.L. 109-97, The Appropriations Act of FY 2006, appropriated $6 million to expand the program to 6 additional states: Connecticut, Idaho, New Mexico, Texas, Utah and Wisconsin. No additional funds were appropriated for these states in FY 2007.

The Consolidated Appropriations Act of 2008, P.L. 110-161

P.L.110-161, The Consolidated Appropriations Act of 2008, appropriated $9.9 million to expand the FFVP nationwide (37 remaining states). The Act also allowed FNS to reallocate $3.4 million of recovered FFVP funds to the six states under P.L. 109-97

School Selection Process

States currently not participating in the FFVP, (including Arizona and South Dakota) must select 25 schools (no more, no less). **It is important that each State begin the school selection process as soon as possible given the process can be lengthy.** The six states authorized under P.L. 110-161 have FFVP funds currently available and should start the program as soon as possible. Once schools are selected, states may choose to select all, some or no new schools in latter years. If the State agency elects not to select new schools, the enrollment figures still must be reviewed/adjusted each year.

Schools are to be selected according to the criteria in section 18(g) of the Richard B Russell National School Lunch Program. For your convenience, below is a summary of the criteria.

- To the maximum extent practicable, the majority of schools selected are those in which 50% or more of students are eligible for free or reduced price meals;
- Priority is given to schools that submit a plan for implementation of the program that includes
  - A partnership with one or more entities that provide non-Federal resources (including entities representing the fruit and vegetable industry) for the acquisition, handling, promotion, or distribution of fresh fruits and vegetables; or
  - Other support that contributes to the purposes of the program, such as nutrition education.
- Schools that are applying must provide a certification of support signed by the
  - school food manager,
  - the school principal and,
  - the district superintendent or equivalent position as determined by the school.

Funding Process and Life of the Funds

Fiscal Year 2008 Funds:

11 Permanent States $9 million:

- States operating under P.L. 108-265, received a prorated share, based on the enrollment of all participating schools, of $9 million on October 1, 2007, and will continue to receive FFVP funds in the same manner as authorized under this law.
- The period of performance is the federal fiscal year, October 1 through September 30.

6 States, $3.4 million:

- 6 states- FNS allocated approximately $3.4 million. States were notified of their prorated share of the allocation through emails in January from headquarters Financial Management Division.
- HQ's Grants Management Division has sent out an addendum to the current FFVP grant agreement. Please return the signed agreement to Leslie Byrd as soon as possible.
- The period of performance is January, 2008 through September 30, 2009.

37 States, approximately $9.9million:

- Funds will be distributed equally among 37 states. Each state will receive a one-time allocation of approximately $250,000.
- South Dakota and Arizona which participate as ITOs, will also participate with 25 additional schools.
- Funding for program operations will be disbursed through the Letter of Credit and schools may start expending funds July 1, 2008.
- July 1, 2008: States will receive a portion of their total allocated funds to start program operation for the first quarter of the school year. These funds will be closed out as of September 30, 2008.
- October 1, 2008: States will receive the remaining portion of their grant. These funds are available for the federal fiscal year, which ends September 30, 2009.

Guidance Material and Other Program Assistance

- The guidance manual and FNS prototype forms, program background and legislation for the FFVP are available on-line at http://www.fns.usda.gov/cnd/ffvp/ffvpdefault.htm. States may develop their own forms or may use forms from currently participating states. At a minimum, any newly developed Claim Form or State/Local agreement must incorporate data elements from the Prototype forms. The forms currently on-line are:
    - Claim for Reimbursement (or FFVP Performance Report)
    - Sample Food Service Director Letter
    - Sample School Profile Sheet
    - Sample State/Local agreement

  National Partners: **Center for Disease Control and Prevention** has served as a partner to the FFVP since the program started as a pilot, and their State level Fruit and Vegetable Nutrition Coordinators (or 5-A-Day) have worked closely with FFVP schools. Other national partners include National Cancer Institute,
  the American School Food Service Association, Produce for Better Health Foundation and United Fresh Fruit and Vegetable Association.

States and schools have also developed State level partnerships with their state Cancer Institute, American Heart Associations, and local businesses and grocery stores. Often times local and state organizations can provide free resources and are available for general program support. Attached by State, is a list of Fruit and Vegetable Nutrition Coordinators.

Program Oversight

The FFVP operates under the NSLP and as such all reporting, recordkeeping and monitoring requirements, as pertinent, apply. Please note that while the NSLP can provide different types of processed fruits and vegetables, such as frozen and canned, the FFVP requirements only allow fresh fruits, dried fruits and fresh vegetables.

State agencies have direct oversight of the FFVP. Responsibilities include:

- Selecting 25 schools using criteria established in law. States may also include additional criteria they would like their schools to meet.
- allocating FFVP funds to their 25 schools based on the enrollment of the 25 selected schools.
- Reviewing schools' claims for appropriate expenditures;
- ensuring appropriate addenda are added to the State/local agreements for operation of the FFVP.

Monitoring

When selecting schools for CREs or any oversight or monitoring activities, as possible, please ensure that at least one of the selected schools operates the FFVP. If reviewers are conducting any type of oversight activity in the same district as a FFVP school, please make every effort to review the FFVP school to assure this new program is operating properly.

Program Operations – Reporting

State Agencies:

- Financial reporting for the Fresh Fruit and Vegetable Program (FFVP) will be conducted via the Food Programs Reporting System (FPRS)
- SF-269As for the FFVP have been set up in FPRS for all states.
- In order to report FFVP SF-269(A)s in FPRS, individuals must request access by submitting the FNS-674 and addendum.
- States must also complete the FNS-4 for the CN-FFVP.
- South Dakota, Arizona, and New Mexico: have to submit 2 SF-269(A)s for FFVP –
    - one 269A for ITO schools. The new form in FPRS for ITO schools will be called **CN-FFVP-ITO** and be available soon.
    - one 269A for geographic State schools
- New states reporting FY 2008 expenditures will submit **blank** SF-269(A)s for 1st, 2nd, and 3rd quarters (please do not include zeros). (This includes SD and AZ with FFVP in geographic State schools.)
- Financial data will be submitted beginning 4th quarter for the 37 new states.

Recordkeeping
Please follow the same recordkeeping requirements for the FFVP as with other Child Nutrition Programs.

Please note that the CFDA number for the Fresh Fruit and Vegetable Program is 10.582.

Procurement and Buy American "Provision"
The FFVP is subject to the same procurement requirements that apply to any purchase from the nonprofit school food service account including the Buy American regulation and the prohibition against geographic preferences. State agencies should ensure that selected schools are aware of the procurement regulations.

Attachments/Resources:
Richard B. Russell National School Lunch Act, section 18(g)
Pertinent portion of The Consolidated Appropriations Act of 2008

Claim for Reimbursement (or FFVP Performance Report)
Sample Food Service Director Letter
Sample School Profile Sheet
Sample State/Local agreement

Financial Reporting Forms: FNS-269A, FNS-674, FNS-4
Financial Reporting: 269A Reporting Chart (from HQ FM)

FFVP Guidance manual
ME Guidance Section on FFVP

FFVP State agency contacts:
Center for Disease Control & Prevention, Division of Nutrition & Physical Activity, More Matters, State FV Coordinators