UNITED STATES DEPARTMENT OF AGRICULTURE

FOOD AND NUTRITION SERVICE

USDA FOODS IN DISASTERS MANUAL JUNE 2021

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Introduction

This manual explains the requirements of 7 CFR 250.69 and 250.70, for the use of USDA Foods in a Presidentially declared (i.e., major) disaster or emergency and situations of distress. It clarifies policy and procedures, incorporates lessons learned from past disasters and contains information to help State Distributing Agencies (DAs), including Indian Tribal Organizations (ITOs), plan for disasters or emergencies. The Food and Nutrition Service (FNS) recognizes that disaster events and DA responses to disasters vary widely. This manual is not designed to provide an exhaustive list of solutions. Rather, it is intended to help DAs create and implement a disaster plan that addresses their unique geographic, economic, and demographic circumstances, the disaster's nature, and the scope of the damage. This document provides detailed information on the use of USDA Foods for congregate feeding and disaster household distribution (DHD) in response to a major disaster, emergency, or situations of distress.

What is a Major Disaster, Emergency, and Situation of Distress?

The Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act, Public Law 100-707) provides the statutory authority for the Federal government to provide assistance, including nutrition assistance, to States and Indian Tribal Organizations (ITOs) during major disasters and emergencies.

A formal request for a major disaster declaration or emergency assistance must be made by a State Governor or Chief Executive of a tribal government to the President of the United States. When the President determines that Federal assistance is needed, based on the Federal Emergency Management Agency's (FEMA) evaluation and recommendation, a formal Presidential Major Disaster Declaration (MDD) or Emergency Disaster Declaration (EDD) is made, and resources of the Federal government become available to designated areas.

The Stafford Act (42 U.S.C. 5122) defines "major disaster" and "emergency" as follows:

- **Major disaster:** any natural catastrophe (including any hurricane, tornado, storm, high water, wind-driven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide, snowstorm, or drought), or, regardless of cause, any fire, flood, or explosion, in any part of the United States, which in the determination of the President causes damage of sufficient severity and magnitude to warrant major disaster assistance under the Stafford Act to supplement the efforts and available resources of States, local governments, and disaster relief organizations in alleviating the damage, loss, hardship, or suffering caused thereby.

- **Emergency**: any occasion or instance for which, in the determination of the President, Federal assistance is needed to supplement State and local efforts and capabilities to save lives and to protect property and public health and safety, or to lessen or avert the threat of a catastrophe in any part of the United States.

Federal Regulations at 7 CFR 250.2 define "situation of distress" as follows:

- **Situation of Distress:** a natural catastrophe or other situation that has not been declared a disaster or emergency by the President, but, in the determination of the Distributing Agency or FNS, warrants the use of USDA Foods to assist survivors of such a catastrophe or other event. Situations of distress may include, for example, a hurricane, tornado, flood, snowstorm, or explosion.

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Legislative and Regulatory Authority

The following laws and regulations govern the use of USDA Foods during disasters:

1) Sections 412 and 413 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act authorize the Secretary of Agriculture to distribute surplus USDA Foods and to use Section 32 funds from the Agricultural Adjustment Act Amendment of 1935 (PL 74-320), to purchase foods necessary to provide adequate supplies of food for use in any area of the United States in the event of a Presidentially-declared disaster or emergency.

2) Section 416 of the Agricultural Act of 1949 (PL 81-439) authorizes the Secretary of Agriculture to donate surplus USDA Foods to disaster survivors, subject to certain requirements.

3) Section 4(a) of the Agriculture and Consumer Protection Act of 1973 (PL 93-86) authorizes the Secretary of Agriculture to donate surplus USDA Foods to disaster survivors, subject to certain requirements.

4) Food Distribution Program regulations at 7 CFR 250.69 (Disasters) and 7 CFR 250.70 (Situations of distress) contain language implementing the above statutory authorities.

Overview of Disaster Response

During disasters, State and territory Governors, Tribal Chief Executives, and voluntary organizations active in disasters (referred to below as non-governmental organizations (NGOs)) are responsible for coordinating shelter and feeding programs through their State or local mass care and emergency management offices. Many disasters occur with little or no warning, thereby requiring that life-sustaining services be provided quickly to prevent additional suffering and loss of life. The Federal Emergency Management Agency (FEMA) National Response Framework is a guide to how the nation responds to all types of disasters and emergencies. Other Federal departments and agencies may also respond under their authorities to provide assistance to the affected community.

Within the FEMA National Response Framework, Emergency Support Function (ESF) #6 – Mass Care, Emergency Assistance, Housing, and Human Services coordinates the delivery of Federal mass care, emergency assistance, housing, and human services when local, Tribal, and State recovery needs exceed their capabilities. At the local level, government agencies, NGOs (for example the American Red Cross and Salvation Army), and the private sector coordinate ESF # 6 activities to meet disaster survivors immediate needs. When the impact of the incident exceeds local resources, the State may provide additional support. Resources from national-level NGOs and the private sector may augment local and State response capabilities. When these resources are insufficient, a distributing agency can request Federal assistance through the FEMA Regional Office.

Other Federal ESFs, including ESF # 3-Public Works and Engineering, ESF #8-Public Health and Medical Services, and ESF #11-Agriculture and Natural Resources, may supplement or support activities under ESF # 6, if activated at FEMA's National Response Coordination Center (NRCC) in Washington, DC or, depending on the geographic scope of the disaster, at a FEMA Regional Response Coordination Center (RRCC). ESF #6 works in concert with ESF #11; local, State, and Tribal governments; NGOs; and the private sector to acquire, prepare, cook, and/or distribute food and food supplies.

At the Federal level, ESF #11 organizes and coordinates Federal support to protect the nation's agricultural, natural, and cultural resources during national emergencies. ESF #11 provides supplemental nutrition assistance; responds to animal and agricultural health issues; provides technical expertise; coordinates and supports animal and

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agricultural emergency management; ensures the safety and defense of the nation's supply of meat, poultry, and processed egg products; and ensures the protection of natural and cultural resources and historic properties. FNS is the designated Federal agency for coordinating supplemental nutrition assistance under ESF #11 as outlined in the National Response Framework and the Response and Recovery Federal Interagency Operations Manual (FIOP). https://www.fema.gov/emergency-managers/national-preparedness/frameworks/response#esf

There are five components of ESF #11 at the Federal level that USDA's FNS, Agriculture Plant and Health Inspection Service (APHIS), and Food Safety and Inspection Service (FSIS), and the Department of the Interior (DOI) oversee:

1. Providing nutrition assistance: includes working with state agencies to determine nutrition assistance needs (congregate feeding; disaster household distribution (DHD)). **(FNS)**
2. Responding to animal and agriculture health issues. (APHIS)
3. Ensuring the safety and defense of meat, poultry, and processed egg products. (FSIS)
4. Providing technical assistance in support of animal and agricultural emergency management. (APHIS)
5. Protecting natural and cultural resources and historic properties. (DOI)

FNS has three primary methods to respond to the nutrition needs of people impacted by a disaster:

1. **Congregate feeding using USDA Foods**

During a major disaster, emergency, or situation of distress, distributing agencies can provide USDA Foods from current program inventories to disaster organizations for use in providing congregate meals in large quantities in group settings. Congregate feeding is typically provided in the immediate aftermath of a disaster when grocery stores may be closed and/or when people are staying in shelters. Congregate meals are served in a central location, such as schools, churches, community centers, or mobile kitchens. Additional information on congregate feeding using USDA Foods is provided throughout this manual.

2. **Disaster household distribution (DHD) using USDA Foods**

In certain limited circumstance, distributing agencies can also provide USDA Foods from current program inventories for distribution to households for home consumption following a major disaster, emergency, or situation of distress. In a DHD, USDA Foods are not prepared or consumed at a central location, rather, the foods are taken home by impacted individuals and families. DHD is typically provided for short periods of time following a disaster when traditional, commercial channels of food distribution are disrupted but when people have the ability to prepare foods. Additional information on DHD is provided throughout this manual.

3. **Disaster Supplemental Nutrition Assistance Program (D-SNAP)**

The Stafford Act provides the Secretary of Agriculture with authority to allow SNAP State agencies to operate a D-SNAP when affected areas have received a Presidential MDD for individual assistance and commercial channels of food distribution are available. D-SNAP is designed for situations where a large number of households have disaster-related expenses not considered by the regular program and where the need is so great that the vastly streamlined D-SNAP certification process is warranted. FNS approves State operation of D-SNAP benefits once grocery stores are operational and telecommunications and electricity have been restored. D-SNAP benefits are delivered on Electronic Benefits Transfer (EBT) cards, similar to regular SNAP benefits, and require telephones and electricity for redemption. Generally, States request and FNS approves operation of

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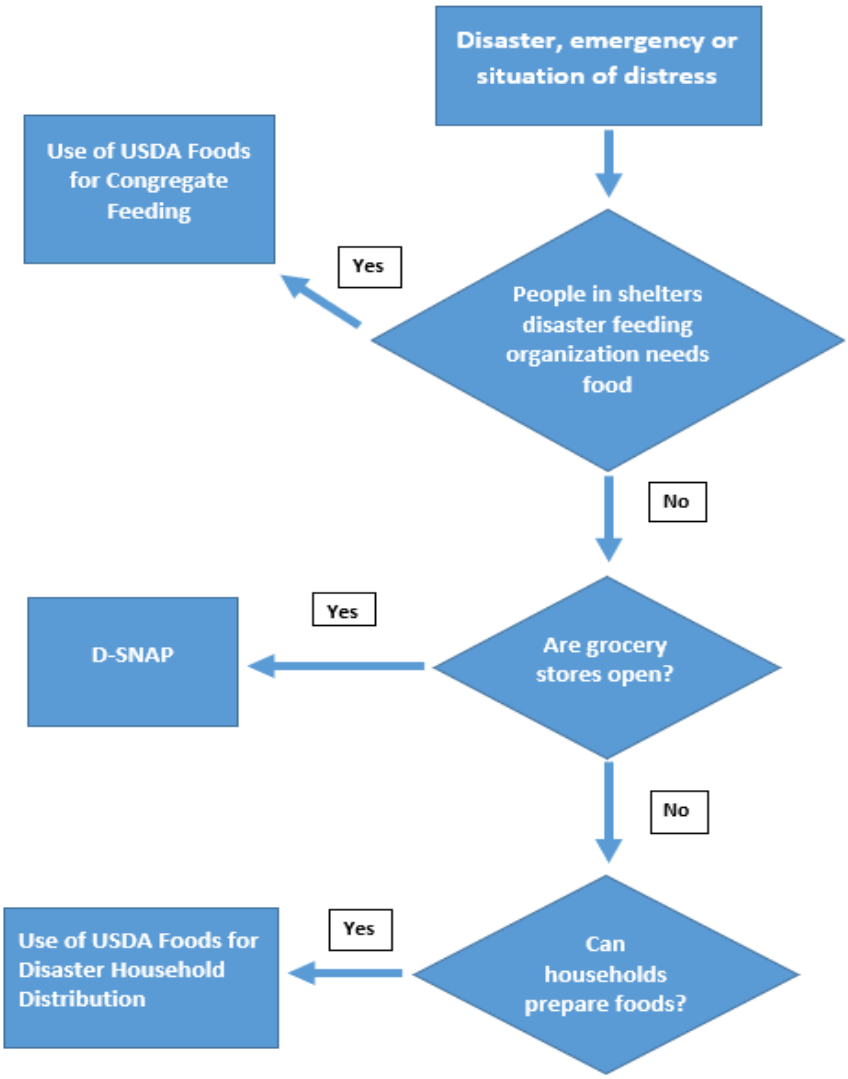
D-SNAP benefits a week or more after a disaster has occurred. D-SNAP benefits and USDA Foods DHD cannot be provided simultaneously to individual households. To ensure a process is in place to prevent disaster recipients from receiving both forms of assistance, the DA should coordinate with State SNAP Agencies and their FNS RO. For more information on D-SNAP, including guidance, tool-kits, and application forms: https://www.fns.usda.gov/snap/d-snap-resources-state-agencies-and-partners.

Determining type of response to meet the food needs of disaster survivors



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Key Points

DA Responsibilities for Using USDA Foods in a Presidential Major Disaster Declaration (MDD), Emergency Declaration or Situation of Distress

- Communication is key! Keep all stakeholders informed.
- Establish communications with the FNS Regional Office (RO) immediately when impacted by a disaster.
- Maintain emergency contact information, have a paper copy readily available, or digital copy on a memory stick or other means of portable storage.
- Be familiar with USDA Foods Disaster Handbook and have a paper copy readily available, or digital copy on a memory stick or other means of portable storage.
- Monitor FEMA website for Presidential MDD or emergency declarations.
- The DA has authority to provide USDA Foods from current inventories for congregate feeding.
- Contact FNS NO immediately to delay or reroute USDA Foods deliveries in disaster-impacted locations.
- Educate organizations at the local level on the availability of USDA Foods, and the recordkeeping and reporting requirements.
- Conduct annual training and networking with local disaster-feeding organizations.
- During a disaster, DAs, and Recipient Agencies (RAs) must continue offering USDA Foods as part of regular program operations (National School Lunch Program (NSLP), Child and Adult Care Food Program (CACFP), Summer Food Service Program (SFSP), The Emergency Food Assistance Program (TEFAP), Commodity Supplemental Food Program (CSFP), Food Distribution Program on Indian Reservations (FDPIR)).

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Summary of Requirements under Presidential Major Disaster or Emergency Declarations and Situations of Distress

USDA Foods can be used for disaster response both in situations that receive a Presidential declaration (either MDD or EDD) and in situations of distress which don't require a Presidential declaration. Additionally, the notification and approval requirements for using USDA Foods in situations of distress depend on whether the cause is a natural event or not. The following chart summarizes the key differences. Of important note, **FNS must always, at a minimum, be notified of the use of USDA Foods for disaster assistance and the period of time for which USDA Foods are requested.**

	Presidential Major Disaster or Emergency (7 CFR 250.69)	Situations of Distress (7 CFR 250.70)
Declaration	• Federal assistance is warranted.	• DA or FNS determines if assistance is warranted.
Congregate Feeding	• DA approves the use of USDA Foods for congregate feeding and the period of time that it is expected to be needed. • FNS pre-approval is not required. However, the DA **must notify** FNS that	• If the situation is a **natural event,** the DA may approve the use of USDA Foods for up to 30 days without FNS approval. result of a natural event, then **FNS pre-**
Disaster Household Distribution (DHD)	• The DA **must** obtain approval from FNS *before* a DHD is implemented.	• The DA **must** obtain approval from FNS *before* a DHD is implemented.

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	Presidential Major Disaster or Emergency (7 CFR 250.69)	Situations of Distress (7 CFR 250.70)
Replacement of USDA Foods	• Replacement is guaranteed. • FNS will replace USDA Foods in the amounts used, or in the amount of like USDA Foods received during the preceding year, whichever is less, from local/State inventories. • FNS will replace the value of the produce used from the USDA DoD Fresh Program and the bulk USDA Foods contained in further processed items. • FNS does not provide reimbursement for USDA Foods further processing fees. • Documentation and recordkeeping are required.	• Replacement is **not** guaranteed. • FNS will replace USDA Foods used in a situation of distress only to the extent that funds to provide for such replacement are available. • Documentation and recordkeeping are required.
Reimbursement of Transportation Costs	• The DA must submit an FSA-21 public voucher with documentation to FNS RO for costs incurred in transporting USDA Foods within the State, or from one State to another, for use in disasters. • FNS will review the request and reimburse the DA.	• The DA must submit an FSA-21 public voucher with documentation to FNS RO for costs incurred in transporting USDA Foods within the State, or from one State to another, for use in disasters. • FNS will review the request and reimburse the DA to the extent that funds are available.

Using USDA Foods for Congregate Feeding

A. Overview

USDA Foods can be used to provide congregate meals to disaster impacted people in group settings. Congregate meals are typically served in a central location, such as schools, churches, community centers, or mobile kitchens. It is important for the DA to communicate with recipient agencies (RA), especially schools as they are often used as a site for congregate feeding during a disaster, emergency or situation of distress. RAs need to be trained on the DA's disaster plan, their responsibilities, the role of USDA Foods, how to request approval for the use USDA Foods, and reporting and recordkeeping requirements.

During a pandemic, to ensure social distancing, congregate to-go meals may be provided to people in non-congregate shelters, such as hotel/motel or dormitories, for people to eat where they are staying.

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While any available USDA Foods can be used for congregate feeding, school food inventories are generally the most appropriate option because they are available in institutional sized packaging, such as #10 cans, that is most suitable for mass feeding. USDA Foods from school inventories are also often co-located with school kitchen facilities which can be used to prepare and serve congregate meals. In Tribal communities, the use of USDA Foods from the Food Distribution on Indian Reservations (FDPIR) may also be considered for congregate feeding.

Congregate meals containing USDA Foods can also be provided to disaster relief workers that are directly engaged in providing relief assistance at congregate meal sites. There are no limits to the number of relief workers who may be served and they may receive meals as long as congregate feeding is provided. However, USDA Foods may not be used to feed those who are not directly engaged in providing relief assistance at congregate meal sites and may not be provided only to workers in lieu of disaster survivors.

B. Approval and Notification Requirements for Congregate Feeding

Under a Presidential MDD or EDD or under a situation of distress that is a result of a natural event (e.g., hurricane, flood, snowstorm) **FNS pre-approval is not required** for the DA to provide USDA Foods from current inventories to a disaster organization for use in congregate meals for persons in need of food assistance. However, the DA **must notify** the FNS Regional Office (RO) that USDA Foods are being used in this way and must notify the FNS RO of the period of time that assistance is expected to be needed. The FNS RO then notifies FNS National Office (NO).

In the case of a Presidential MDD or emergency declaration, the DA may extend congregate feeding as needs dictate but must notify FNS RO of extensions. For a situation of distress caused by a natural event, congregate feeding may be provided without FNS approval for a period **not to exceed 30 days**. In this situation, the DA may extend congregate feeding beyond this 30 days if needed, but must FNS approval is required.

USDA Foods can also be used for situations of distress not caused by a natural event (e.g. an explosion). However, **FNS pre-approval must be obtained** to use USDA Foods for congregate feeding in these types of situations.

C. How Disaster Organizations Request USDA Foods for Congregate Feeding

The DA is responsible for coordinating and approving the use of USDA Foods for disaster response, including obtaining FNS approval when needed. Before USDA Foods can be used by a disaster organization for congregate meals, the DA must review and approve the organization's application to use USDA Foods for disaster feeding.

Applications to use USDA Foods for congregate feeding must include the following information to the extent possible:

Required Information for a Disaster Feeding Organization's Application for Use of USDA Foods for Congregate Feeding
• A description of the disaster situation; • The number of individuals requiring meals; • The period of time for which meals are being requested; • The quantity and types of food needed; and • The number and location of sites providing meals (to the extent that such information is known).

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The DA has the authority to approve, deny, and/or modify the request. The determination for the duration of USDA Foods for congregate feeding should be made with consideration of the food assistance needs.

When notifying FNS of the use of USDA Foods for congregate feeding (or when obtaining approval for situations of distress not caused by a natural event), DAs should provide the specific details from the disaster organization's application.

Using USDA Foods for Disaster Household Distribution (DHD)

A. Overview

Subject to FNS approval, USDA Foods may be provided to disaster impacted households for home consumption. This is referred to as disaster household distribution (DHD). DHD provides additional food for a short period of time to bridge the gap until longer-term assistance becomes available.

While any available USDA Foods can be used for congregate feeding, inventories from The Emergency Food Assistance Program (TEFAP) are most commonly drawn on for DHD. This is because these foods are typically available in package sizes appropriate for home consumption. TEFAP foods are also generally the most readily available at food banks, food pantries, or other similar organizations. In Tribal communities, the use of FDPIR foods may also be considered.

It is important for the DA to communicate and train the RAs on the DA's disaster plan, the RA's responsibilities, the role of USDA Foods, how to request approval for the use USDA Foods, and reporting and recordkeeping requirements.

As with congregate feeding, DAs are responsible for coordinating and overseeing DHDs. However, **FNS pre-approval is always required before USDA Foods can be used for DHDs.**

B. Considerations for Planning a DHD

FNS recommends that DAs primarily draw on USDA Foods from TEFAP inventories for DHD operations. FDPIR or CSFP food inventories may also be used depending on the needs of the disaster organization, the scale of the disaster, and current USDA Food inventories.

Before requesting the use of USDA Foods for DHD, the DA should assess current USDA Food inventories to ensure that ongoing distribution of TEFAP, CSFP, and/or FDPIR will not be disrupted. **During disasters, emergencies, or situations of distress, it is expected that DAs will continue to operate normal TEFAP, CSFP, and FDPIR distribution.**

FNS will consider approval of a DHD, if all of the following circumstances exist in the disaster area:

1. Commercial food distribution channels are disrupted.
2. Congregate feeding is not practical or is expected to be inadequate to meet the needs of affected households.
3. Households are sheltering in place at home or where they are staying and are in need of food.
4. The disaster feeding organization can efficiently and effectively accept USDA Foods, effectively store them, and distribute them to households.

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C. How to Apply to Use USDA Foods for DHD

If the DA determines that a DHD is necessary, the DA must submit an application to its FNS RO for review. The FNS RO will review the request to ensure all required information is included and will provide technical assistance as needed. The FNS RO will then send the application to the FNS NO for final approval. See Attachment 1, **STATE/ITO REQUEST FOR DISASTER HOUSEHOLD FEEDING**

Applications to use USDA Foods for DHDs must include the following information to the extent possible:

Required Information for DA or Disaster Organization's Application for Use of USDA Foods for DHD
• A description of the disaster situation; • The number of individuals requiring assistance; • The period of time for distribution; • The quantity and types of food needed (e.g. a description of a planned food package, including its size); • The number and location of sites providing DHD; • An explanation of the need for DHD; • Method(s) of distribution; • A statement assuring that D-SNAP benefits and DHD USDA Food assistance will not be provided simultaneously to individual households, and a description of the system that will be implemented to prevent such dual participation.

D. Operating DHD concurrently with D-SNAP

D-SNAP benefits and USDA Foods DHD cannot be provided simultaneously to individual households. However, on occasion there may be a need to operate DHD and D-SNAP simultaneously within a State. When this occurs, disaster organizations operating DHD must collect certain information from households receiving USDA Foods.

Accordingly, when D-SNAP benefits have been approved in the same area as DHD, the DA must ensure that the following information is collected from households receiving USDA Foods DHD:

1. The name and address of the household members applying for assistance;
2. The number of household members; and
3. A statement from the head of household certifying that the household is in need of food assistance, is not receiving D-SNAP benefits and understands that the sale or exchange of USDA Foods is prohibited.

The DA must collect this information from disaster organizations distributing DHD.

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Reporting and Recordkeeping Requirements for Congregate Feeding and DHD

A. Reporting

Before using USDA Foods in response to a disaster event, it is important for the DA, RAs and voluntary disaster organizations to know and understand the reporting and recordkeeping requirements for the use of USDA Foods in disaster assistance. To help DAs track the amount of USDA Foods being distributed during a DHD the DA should provide the FNS RO on a weekly basis, beginning the first week of distribution, an estimate of: 1) the amount of USDA Foods used by product category; 2) the number of persons served under DHD by county and 3) the estimated USDA Foods inventory remaining by product category.

DA are required to report to FNS using the ***FNS-292A, Report of Commodity Distribution for Disaster Relief,*** the following information:

- **County** where USDA Foods are used in congregate meals or household distribution;
- **Total number of persons** receiving USDA Foods;
- **USDA Foods material code** and description, **number of cases** of USDA Foods used; (for example: 110541, Applesauce, Unsweetened, Canned – 3 cases)
- Indicate (Yes or No) if requesting replacement of USDA Foods.

The DA must submit the FNS-292A in the Food Programs Reporting System (FPRS) within 45 days following the end of disaster feeding assistance. Per 7 CFR 250.69(f) and 250.70(f), reporting the use of USDA Foods in a disaster is required even if the DA is not requesting the replacement of USDA Foods.

If a specific USDA Food is not listed in FPRS, contact FNS NO, Food Distribution Division's Program Integrity & Monitoring Branch.

DA staff should verify that they have access to FPRS and specifically the FNS-292A form before a disaster event. To request access to FPRs, submit an FNS-674, *System Access Request* form to: FPRS.Access@usda.gov

FPRS Help Desk: FPRS.Support@usda.gov or 866-336-3777 (8:00 am- 5:00pm EST).

B. Recordkeeping

All applications, extension requests, and approvals from disaster organizations, distributing agencies, and FNS should be submitted and responded to in writing if circumstances permit or confirmed in writing in a timely manner. All such records must be maintained in the appropriate DA, and FNS NO and ROs for three years plus the current year, as required by 7 CFR 250.19(b).

Replacement of USDA Foods used for Congregate Feeding or DHD

FNS will replace USDA Foods that are used for disaster congregate feeding or FNS-approved DHDs within Presidentially-declared disaster or emergency areas. FNS does not guarantee replacement of USDA Foods used for disaster response during situations of distress; however, FNS may replace these foods if sufficient funding is available.

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When completing the ***FNS-292A, Report of Commodity Distribution for Disaster Relief***, the DA should indicate if it is **requesting replacement** of USDA Foods. On the FNS-292A, the DA should include the USDA Foods taken from DA and local agencies' inventories and combine those amounts to report the total pounds of USDA Foods used for disaster assistance. This may include USDA Foods direct delivery products, produce from USDA DoD Fresh, further processed end products, and household program foods from TEFAP, FDPIR, or CSFP.

The DA may request replacement of foods used from inventories in which USDA Foods are comingled with other foods (i. e., at storage facilities of RAs utilizing single inventory management), if the RA received USDA Foods of the same type as the foods used during the year preceding the onset of the disaster assistance. FNS will replace such foods in the amounts used, or in the amount of like USDA Foods received during the preceding year, whichever is less.

USDA Foods that are further processed by a food manufacturer may be used for disaster feeding. However, FNS cannot reimburse the DA or the RA for processing fees or additional ingredients other than the bulk USDA Food contained in the further processed end product. DAs should take this into account when determining whether to release further processed end products for disaster feeding. Refer to the processor's Summary End Product Data Schedule (SEPDS) for the quantity of USDA Foods used to produce each case of further processed end products. This information should be reported on the FNS-292A. **See Attachment 3 for an example of a completed FNS-292A**.

Fruits and vegetables from the USDA Department of Defense Fresh Fruit and Vegetable Program (USDA DoD Fresh Program) may be provided to disaster organizations for congregate feeding and disaster household distribution. The total dollar amount and quantity of fresh produce used during the disaster should be reported on the FNS-292A. **See Attachment 3A for an example of a completed FNS-292A**.

Reimbursement of Transportation Expenses

Under Presidentially declared disasters or emergencies, FNS will reimburse DAs for the cost of transporting USDA Foods within the State or from on State to another for use in disaster response. In the case of situations of distress, USDA may reimburse these costs provided that sufficient funding is available.

Requests for reimbursement of transportation costs should be submitted to the FNS RO using an FSA-21 Public Voucher with appropriate justification and documentation attached. Documentation should include delivery receipts detailing the quantity and description of the USDA Foods, the addresses of the delivery locations and mileage. The FNS RO will review the documentation and forward it to FNS NO for reimbursement.
FSA-21 Public Voucher: https://www.fns.usda.gov/forms/public-voucher-commodity-programs

Other Common Questions Related to USDA Foods Disaster Response

A. What if USDA Foods are left over at a disaster organization?

Once USDA Foods have been released to a disaster organization for use in congregate feeding or DHD, any USDA Foods not used should remain with the disaster organization. Due to food safety concerns, these foods should not be returned as the DA no longer has control over how the food was handled and stored. Care should be taken to only send the disaster-feeding organization the amount of USDA Foods they plan to utilize.

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B. Will USDA replace non-USDA Foods used for disaster response?

FNS does not have the authority, or resources, to replace non-USDA Foods used for disaster assistance. These requests should be directed to the State disaster office for possible reimbursement by FEMA.

C. Will USDA replace USDA Foods that are lost during a disaster?

FNS does not have the authority to replace foods that are lost, destroyed, contaminated, or rendered unusable as a result of a disaster or emergency. The distributing and recipient agencies should develop a procedure for isolating contaminated products and document and discard/destroy any food that has been contaminated or spoiled during a disaster in accordance with local, state, and federal requirements.

Federal regulations at 7 CFR 250.12(d) require that the DA must obtain insurance to protect the value of USDA Foods at its storage facilities and ensure that sub distributing agencies, RAs with an agreement with the State agency or sub distributing agencies, and commercial storage facilities under contract with the DA also obtain insurance. See Policy Memorandum FD-139, Clarification on Inventory Protection Requirements, for further information on DA insurance requirements. Agencies may wish to contact their insurance providers to file a claim for lost foods. The DA should also contact FEMA for possible assistance.

What to Do When USDA Food Deliveries Are Impacted By Disasters

During a MDD, emergency or situation of distress, roads or bridges may be impassable and warehouses may be closed. DAs may need to redirect incoming USDA Foods loads to a different location, or delay deliveries due to the impact of the disaster. FNS NO works with the Agricultural Marketing Service (AMS) on requests for changes in destinations, expedite, delay, or cancel incoming USDA Food loads. The DA may request changes to loads based on the needs of the areas impacted by the disaster. In most cases, any changes the DA requests for loads not yet purchased can be made in Web-Based Supply Chain Management (WBSCM) by the FNS NO. Once loads are in *Approved by SPAgency*, *On Invitation*, or *Purchased* status in WBSCM, changes require AMS assistance. Contractually USDA Food vendors cannot make changes to the destination or delivery time frame without AMS's concurrence. These types of changes require AMS to make a contract/purchase order modification. It is important to remember that changes to a load cannot be guaranteed.

DAs should gather all information required before contacting FNS RO to request a modification to an incoming load of USDA Foods. If the request is to expedite or delay a load, at a minimum, the DA needs the Sales Order Number and the new date for delivery. For a change to the destination, the DA needs the Sales Order Number and the address of the new destination. The DA should notify FNS RO of any significant road or warehouse closures so FNS RO can notify FNS NO. FNS NO will inform AMS so they can update the vendors. Vendors may need to make changes to transportation logistics. The disaster may also result in a vendor notifying AMS that a scheduled delivery cannot be made. AMS then notifies FNS, who will notify the DA of delivery delays.

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Key Points **Contract /Purchase Order Modification of USDA Food Deliveries**
Information needed for contact modification: o Sales Order Number o New delivery date (Delays or Expedite) ***New Destination:*** o New Ship-To ID o New Ship-To Name o New Ship-To Physical Address (Street, City, State. and Zip Code

Planning for Disasters

While not required by FNS regulations, the DA should develop a plan to be prepared in advance of a potential disaster, emergency, or situation of distress. The DA's disaster response plan should lay out the processes, protocols, and roles and responsibilities of each stakeholder involved in the disaster response. The disaster plan needs to be flexible and adaptable so that the response is appropriate to the disaster, emergency or situation of distress. The plan should be reviewed at least annually to ensure it accurately describes and includes the responsibilities of all stakeholders. The planning and preparation continue even after the disaster. The DA should conduct annual mock disaster/emergency exercises to evaluate the effectiveness of the disaster plan. After a disaster it is important to discuss the lessons-learned, effective practices and what could be improved. Then, if needed, modify the disaster plan and train staff on the revised plan.

It is also important to maintain emergency contact lists and routinely verify that contact information is up-to-date and distributed to the disaster response team. Emergency contact information should include work, home, cell, after-hours and backup information, and e-mail addresses so that contacts can be reached during a disaster response.

Tips for DA Disaster Planning

- Develop a disaster and communication plan, early and frequent communication is critically important.
- Establish a disaster response team.
- Establish and maintain a list of emergency contacts.
  - https://www.fema.gov/emergency-management-agencies
  - State Emergency Management Agency
  - State Emergency Support, ESF #6 Mass Care coordinator and ESF #11 Agricultural and Natural Resources Coordinator
  - FNS RO Disaster Coordinators for food distribution and SNAP
  - Warehouses managed or contracted
  - Feeding organizations such as the American Red Cross and Salvation Army
  - Local agencies, including schools and food banks
- Become familiar with State's Emergency Operations Plan and multi-agency feeding plan, and FNS RO disaster team.
- Develop relationships with State Emergency Management contacts (ESF #11 and ESF #6).
- Contact local disaster organization responsible for coordinating congregate feeding in you your state, develop a relationship, maintain contact information, share your disaster plan.
- Know and understand the role of USDA Foods in disasters, emergencies, and situations of distress.

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- Develop a process for disaster organizations to request the use of USDA Foods.
- Annually provide training for DA staff, RAs, and partners at the State and local government level and all applicable non-governmental organizations on the disaster plan and USDA Foods' role, how to request approval to use USDA Foods, reporting and recordkeeping requirements.
- Provide a current inventory of USDA Foods for the potential disaster area.

Tips for Recipient Agencies (RA) Planning

- Establish a disaster response team.
- Develop a disaster and communication plan.
- Annually update plan.
- Establish recordkeeping procedures.
- Identify and develop relationships with DA contacts and local disaster organizations.
- Become familiar with the approval process for using USDA Foods in disasters.
- Establish/maintain/update emergency contact information for all key players.
- Coordinate and communicate all necessary information with partners at your State and local government level and with non-governmental organizations.
- RAs should provide training for applicable staff on the disaster plan and USDA Foods' role.
- Compile USDA Foods inventories information.

Roles and Responsibilities during a Disaster

Establishing and maintaining effective disaster communications and information systems is critical in coordinating a disaster feeding response and restoring essential food distribution operations. During a disaster, DAs should deploy and integrate their disaster response team with local, state, and Federal disaster teams to better coordinate disaster relief efforts. States should also provide communication to the public about available resources and frequently communicate with FNS, State Emergency Management Agency contacts, and local agencies.

Distributing Agency (DA)

- Stay informed - pay attention to emergency information and alerts—Monitor local news and weather reports.
- Maintain RA emergency contact lists to include work phone numbers, cell numbers, and e-mail address of SDA disaster personnel.
- Provide emergency SDA contact information to key RA personnel.
- Request USDA Foods inventories from RAs and state-contracted warehouse(s).
- Prepare and send disaster household feeding request to FNS RO, if applicable.
- Acknowledge receipt of FNS DHD decision, if applicable.
- Communicate disaster feeding plan (congregate and DHD) to RAs.
- Prepare a communication plan for disaster feeding activities:
    - Work with DA public affairs staff to ensure that the public is aware of the feeding locations, dates, and times.
- Communicate with the State SNAP office to coordinate feeding efforts.
- Participate in daily conference calls with the State EOC and provide conference call information to the FNS RO.

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- Request and receive daily updates on sheltering information, including but not limited to locations and estimated people served.
- Provide daily updates to FNS RO.
- Coordinate with state emergency response agencies, non-governmental organizations (NGOs) such as American Red Cross and Salvation Army, and FNS RO.
- Work with recipient agencies (RAs), such as school food authorities (SFAs), and food banks and state-contracted warehouses.
- Assess current inventories of USDA Foods to determine the availability of USDA Foods for use in disaster response for congregate feeding or disaster household distribution.
- During a disaster, DAs and RAs must continue to offer USDA Foods as part of regular program operations (NSLP, CACFP, SFSP, TEFAP, FDPIR, and CSFP).
- After a disaster conduct an after-action to critique and evaluate actions taken during the disaster.

Recipient Agency (RA)

Local schools, food banks and pantries are often at the center of emergency response activities, working with local, state, and federal agencies to bring relief to those in need. It is important that these operators create and implement proactive and comprehensive emergency preparedness policies and procedures. Prompt and effective response in the face of a disaster, emergency, or situation of distress requires a thorough plan. Stay informed - pay attention to emergency information and alerts—Monitor local news and weather reports.

- Maintain emergency contact lists to include work numbers, cell numbers, and e-mail address of designated disaster personnel and central office administration.
- Provide emergency RA contact information to essential DA personnel.
- Assess current inventories of USDA Foods that may be needed to supplement non-governmental organizations and state emergency response agencies. Report USDA Foods inventories to DA if requested.
- Provide location, dates, and times for disaster feeding to the DA.
- Provide daily updates on sheltering populations, if applicable.
- Report USDA Foods used for disaster feeding (congregate and DHD) to DA.
- If requested, participate in calls with DA to provide local updates.
- .Before a disaster develop and maintain relationships with your State and community partners, so you know who to contact when a disaster event occurs.
- After a disaster conduct an after-action to critique and evaluate actions taken during the disaster.

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Disaster Feeding Checklist: Congregate and DHD

The purpose of this checklist is to assist all stakeholders when a disaster, emergency, or situation of distress occurs. To ensure each stakeholder is prepared before, during, and after a disaster event, the checklist below will assist in disaster preparation and facilitate communication coordination during a disaster event.

1) FNS Regional Office (RO)

- ☐ Request updates to DA emergency contact list
- ☐ Request and review USDA Foods inventories from impacted State DA(s)
- ☐ Send USDA Foods inventories to FNS NO
- ☐ Participate in daily conference calls with the State Emergency Operations Center (EOC)
- ☐ Daily conference calls/meetings with internal RO disaster coordinators and senior management
- ☐ Summarize daily updates from DA and send them to the RO disaster coordinator
- ☐ Send daily updates to OEM and FNS NO
- ☐ Review DA applications for disaster feeding for completeness and accuracy before sending to the NO

2) Distributing Agency (DA)

- ☐ Update local Program operators emergency contact list
- ☐ Compile USDA Foods inventories
- ☐ Send USDA Foods inventories to RO
- ☐ Contact FNS RO immediately to delay or reroute USDA Foods deliveries in disaster-impacted locations.
- ☐ Submit application for disaster feeding, if needed.
- ☐ Daily conference calls with the State Emergency Operations Center (EOC)
- ☐ Daily conference calls/meetings with internal DA disaster coordinators and senior management
- ☐ Summarize daily updates from local program operators and send them to RO. To include:
  - Number of open shelters
  - Location of shelters
  - The population of each shelter
  - Daily meals provided
  - USDA foods used for the congregate feeding and/or DHD

3) Recipient Agency (RA)

- ☐ Utilize Local program operators emergency contact list
- ☐ Send information on amounts of USDA Foods inventories to DA
- ☐ Daily conference calls with the DA
- ☐ Summarize daily updates to DA, include:
  - Number and location of open shelters
  - The population of each shelter
  - Daily meals provided or foods distributed for DHD
  - USDA Foods used for the congregate feeding and/or disaster household distribution
  - Number of household distribution sites

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Definitions

(7 CFR 250.2, 253.2 and Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 93-288)

Chief Executive: means the person who is the Chief, Chair, Chairman, Chairwoman, Governor, President, or similar executive official of an Indian tribal government. (42 U.S.C. 5122)

Disaster: means a Presidentially declared disaster or emergency, in accordance with Section 412 or 413 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S. C. 5179-5180), in which Federal assistance, including USDA Foods assistance, may be provided to persons in need of such assistance as a result of the disaster or emergency. (7 CFR 250.2)

Disaster organization: means an organization authorized by FNS or distributing agency, when appropriate, to provide assistance to survivors of a disaster or a situation of distress. (7 CFR 250.2)

Distributing agency: means a State agency selected by the Governor of the State or the State legislature to distribute USDA Foods in the State, in accordance with an agreement with FNS, and with the requirements in this part and other Federal regulations, as applicable. A distributing agency may also be referred to as a State distributing agency. (7 CFR 250.2)

Donated foods: means foods purchased by USDA for donation in food assistance programs, or for donation to entities assisting eligible persons, in accordance with legislation authorizing such purchases and donation. Donated foods are also referred to as USDA Foods. (250.2)

Emergency: means any occasion or instance for which, in the determination of the President, Federal assistance is needed to supplement State and local efforts and capabilities to save lives and to protect property and public health and safety, or to lessen or avert the threat of a catastrophe in any part of the United States. (42 U.S.C. 5122)

Federal Emergency Management Agency (FEMA): is a Federal agency of the U. S. Department of Homeland Security. Headquartered in Washington, D.C., with 10 regional offices located across the country. FEMA is responsible to coordinate the response within the federal government to help people before, during and after disasters.

Household: means any of the following individuals or groups of individuals, exclusive of boarders or residents of an institution. (1) an individual living alone; (2) an individual living with others, but customarily purchasing food and preparing meals for home consumption separate and apart from others; (3) a group of individuals living together who customarily purchase and prepare meals in common for home consumption: and (4) other individuals or groups of individuals, as provided in FNS regulations specific to particular food assistance programs. Household programs means the Commodity Supplemental Food Program (CSFP), Food Distribution Program on Indian Reservations (FDPIR) and The Emergency Food Assistance Program (TEFAP). (250.2)

Indian tribal organization (ITO) means: (1) The recognized governing body of any Indian tribe on a reservation; or (2) the tribally recognized intertribal organization which the recognized governing bodies of two or more Indian tribes on a reservation authorize to operate the Food Stamp Program or a Food Distribution Program on their behalf. (253.2)

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Major disaster: means any natural catastrophe (including any hurricane, tornado, storm, high water, wind driven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide, snowstorm, or drought), or, regardless of cause, any fire, flood, or explosion, in any part of the United States, which in the determination of the President causes damage of sufficient severity and magnitude to warrant major disaster assistance under this Act to supplement the efforts and available resources of States, local governments, and disaster relief organizations in alleviating the damage, loss, hardship, or suffering caused thereby. (42 U.S.C. 5122)

National Response Coordination Center (NRCC): is a multiagency center located at FEMA headquarters in Washington, D.C. During an incident, NCRR operates on a 24/7 basis or as required to; monitor potential or developing incidents, support the efforts of regional and field components, including coordinating the preparedness of national-level emergency response teams and resources, initiate mission assignments or reimbursable agreements to activate other Federal departments and agencies (in coordination with RRCC) and activate and deploy national-level specialized teams.

Natural disaster: means any hurricane, tornado, storm, flood, high water, wind-driven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide, snowstorm, drought, fire, or other catastrophe in any part of the United States which causes, or which may cause, substantial damage or injury to civilian property or persons. (42 U.S.C. 5195a)

Recipient Agency: means agencies or organizations that receive USDA Foods for distribution to eligible persons or for use in meals provided to eligible persons, in accordance with a distributing agency or subdistributing agency, or with another recipient agency. (250.2)

Recipient: means persons receiving USDA Foods, or a meal containing USDA Foods, provided by recipient agencies. (250.2)

Regional Response Coordination Center (RRCC): each of FEMA's regional offices maintains a Regional Response Coordination Center (RRCC). The RRCCs are coordination centers that expand to become an interagency facility in anticipation of a serious incident or immediately following an incident.

Robert T. Stafford Disaster Relief and Emergency Assistance Act: the Stafford Act provides clear direction for emergency management and established the current statutory framework for disaster response and recovery through presidential disaster declarations.

Situation of Distress: means a natural catastrophe or other event that does not meet the definition of disaster, but that, in determination of the distributing agency, or of FNS, as applicable, warrants the use of USDA Foods to assist survivors of such catastrophe or other event. A situation of distress may include, for example, a hurricane, flood, or snowstorm. (250.2)

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§250.69 Disasters.

(a) *Use of donated foods to provide congregate meals.* The distributing agency may provide donated foods from current inventories, either at the distributing or recipient agency level, to a disaster organization (as defined in §250.2), for use in providing congregate meals to persons in need of food assistance as a result of a Presidentially declared disaster or emergency (hereinafter referred to collectively as a "disaster"). FNS approval is not required for such use. However, the distributing agency must notify FNS that such assistance is to be provided, and the period of time that it is expected to be needed. The distributing agency may extend such period of assistance as needs dictate, but must notify FNS of such extension.

(b) *Use of donated foods for distribution to households.* Subject to FNS approval, the distributing agency may provide donated foods from current inventories, either at the distributing or recipient agency level, to a disaster organization, for distribution to households in need of food assistance because of a disaster. Such distribution may continue for the period that FNS has determined to be necessary to meet the needs of such households. However, households receiving disaster SNAP (D-SNAP) benefits are not eligible to receive such donated food assistance.

(c) *Approval of disaster organization.* Before distribution of donated foods to a disaster organization, the distributing agency must review and approve such organization's application in accordance with applicable FNS guidance, which must be submitted to the distributing agency either electronically or in written form. The distributing agency must also submit such application to FNS for review and approval before permitting distribution of donated foods to households.

(1) The disaster organization's application must, to the extent possible, include the following information:

(i) A description of the disaster situation;

(ii) The number of people requiring assistance;

(iii) The period of time for which donated foods are requested;

(iv) The quantity and types of food needed; and

(v) The number and location of sites where donated foods are to be used, to the extent that such information is known.

(2) In addition to the information required in paragraph (c)(1) of this section, disaster organizations applying to distribute donated foods to households must include the following information in their application:

(i) An explanation as to why such distribution is needed;

(ii) The method(s) of distribution available; and

(iii) A statement assuring that D-SNAP benefits and donated food assistance will not be provided simultaneously to individual households, and a description of the system that will be implemented to prevent such dual participation.

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(d) *Information from households.* If the issuance of D-SNAP benefits has been approved, the distributing agency must ensure that the disaster organization obtains the following information from households receiving donated foods, and reports such information to the distributing agency:

(1) The name and address of the household members applying for assistance;

(2) The number of household members; and

(3) A statement from the head of the household certifying that the household is in need of food assistance, is not receiving D-SNAP benefits, and understands that the sale or exchange of donated foods is prohibited.

(e) *Eligibility of emergency relief workers for congregate meals.* The disaster organization may use donated foods to provide meals to any emergency relief workers at the congregate feeding site who are directly engaged in providing relief assistance.

(f) *Reporting and recordkeeping requirements.* The distributing agency must report to FNS the number and location of sites where donated foods are used in congregate meals or household distribution as these sites are established. The distributing agency must also report the types and amounts of donated foods from distributing or recipient agency storage facilities used in disaster assistance, utilizing form FNS-292A, *Report of Commodity Distribution for Disaster Relief,* which must be submitted electronically, within 45 days from the termination of disaster assistance. This form must also be used to request replacement of donated foods, in accordance with paragraph (g) of this section. The distributing agency must maintain records of reports and other information relating to disasters.

(g) *Replacement of donated foods.* In order to ensure replacement of donated foods used in disasters, the distributing agency must submit to FNS a request for such replacement, utilizing form FNS-292A, *Report of Commodity Distribution for Disaster Relief,* within 45 days following the termination of disaster assistance. The distributing agency may request replacement of foods used from inventories in which donated foods are commingled with other foods (*i.e.,* at storage facilities of recipient agencies utilizing single inventory management), if the recipient agency received donated foods of the same type as the foods used during the year preceding the onset of the disaster assistance. FNS will replace such foods in the amounts used, or in the amount of like donated foods received during the preceding year, whichever is less.

(h) *Reimbursement of transportation costs.* In order to receive reimbursement for any costs incurred in transporting donated foods within the State, or from one State to another, for use in disasters, the distributing agency must submit a public voucher to FNS with documentation of such costs. FNS will review the request and reimburse the distributing agency.

§250.70 Situations of distress.

(a) *Use of donated foods to provide congregate meals.* The distributing agency may provide donated foods from current inventories, either at the distributing or recipient agency level, to a disaster organization, for use in providing congregate meals to persons in need of food assistance because of a situation of distress, as this term is defined in §250.2. If the situation of distress results from a natural event (*e.g.,* a hurricane, flood, or snowstorm), such donated food assistance may be provided for a period not to exceed 30 days, without the need for FNS approval. However, the distributing agency must notify FNS that such assistance is to be provided. FNS approval must be obtained to permit such donated food assistance for a period exceeding 30 days. If the

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situation of distress results from other than a natural event (*e.g.,* an explosion), FNS approval is required to permit donated food assistance for use in providing congregate meals for any period of time.

(b) *Use of donated foods for distribution to households.* The distributing agency must receive FNS approval to provide donated foods from current inventories, either at the distributing or recipient agency level, to a disaster organization for distribution to households in need of food assistance because of a situation of distress. Such distribution may continue for the period of time that FNS determines necessary to meet the needs of such households. However, households receiving D-SNAP benefits are not eligible to receive such donated food assistance.

(c) *Approval of disaster organizations.* Before distribution of donated foods to a disaster organization, the distributing agency must review and approve such organization's application in accordance with applicable FNS guidance, which must be submitted to the distributing agency either electronically or in written form. The distributing agency must also submit such application to FNS for review and approval before permitting distribution of donated foods in a situation of distress that is not the result of a natural event, or for any distribution of donated foods to households. The disaster organization's application must, to the extent possible, include the information required in §250.69(c).

(d) *Information from households.* If the issuance of D-SNAP benefits has been approved, the distributing agency must ensure that the disaster organization obtains the information in §250.69(d) from households receiving donated foods, and reports such information to the distributing agency.

(e) *Eligibility of emergency relief workers for congregate meals.* The disaster organization may use donated foods to provide meals to any emergency relief workers at the congregate feeding site that are directly engaged in providing relief assistance.

(f) *Reporting and recordkeeping requirements.* The distributing agency must report to FNS the number and location of sites where donated foods are used in congregate meals or household distribution as these sites are established. The distributing agency must also report the types and amounts of donated foods from distributing or recipient agency storage facilities used in the situation of distress, utilizing form FNS-292A, *Report of Commodity Distribution for Disaster Relief,* which must be submitted electronically, within 45 days from the termination of assistance. This form must also be used to request replacement of donated foods, in accordance with paragraph (g) of this section. The distributing agency must maintain records of reports and other information relating to situations of distress.

(g) *Replacement of donated foods.* FNS will replace donated foods used in a situation of distress only to the extent that funds to provide for such replacement are available. The distributing agency must submit to FNS a request for replacement of such foods, utilizing form FNS-292A, *Report of Commodity Distribution for Disaster Relief,* which must be submitted electronically, within 45 days from the termination of assistance. The distributing agency may request replacement of foods used from inventories in which donated foods are commingled with other foods (*i.e.,* at storage facilities of recipient agencies utilizing single inventory management), if the recipient agency received donated foods of the same type as the foods used during the year preceding the onset of the situation of distress. Subject to the availability of funds, FNS will replace such foods in the amounts used, or in the amount of like donated foods received during the preceding year, whichever is less.

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(h) *Reimbursement of transportation costs.* In order to receive reimbursement for any costs incurred in transporting donated foods within the State, or from one State to another, for use in a situation of distress, the distributing agency must submit a public voucher to FNS with documentation of such costs. FNS will review the request and reimburse the distributing agency to the extent that funds are available.

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USDA Foods in Disasters Policy Memos

FD-066: **Continuation of the Department of Agriculture (USDA) Food Assistance During a Human Pandemic (Revised) Human Pandemic (Revised) Program**
https://www.fns.usda.gov/usda-foods/continuation-department-agriculture-usda-food-assistance-during-human-pandemic-revised

FD-093: **Questions and Answers about Disaster Policies and Procedures (Revised)**
https://www.fns.usda.gov/sites/default/files/fdd/FD-093-disaster-policies.pdf

FD-109: Consolidation of Reporting Requirements and Replacement of Donated Foods in Disasters, Emergencies, and Situations of Distress
https://www.fns.usda.gov/usda-foods/consolidation-reporting-requirements-and-replacement-donated-foods-disasters

FD-139: Consolidation of Reporting Requirements and Replacement of Donated Foods in Disasters, Emergencies, and Situations of Distress
https://www.fns.usda.gov/usda-foods/clarification-inventory-protection-requirements

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Attachment 1

STATE/ITO REQUEST FOR DISASTER HOUSEHOLD FEEDING

Subject to FNS' approval of this request, States and ITOs may provide USDA Foods from current inventories, either at the distributing or recipient agency level, to a disaster organization, for distribution to households in need of food assistance due to_____ . Such distribution may continue for the period that FNS has determined to be necessary (duration listed below) to meet the needs of such households. However, households receiving disaster SNAP (D-SNAP) benefits are not eligible to receive disaster household food assistance.

States and ITOs should consult with their FNS Regional Office and refer to 7 CFR 250.69 to review the requirements related to approval of disaster organizations, prohibition of dual participation with Disaster SNAP (D-SNAP), required household information, reporting and recordkeeping, replacement of USDA Foods used for disaster household distribution, and reimbursement of transportation costs associated with disaster household distributions. Per 7 CFR 250.69, provide the following information:

1. DATE:
2. STATE/ITO:
3. NAME OF STATE/ITO CONTACT:
4. CONTACT EMAIL ADDRESS:
5. CONTACT PHONE NUMBER:
6. CONTACT PHYSICAL ADDRESS:
7. DATE REQUESTED TO BEGIN DISASTER HOUSEHOLD DISTRIBUTION:
8. DATE REQUESTED TO CEASE DISASTER HOUSEHOLD DISTRIBUTION:
9. DESCRIPTION OF DISASTER SITUATION/NEED FOR DISASTER HOUSEHOLD DISTRIBUTION:
10. APPROXIMATE NUMBER OF INDIVIDUALS REQUIRING ASSISTANCE:
11. APPROXIMATE QUANTITY AND TYPES OF FOOD NEEDED:
12. THE NUMBER AND LOCATION OF DISTRIBUTION SITES:

REQUESTING STATE/ITO OFFICIAL	TITLE	SIGNATURE	DATE

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Attachment 2
Instructions for Completing FNS-292A

Report of Commodity Distribution for Disaster Relief

The State Agency or Indian Tribal Organization (ITO) enters the 292A form electronically in the Food Programs Reporting System (FPRS) within **45 calendar days** of the termination of assistance. The form consists of four tabs. Each of the four tabs contains eight items (numbered 4-11) up to four disaster events can be entered per form. Data entry should be in sequence for each of the tabs. A short description appears on each tab on the FPRS screen to provide the user with information that can be used to determine whether to complete a specific tab.

SECTION 1. STATE

SECTION 2. AGENCY

SECTION 3. AGENCY CODE

SECTION 4. DISASTER DATE:
This cell contains a date field to allow the user to enter the date the disaster began. If a disaster spans multiple days (e.g. hurricane, wildfire, etc.), the date should be the first day of the disaster.

SECTION 5. Total Number of Persons Receiving USDA Foods by County:
This cell contains a list to enter a county and the total number of persons receiving USDA Foods within that county for the entire period of issuance. The system will add the number of persons per county for a total number of persons. A row insert button is included on this item, which allows additional rows to be added.

SECTION 6. Type of Feeding:
This cell contains a drop-down list that allows the user to select whether the type of feeding is congregate or disaster household distribution.

SECTION 7. Type of Disaster:
This cell contains two drop-down lists, Presidential Declaration and Primary Disaster Type, and a multi-selection area. The Secondary Types of Disaster identify disasters that result from the Primary Type of Disaster (example: Hurricane Katrina caused floods, as well as other miscellaneous disasters in 2005. Up to 10 secondary disasters can be identified (i.e. flood, hurricane, tornado, earthquake, plus six others). The secondary disasters are optional, and can only be entered once the primary disaster has been selected. When "Other" is selected, a text box is enabled for the user to manually enter the name of the Disaster.

SECTION 8. Name of Agency(s) Issuing USDA Foods:
This cell contains a multi-select checkbox that allows the user to enter agencies that receive the USDA Foods. The two primary agencies are the American Red Cross and the Salvation Army. If the user selects "Other", then the system will enable a sub-list that allows entry of up to 30 miscellaneous agencies. If USDA Foods are distributed through a food bank (e.g. household distribution), please list each food bank, as applicable.

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SECTION 9. Period of Issuance:
The period of issuance date range fields allow the user to enter the date range (i.e. From Date and Through Date) for the issuance of USDA Foods.

SECTION 10. USDA Foods (Commodities) Distributed:
This section allows user to enter in **USDA Food material code and total cases distributed.** Once this information is entered the system will calculate the following:

- The total weight (in pounds) of the USDA Food
- The total value (in dollars) of the USDA Foods
- Add the total weight of the USDA Food to the Sum Total Weight
- Add the total value of the USDA Food to the Sum Total Value
- Display a new row for the user to enter a new USDA Food

Instructions about how to enter different types of USDA Foods:

- Direct Delivered USDA Foods: enter **Material Code for USDA Foods** and **Number of Cases** distributed. **(See example in attachment 3.)**
- Further Processed USDA Foods: enter **Material Code for USDA Foods** and ONLY the **Total Pounds** of USDA Foods contained in the end products distributed. Enter in the "Remarks Section", Processor's Product Number, Number of Cases, and **Pounds USDA Foods** per case, Total Pounds USDA Foods. (**See example in attachment 3.)**
- USDA Foods DoD Fresh Produce: enter **Material Code 999999** and **Total Pounds** distributed. Then list detail of produce distributed in "Remarks Section" to include: Product Description, Pounds Distributed. (**See example in attachment 3A.)**

SECTION 11. Remarks:
This cell contains a text box that allows the user to type in or cut and paste remarks of up to 2,000 characters. Information to be included in remarks section:

- Indicate if **Requesting Replacement** or **Not Requesting Replacement**.
- Further Processed end product information if USDA Foods further processed end products were distributed. (**See example in attachment 3.)**
- USDA DoD Fresh produce: product description and pounds distributed. (**See example in attachment 3A**)

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Attachment 3
Example for Completing FNS-292A
Report of Commodity Distribution for Disaster Relief

U.S. Department of Agriculture - Food and Nutrition Service

Report of Commodity Distribution for Disaster Relief

According to the Paperwork Reduction Act of 1995, no persons are 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 0584-0037. The time required to complete this information collection is estimated to average .42 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data need, and completing reviewing the collection information.

Submit completed report to: Regional Administrator, Food and Nutrition Service, USDA, no later than 45 days after completion of emergency relief operations. (Note: Replacement cannot be authorized until form is reviewed and approved.)

1. State	2. Agency	3. Agency Code	4. Disaster Date
ANY STATE	State Department of Education & Early Development	1234567	07/16/2020

Complete all fields in red

5. Total # of persons receiving commodity, by county:

County	Total # Persons	County	Total # Persons	County	Total # Persons
County	250				
				Total # Persons	250

6. Type of Feeding: X Congregate __Household

7. Type of disaster:
Presidential Declaration: X Yes __ No
__Flood _X_ Hurricane __ Tornado
__ Earthquake __ Other (specify) Hurricane ABC

8. Name of agency(s) issuing commodity to recipients:
__ American Red Cross X Salvation Army
__ Other (Specify)

9. Period of Issuance to Disaster Relief Recipients (MM, DD, YYYY):
From: 07/18/2020 Through: 08/06/2020

10. Commodities Distributed:

Commodity Code & Description	D.O. Number (Optional)	# of Cases	Case Weight	Case Value	Total Pounds	Total Value
100212 MIXED FRUIT CAN-6/10		200	39.75	$ 30.61	7,950	$ 6,122.00
100256 STRAWBERRY FRZ CUP-96/4.5OZ		200	27.00	$ 44.01	5,400	$ 8,802.00
100348 CORN FRZ CTN-30LB		470	30.00	$ 16.50	14,100	$ 7,755.00
100396 PEANUT BUTTER SMOOTH JAR-6/5LB		400	30.00	$ 38.40	12,000	$ 15,360.00
100425 PASTA, SPAGHETTI-20LB		200	20.00	$ 7.20	4,000	$ 1,440.00
110543 APPLES, GRANNY SMITH, FRESH		16	40.00	$ 26.00	640	$ 416.00
100124 TURKEY, WHOLE, BULK (Pounds)		11	1.00	$ 1.09	11	$ 11.99
999999 USDA DoD FRESH (Pounds)		N/A	1.00	$ 1.00	837	$ 837.00
						$ -
						$ -
Total:					44,938	$ 40,743.99

USDA Direct Delivered: enter Material Code & Number of Cases.
Further Processed End Products: enter Pounds of USDA Foods used in end products, list details in Remarks Section.
USDA DoD Fresh Produce: enter 999999, and total pounds, list detail in attached.

11. Remarks (attach sheet if necessary)

Indicate if REQUESTING REPLACEMENT OR NOT REQUESTING REPLACEMENT

(List Further Processed Details) 100124 total of 11 pounds b/c 1 case 2099 Turkey - Jennie O Sliced Turkey use 10.71 pounds of 100124 per case (10.71 x 1 = 10.71)

12. Signature	13. Title	14: Date

This report is required by Regulations (7 CFR, Part 250).
The result of the emergency relief operations need to be comprehensive, accurate, and timely.

STAMP/CERTIFY DATE	LAST UPDATED BY	LAST UPDATED ON
09/18/2020	**FNS Regional Office Staff**	09/18/2020

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Attachment 3A

Example for Completing USDA DoD Fresh Replacement Worksheet for FNS-292A

USDA DoD Fresh Program Reimbursement Worksheet				
Type of Feeding:	X Congregate	__Household		
Type of disaster:				
Presidential Declaration:	X Yes	__ No	**Name of agency(s) issuing commodity to recipients:**	
__ Flood	X Hurricane	__ Tornado	__ American Red Cross	X Salvation Army
__ Earthquake	__ Other (specify) **Hurricane ABC**		___ Other (Specify)	
Period of Issuance to Disaster Relief Recipients (MM, DD, YYYY):				
From: 07/18/2020 **Through:** 8/6/2020				

Item Code	Item Description	Cases	Weight (pounds)	Total Weight
999999	Red Apples	4	40	160
	Gold Apples	1	40	40
	Apples Sliced	10	13	130
	Oranges	1	35	35
	Broccoli	10	3	30
	Baby Carrots	3	13	39
	Cucumbers	1	8	8
	Romaine Hearts	3	30	90
	Carrots Mini	1	12	12
	Oranges	2	40	80
	Strawberries	21	8	168
	Lemons	1	2	2
	Squash	1	5	5
	Zucchini	1	5	5
	Spring Mix	3	3	9
	Grape Tomatoes	1	10	10
	Carrots	2	5	10
	Romaine	1	4	4
		67	**276**	**837**
			Total Pounds	

Use FFAVORS Item Codes for Case Weight Information

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