

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

FOOD DISTRIBUTION DIVISION

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

OF

THE EMERGENCY FOOD ASSISTANCE PROGRAM

NORTH CAROLINA DEPARTMENT OF AGRICULTURE & CONSUMER SERVICES

FOOD DISTRIBUTION DIVISION

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

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

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

The State Plans provides:

I. State Agency Identification

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

Mailing address: Box 659
 Butner, NC 27509-0659

Location: 1015 Food Distribution Drive
 Creedmoor, North Carolina 27522

Telephone: (919) 964-6110

Fax Number: (919) 575-4143

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

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

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

II. Eligibility Criteria

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

- A. Proof of Eligibility for participation in Supplemental Nutrition Assistance Program (SNAP); or
- B. Completion of a Signed, Self-Declaration Income State (Application) - Requires the total amount of household income to be below 200% of the current income poverty guidelines, according to the income eligibility scale provided annually by the North Carolina Department of Health and Human Services.
- C. Recipient must be a resident of the county where they are requesting commodities. The State eligibility criteria, as described above, will be specified in the program agreement between The Emergency Feeding Organization (EFO) and the State Agency.

III. Household Distributions and Distribution Rates

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

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

IV. TEFAP Distribution System - Soup Kitchen

Soup kitchens receiving donated commodities serve predominantly needy persons. These agencies must be non-profit and apply for and be approved for their 501-C tax exempt letter.

The Food Distribution Division allocates commodities to soup kitchens based on the agency's quarterly request.

The State does not operate food pantries.

V. TEFAP Allocation System

EFO's who distribute to households are allocated commodities quarterly. These allocations are based on the counties number of persons who participate in the Supplemental Nutrition Assistance Program (SNAP) formerly known as food stamps. The participation for each county is updated annually by the NC Food and Nutrition Services.

EFO's do receive reimbursement as indicated in VII.

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

VI. Monitoring System

The State's program monitoring system is as follows:

A. Staffing

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

B. Emergency Feeding Organization Reviews

EFO's with a signed contract with NCDA&CS will be reviewed annually. Each EFO will receive an administrative review one year and a site & civil rights review the following year. The EFO's receive a review not less than once every year.

EFO administrative reviews will include coverage of:

1. A minimum of 100% of the current applications or other household eligibility documentation on file.
2. A sample of food orders to ascertain procedures for same.
3. Food receipt, storage, and transportation practices, including records of same.
4. Reporting of food losses.
5. Procedures used for approving new sites.
6. A detailed review and verification/quarterly of the most recent monthly report to the State Agency, including back-up documentation of: the number of households served, reporting and record keeping, civil rights, program costs, and inventory data, including the quantity of food distributed to households. Should this test reveal problems, additional reports and records will be reviewed.

C. Sub-recipient agencies Site Reviews

Of the sub-recipient agencies distributing TEFAP in the state no less than 1/10 or 20 whichever is fewer will be reviewed annually. The State Agency will select the sites required for review. Site reviews will be conducted during the actual distribution and/or eligibility determinations and will include coverage of the records of same. If applicable, other program areas, such as food ordering, on-site storage practices, inventory controls, and disposition of damaged or spoiled product, will be evaluated during the site reviews.

D. Corrective Action Procedures

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

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

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

All EFO's are entitled to the same percentage of reimbursement which is based on a percentage of the total pounds of USDA Foods received for distribution each month. The percentage to be reimbursed is determined by the state agency based on administrative funds available. TEFAP and Bonus foods received will be reimbursed monthly and Trade Mitigation foods received will continue to be reimbursed quarterly. Agencies will receive a Reimbursement Form at the end of each month that will include the total pounds of food received and the total amount to be reimbursed. Along with the reimbursement form agencies will receive a detailed electronic TEFAP report at the end of each month including the foods received, delivery dates, invoice numbers, quantity, and pounds. Agencies will be required to complete the bottom portion of the reimbursement form with the direct and indirect expenditures as well as the number of households and persons served as it relates to TEFAP distributions.

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

VIII. Description of State's Matching Contribution

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

IX. State Advisory Board

In compliance with Section 202A(b)(6) of the Emergency Food Assistance Act of 1983 (EFFA) effective December 20, 2018, NCDA&CS Food Distribution Division has a TEFAP Advisory Board. The TEFAP Advisory Board will consist of 11 members, which includes the NCDA&CS Food Distribution Director, Assistant Director, Household Programs Administrator, Field Services Administrator, and one Field Representative

(will rotate off annually), and one representative from each of the six North Carolina Food Banks. The goal of the TEFAP Advisory Board is to allow the Emergency Feeding Organizations (EFO's) contracted to receive and distribute USDA Foods an opportunity to contribute and provide input regarding commodity preferences and needs of the EFO's.

X. TEFAP Farm to Food Bank Project

In compliance with the final rule entitled, The Emergency Food Assistance Program: Implementation of the Agriculture Improvement Act of 2018 (84 FR 52997), codified in TEFAP regulations at 7 CFR 251.6 and 251.10, the NCDA&CS FDD will be participating in the Farm to Food Bank Projects. Please see **Attachment A** for the State Plan Amendment for FY2022 Farm to Food Bank Projects.

ON BEHALF OF NCDA&CS FOOD DISTRIBUTION



SIGNATURE

Director

TITLE

09-21-2021

DATE

ON BEHALF OF USDA FOOD AND NUTRITION SERVICE

SIGNATURE

TITLE

DATE