



Florida Department of Agriculture and Consumer Services  
Division of Marketing and Development

Bureau of Food Distribution  
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407 S. Calhoun St.  
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**NATIONAL PROCESSING AGREEMENT (NPA)  
STATE PARTICIPATION AGREEMENT (SPA)  
2009-2010 SCHOOL YEAR**

CHARLES H. BRONSON  
COMMISSIONER

7 CFR 210 and 250

This Agreement is subject to the terms and conditions set forth in the National Processing Agreement made by and between the U.S. Department of Agriculture, Food and Nutrition Service and \_\_\_\_\_ (Processor). \_\_\_\_\_ (Processor) duly attests that no alterations have been made to the ACDA Core State Participation Agreement (SPA).

**State Distributing Agency:**

Florida Department of Agriculture and Consumer Services, Bureau of Food Distribution

**Address:** 407 South Calhoun Street (M39)

**City, State, Zip:** Tallahassee, Florida 32399-0800

**Contact:** Cathy Quick

**Phone:** (850) 487-6694

**Fax:** (850) 488-6961

**E-mail:** quickc@doacs.state.fl.us

**Web Address:** www.florida-agriculture.com

**Name:** Mike Gresham

**Title:** Director of Administration

**Signature:**

**Date:**

**Processor:**

**Federal EIN:**

**Name:**

**Title:**

**Address:**

**City, State, Zip:**

**Contact:**

**Phone:**

**Fax:**

**E-mail:**

**Web Address:**

**Signature:**

**Date:**

**Period of Agreement:** This Agreement shall become effective on July 1, 2008 and will terminate on or before June 30, 2013 pursuant to USDA Policy Memorandum FD-048 (Maximum of 5 years). Additionally, the SPA may be amended as necessary should any of the information change during the agreement period. This Agreement shall not be amended except by a written agreement signed by the parties hereto.

- 1. Value Pass Through Systems.** State Agency will indicate which value pass through systems are acceptable in their State. Processor will indicate which value pass through systems they desire to use in the State and have been approved by USDA in the NPA (National Processing Agreement).

Permitted By State	Value Pass Through System	Selected by Processor
	Direct Sale	
	Refund to Recipient Agency	
	Net Price Through Distributor (NOI)*	
	Alternate Value Pass Thru System* (requires FNS approval)	
	Fee for Service – billed by processor	
	Fee for Service – billed by distributor	

\*Sales Verification Required

**If sales verification is required, check one:**

State delegates sales verification to the processor [see 7 CFR 250.19(2)(vi)(C)]

**Processor should submit their Sales Verification Plan to the State Agency.**

State will conduct sales verification

- 2. Summary End Product Data Schedules (SEPDS).** Processor will submit SEPDS to State with the completed State Participation Agreement. The SEPDS contains summary information from approved EPDS and a master SEPDS approved by USDA. Processor may select specific EPDS for processing in a given state. The state also has the option to accept or reject individual products listed on the SEPDS, and in the case of multiple commodities available for processing, may accept or reject certain commodities for processing. Note: the case weight listed on the SEPDS **MUST** match the label on the finished case.

Do you use a subcontractor for the production of any items covered in this agreement?

Yes  No

If yes, please identify the subcontractor by name, address, USDA plant number, and each item produced.

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Processor must provide written notification to the State Agency of any change(s) to the SEPDS including the nature of the change(s); notification may be made electronically.

3. **CN Labeling.** Products, which contribute toward the school meal pattern requirements, may qualify for CN labeling. State should check those that apply.

CN Labeling is optional. Recipient agencies may request CN labeled products.

CN Labeling is required, if applicable for the processed product.

Submit CN labels with SEPDS.

4. **Nutritional Information.** Recipient agencies need nutritional information to comply with USDA regulations. Please check those that apply:

Processor must provide nutrition information to RA upon request.

Processor's nutrition information has been submitted to USDA Database.

Processor's nutrition information is available on their web site.

\_\_\_\_\_ (Provide the web address)

Processor must submit nutrition information with the SEPDS

5. **Grading.** Red Meat grading will be performed under (check one)

Full Certification per AMS Instruction MGC 640 (formerly known as Option 2 grading)

PCCP per AMS Instruction MGC 638

A written waiver must be granted by the State and supplied to grader if other certification (i.e. Traditional – Option 1+ Metal Detection Only) is to be performed

6. **By products.** If by products are produced, describe method of valuation and credit.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

7. **List of Eligible Recipient Agencies.** State will provide a list of eligible recipient agencies to the processor upon State approval of the State Participation Agreement.

8. **Backhauling of DF.** If backhauling is permitted, processor must notify the State before backhauling products. Please check those that apply.

State permits backhauling  Yes  No

Backhauling permitted from State Warehouse  School District

Florida requires attached form (DACs – 06414) for requesting approval to backhaul  Yes  No

**9. Special Instructions for Delivery of End Product to Designated Delivery Locations:**

It is the processor’s responsibility to work out delivery schedules with applicable recipient agencies.

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**10. Additional State Requirements.**

- Processor will notify State immediately of any shipments that are short, over, or damaged, and complete an FNS 57 and submit to State, if necessary.
- Processor must register on the USDA’s Electronic Commodity Ordering System (ECOS). Registration form can be downloaded from the USDA/FDD website at: <http://www.fns.usda.gov/fdd/ECOS/ProcessorProfileInfo.doc> and submitted to the ECOS Help Desk at [ECOS-HelpDesk@fns.usda.gov](mailto:ECOS-HelpDesk@fns.usda.gov) Please register prior to submitting SPA.
- Processor will complete “*Receive Shipments*,” under Shipment Notification promptly in ECOS.
- Processor will provide ending inventory balances to recipient agencies at a minimum on a monthly basis.
- Processor will provide FDACS pricing information before implementing Fee-For-Service Billing Methods through a Distributor (FD-025).
- Processor will provide to FDACS with the Monthly Performance Reports (MPR’s) all applicable supporting documentation to support proper value pass through has occurred or proper fee for service was charged. This should include delivery and/or billing invoices, refund applications, velocity reports, cancelled checks or other documentation as applicable. (See Article 16 NPA).
- This State Participation Agreement (SPA) may be terminated immediately at the option of the DA for noncompliance of its terms and conditions by the Processor or if any right in favor of the DA is threatened or jeopardized by the Processor and/or his agent. This SPA may be terminated by either party upon 30 days written notice to the other. Disposition of DF inventory, either physical or book, with Processor or payment of value thereof shall be based on Article 20 the National Processing Agreement.
- Processor will provide FDACS with broker and distributor information, if applicable:

<b>Broker Name:</b>	<b>Distributor Name:</b>
<b>Contact Person:</b>	<b>Contact Person:</b>
<b>Address:</b>	<b>Address:</b>
<b>City, State, Zip Code:</b>	<b>City, State, Zip Code:</b>
<b>Telephone:</b>	<b>Telephone:</b>
<b>Fax:</b>	<b>Fax:</b>
<b>E-mail:</b>	<b>E-mail:</b>
<b>Web Address:</b>	<b>Web Address:</b>