

SUBJECT: Storing and Protecting USDA Donated Commodities; Food Safety and Food Defense

A. Purpose. This policy establishes the procedures to be followed in storing and caring for USDA donated commodities.

B. Scope. This policy applies to all recipient agencies (RAs), warehouses and food processors.

C. Authority.

1. Title 7 CFR 250.14 (b).
2. SERO, USDA Policy Memorandum 250.12-01, Delivery Order Contract Amendments, dated December 19, 1997.
3. SERO, USDA letter SESN-205 of June 17, 1997, Subject: Recipient Agency Contracts with Commercial Distributors.
4. SERO, USDA Policy Memo 250.14-03 and 210.09-08: Commercial Labels.
5. USDA National Policy Memo FD-20, Single Inventory and Related Commodity Issues-Clarification of Regulatory Changes and Other Guidance.
6. USDA National Policy Memo RD-107, Storage and Inventory Management of USDA Donated Foods

D. Contracts with Commercial Warehouses.

1. **Written Contract.** Recipient Agencies (RAs) that use a commercial warehouse(s) or distributor(s) must have a written contract with the warehouse(s). This is to ensure that commodities are stored properly and to establish liability for commodities lost, damaged or stolen while in storage at the commercial warehouse. The contract is for the RA's protection in case of such loss. A copy of each contract entered into by an RA with a commercial warehouse for receipt and storage of USDA donated commodities must be provided to the Bureau to ensure compliance with current USDA regulations. This includes food service management companies' warehouses and contracts the food service management company may have with commercial warehouses. The Bureau must receive a copy of the contract before commodities can be ordered for delivery to that facility. A copy of each renewal and any new contracts must be provided to the Bureau. Exhibit N provides a prototype contract with a commercial warehouse.

2. **Change of Warehouse.** Whenever an RA changes warehouses, it must notify the Bureau immediately so that action can be taken to divert orders in progress to the new warehouse. See Policy 250.14-1, Paragraph D. The Bureau will make every effort to have USDA divert as many shipments as possible to the new warehouse; however, there is no guarantee that USDA will be able to do so. The RA is responsible for redirecting to the new warehouse any shipments that arrive at the old warehouse. The RA must bear any expenses associated with these diversions.

F. Contracts with Food Service Management Companies or Other Programs. Procurement of FSMC and the contract must be approved by Florida Department of Education. If an RA uses a food service management company or other agency, the contract must include clauses that assure:

1. All donated foods received by the RA and made available to the food service management company will be used solely for providing benefits for the RA's food service operation and it is the responsibility of the RA to show that the full value of all donated foods is used solely for the benefit of the RA.
2. The FSMC will comply with all applicable policies and procedures in this manual.
3. The beginning and ending dates are included.
4. The food service management company will have insurance coverage for the maximum value of the RA's Planned Assistance Level (PAL).
5. The contract may be cancelled for cause upon 30 days notice.

E. Storage Periods.

1. **Shelf Life.** Shelf life is the length of time from pack date (if available) that commodities can be stored at acceptable temperatures without affecting quality. USDA recommends that RAs have no more than a six-month supply of commodities on hand.
2. **Expiration and Use-by Dates.** "Expiration" dates and "use-by" dates are the last dates the manufacturer recommends a food item be consumed to ensure peak quality and nutrient retention. USDA TEFAP donated food that is past its expiration date or its use-by date must not be consumed.
3. **Best-If-Used-By Date.** A "best-if-used-by" date is the last date a food item will be at its peak, in terms of flavor and quality. At some point after that date, the product will begin to undergo changes in taste, color, texture, and/or nutrient value, long after the "best-if-used-by" date. "Best If Used By" dates are intended only as useful guidelines. Some commodities may deteriorate more quickly and some may last

longer than the times recommended. But, because many factors can shorten the useful life of a commodity such as improper handling and inadequate storage temperatures, the inventory control method of “first-in-first-out” should be practiced by those responsible for commodities and inventories and distribution. **Commodities kept past the “best if used by date” should not be consumed.** “Best if used by” guidance for inventory control in schools and warehouses are listed in Exhibit A.

4. **“Sell-by” Date.** The “Sell-by” date is the date by which the manufacturer recommends that a store sell the food product, and is not necessarily a reliable indicator of how long it may retain its wholesomeness or nutritional value.
5. **“Pack Date”** – A “pack date” indicates when the product was packaged or processed. While it may help to determine the age of the product, it does not necessarily provide useful information on its wholesomeness or nutritional value.
6. **Summer Storage.** All USDA commodities should be used during the corresponding school year (SY). Commodities that will not be used during the SY should be transferred between schools for maximum use or consolidated in the best possible location for summer storage. If commodities cannot be used or transferred, and it is necessary to store commodities in schools during the summer months, prudent management requires that proper storage practices be followed. The State reserves the right to pursue a claim against RAs in instances where it deems necessary due to the size and nature of the loss.
7. **State Contracted Warehouse Inventory Levels.** Any USDA food received and stored at the state-contracted warehouse for one (1) year or more as of July 1, will be reallocated. Schools will be notified of the anticipated reallocation and may request an extension to allow usage of the commodities for summer feeding and/or to start the forthcoming school year. To request an extension, schools must submit a completed Warehouse Inventory Extension Request form (Exhibit X), describing how the commodities will be utilized over the next few months. The Bureau may approve an extension for a period of three (3) months or until September 30th of the same year. Any of the affected USDA commodities remaining in the state-contracted warehouses after the extension period has expired, will be offered and reallocated to other Recipient Agencies.

G. Conventional Storage Practices.

1. **Monitoring Storage Temperatures.** It is recommended that all RAs monitor and record storage temperatures on a daily basis year round. Although the Bureau cannot require the daily year round reading of storage temperatures, SERO, USDA considers all losses that result because of inadequate temperature control to be caused by negligence. This includes losses due to the failure of an alarm system. Therefore, the burden of proof is on the RA or warehouse to demonstrate that the loss was not

caused by its negligence.

Further, when a loss is assessed, the RA, if contracting with an FSMC or the warehouse must include a temperature chart with the loss claim report. Accordingly, Exhibit O is a suggested instrument for recording the storage temperatures on a daily basis. The purpose of the temperature chart is to help the RA and warehouse maintain the proper temperatures in their commodity storage facilities. If there is a significant change in temperature, the RA or warehouse can take appropriate action to correct the problem and avoid deterioration or loss of stored commodities.

2. Practicing First In, First Out (FIFO). Commodities are to be stored so that the food items with the oldest pack dates or received dates are in front and used first. With the increasing number of USDA commodities having commercial labels, contract numbers and pack dates may not appear on each case. Without the pack dates on commercial labels, practicing FIFO is very important. When commodities are received, RAs may choose to write the received date on the product. If commodities are taken out of the case and stored, each can/box/container must be marked with the received date if pack dates are not available. Along with practicing FIFO, RAs and warehouses should store like food items together and alphabetize or organize by number for inventory purposes.
3. Pest Control. Insects and rodents are particularly attracted to the conditions and commodities in dry storage areas. Periodic extermination treatments should be applied by a licensed professional exterminator with an excellent reputation for safe application of chemicals. When contracting for service, the RA or warehouse must be certain that the company meets local government requirements for safety and compliance with Federal and State regulations. Good management practices that will protect the dry storage area from continued infestation are:
 - (a) Inspect incoming shipments for contamination.
 - (b) Inspect and repair holes in walls, floors and ceilings.
 - (c) Inspect and repair holes in windows and screens.
 - (d) Dispose of empty cases and cartons (they invite bugs to breed).
 - (e) Clean up spilled food immediately.
 - (f) Sweep and sanitize the dry storage area each week.
 - (g) Post and follow a cleaning schedule.

H. Storage of Commodities. Except for RAs contracting with FSMCs, commodities may be

stored with purchased products. Under single inventory, commodities do not need to be stored or inventoried separately.

1. **Storing and Stacking.** Storing food items six inches off the floor on vented shelves and/or pallets facilitates good air circulation. Storing foods no closer than two inches between shelves and walls also encourages good air circulation. The spaces below shelves and next to walls and movable pallets should allow access to the storeroom floor for thorough cleaning. Unopened cases may be stored on shelves or stacked on pallets, but once opened the cases must be discarded and the cans marked with the pack date or received date for FIFO. Unopened large bags (50 - 100 lbs.) of rice, flour and cornmeal are to be cross stacked to prevent sliding off the pallets and lower shelves. Once opened, they must be transferred to sanitary cans or bins.
2. **Temperature Control.**
 - (a) **Dry Canned.** Ambient temperature with an exhaust fan.
 - (b) **Dry Special.** Dry special commodities consist of dried fruit, grains and cereals. Maintaining the temperature between 50° -70° F in a well ventilated area provides ideal conditions for the storage of special dry commodities. Without proper ventilation, the dry storeroom can become too hot and humid. Permanent placement of a wall thermometer in the warmest section of the dry storage area, along with a temperature storage chart, will lessen the burden of temperature monitoring and prevent commodity spoilage. If the dry storage area does not maintain the recommended temperatures for dried fruit and grain products, as they often do not, such items should be stored refrigerated or distributed to the end user as soon as possible.
 - (c) **Cooler.** Commodities that must be placed in a refrigerated storage area are cheeses and other perishable commodities. Refrigerated food storage is to be maintained at a temperature of 35° - 41° F. A reliable, rust resistant and non-breakable refrigerator thermometer must be placed in the warmest area of the refrigerator. The area can be located by placing a thermometer in different locations and noting the variations in temperature until the warmest part is found. Remote reading thermometers designed for use in commercial reach-in and walk-in refrigerators allow the temperature to be read from outside the refrigerator.
 - (d) **Freezer.** The freezer storage area must be maintained at -10°F to 0°F. If a power outage causes a complete shutdown of the freezer, food should never be refrozen. It must be inspected by the Department of Agriculture and Consumer Services, Division of Food Safety, Food Safety Compliance (850-245-5520), and if destroyed, a commodity loss report submitted (for RAs with FSMCs only). If the outage is discovered before the food is completely

defrosted, it can be cooked and used.

I. Guidance for Smaller Recipient Agencies.

1. RAs without separate storerooms must practice the same general guidelines as outlined above. Even facilities with homestyle pantries and kitchen cabinets must:
 - (a) Keep food safe from theft (a locked cabinet).
 - (b) Store food separately (label cabinet or shelf).
 - (c) Monitor temperature (use thermometer and temperature chart).
 - (d) Practice FIFO by storing, stacking and labeling food by pack date.
 - (e) Use acceptable containers and markers for repacking and labeling bulk foods.
 - (f) Keep appropriate records and inventory.
2. Technical Assistance is available for RAs with smaller facilities that may have unique care and storage problems. Call the Bureau of Food Distribution to have a field representative assist you.

J. Inventory Records for USDA Commodities. Some of these recordkeeping requirements apply only to RAs that contract with Food Service Management Companies. RAs without FSMCs should adopt a single-inventory recordkeeping method that will account for commodities along with purchased food.

1. Keeping records on commodities received. A major activity of receiving USDA commodities is keeping an accurate record of the commodities received. The number and type of records that should be kept depend on the size of the RA, degree of automation, and type of warehousing and delivery system used. The RA's records are developed from documents received from the Bureau of Food Distribution, generated from WBSCM and the warehouses. These documents include:
 - (a) Requisition By PCIMS Reports (WBSCM).
 - (b) Warehouse Order Forms.
 - (c) Delivery invoices/bills of lading.
2. Commodity Control Log. The above documents should be used to develop a Commodity Control Log to track the receipt of commodities. (Applies to RAs that

contract with FSMCs.)

3. Perpetual Inventory Record. Once a quantity of a commodity has been received into the RA's facility, the RA should monitor or track the usage through a perpetual inventory record. (Applies to RAs that contract with FSMCs.)

K. Food Safety. School food authorities (SFAs) are required to implement a food safety program in each individual school for the preparation and service of school meals. The program must be based on Hazard Analysis and Critical Control Point (HACCP) principles and conform to guidance issued by the US Department of Agriculture (USDA.) In Florida, primary responsibility for overseeing this requirement rests with the Florida Department of Education. The Food Service Management Institute, in cooperation with the USDA Food and Nutrition Service's Child Nutrition Division and the Food Safety Unit, has developed various training tools, worksheets, and templates to help SFAs develop and implement a food safety program. Information may be found on their web site, http://www.nfsmi.org/Information/school_fs_program.html

Other Recipient Agencies should develop written Standard Operating Procedures concerning Food Safety issues. Review and revise your overall food safety program periodically to ensure the information is current. The SOP should include provisions on:

1. Handwashing.
2. Proper receiving and storage procedures for all food items.
3. Temperature control; maintaining all storage facilities at proper temperature.
4. Record documentation and maintenance.
5. Training of employees and volunteers on proper food safety procedures.

L. Food Defense. Food defense and food safety are not the same thing. Food defense focuses on protecting the food supply from intentional contamination or tampering while food safety addresses the accidental contamination of food products. All Recipient Agencies are responsible for protecting the health of those they're serving by safeguarding the food items and strengthening the safety of their foodservice and distribution operation.

1. Who's at risk. Anyone handling commodities is at risk for potential contamination. This includes warehouses, public and private schools, residential child care institutions, central kitchens, food banks, etc.
2. What foods are at risk. Based on vulnerability assessments conducted by the USDA Food and Nutrition Service and the Food and Drug Administration, the following items have been found to be particularly vulnerable: ground beef, chicken nuggets, produce, canned food, peanut butter, cooked seafood, fruit juice, flour, deli salad,

honey, infant formula, breaded food, baby food, milk, yogurt, ice cream, soft drinks, and bottled water.

3. Common features of higher risk foods. Features that characterize higher risk foods include: large batch size (large number of servings); short shelf-life (rapid turnaround at retail and rapid consumption); uniform mixing of contaminant into food; and accessibility to the facility.
4. Vulnerability points. Contamination can take place during production, packaging, transportation, storage, preparation and service.
 - (a) Central kitchens – potential vulnerable points include: receiving and storage; food preparation; and access to the facility.
 - (b) Warehouses – potential vulnerable points include: receiving; storage; personnel; and access to the facility.
 - (c) Food banks – potential vulnerable points include: receiving; storage; personnel; and access to the facility. Food banks may become targets to incite fear; their products have a relatively short shelf-life; and tracking methods for products and personnel may be inadequate.

M. Steps to Protect Your Operation. There are steps that you can take to minimize the risk of intentional contamination.

1. Restrict access to storage areas, food handling areas, and locker rooms.
2. Restrict entry to the establishment/area to only those who have a valid reason.
3. Protect perimeter access: limit number of entrances; account for all keys; have proper interior, exterior and emergency lighting.
4. Look for evidence of tampering.
5. Investigate damage, loss and discrepancies.
6. Check seals. Obtain and verify seal numbers on delivery vehicles.
7. Establish receiving and release procedures for commodities.
8. Investigate missing or extra stock.

N. Food Defense Plan. Each Recipient Agency should carefully examine their operation and develop a food safety/food defense plan for their agency. A food defense plan helps identify steps that can be taken to minimize the risk that food products in your establishment will be

intentionally contaminated or tampered with. The food defense plan should be maintained up to date, reviewed and tested annually to determine its effectiveness and applicability, vulnerabilities, what works, changes needed, ways to improve it, etc.

1. To develop a Food Defense Plan:
 - (a) Establish a biosecurity management team.
 - (b) Develop and conduct an initial food defense vulnerability assessment. When completing the assessment, consider both potential internal and external threats. Keep the results of the assessment confidential. Exhibit Z provides a template for an assessment instrument.
 - (c) Develop a Food Defense Plan. Once you have identified the areas of concern or procedures that may be more vulnerable than others, determine cost-effective preventive actions that can be taken to minimize the vulnerabilities. Exhibit Z should help you write your Food Defense Plan. At a minimum, the Food Defense Plan should address:
 - (1) Storage security
 - (2) Shipping and receiving security
 - (3) Water and ice supply
2. Implement the Food Defense Plan. Once written, review it thoroughly to ensure that it is functional and up-to-date. Exhibit Z provides questions that can assist you in the review of your plan.
3. Assign responsibilities. The plan should identify each employee's food defense responsibilities.
4. Staff training. Train staff and volunteers on all provisions of the plan to ensure staff and volunteers to ensure everyone knows their responsibilities on a regular basis. Training should include access control procedures, protecting critical components, and procedures for reporting suspicious activities.
5. Test and exercise the Plan. At least annually, test and verify the effectiveness of the plan. Maintain documentation of findings and the corrective action implemented to prevent from occurring again.
6. Food Defense Plan evaluation and revision. Review the plan and revise it, as needed, at least annually or if anything changes in your operation.
7. Emergency contact numbers. Maintain a list of the current local, state and federal

government points of contact that should be listed on the plan. Include local law enforcement on your list of names and telephone numbers.

O. References. The following are good resources for information or assistance in developing a Food Safety and/or Food Defense Plan. Although these materials may have been developed specifically for school food service operations, much of the information is applicable to all agencies handling USDA commodities.

1. USDA, FNS, “A Biosecurity Checklist for School Foodservice Programs – Developing a Biosecurity Management Plan”, Rev. March 2004.
<http://healthymeals.nal.usda.gov/hsmrs/biosecurity.pdf>
2. National Food Service Management Institute, “Template for Developing a School Food Safety Program”, 2006.
http://www.nfsmi.org/Information/school_fs_program.html
3. The National Food Service Management Institute, Biosecurity Checklist for School Food Service Programs, allows you to customize USDA’s Biosecurity Checklist for School Foodservice Programs” for your own program. Allows you to develop your own program using the forms and templates provided.
<http://foodbiosecurity.nfsmi.org/index.php>
4. Food and Drug Administration, Food Defense and Terrorism, Food and Cosmetic Security Preventive Measures Guidance.
<http://www.cfsan.fda.gov/~dms/defguids.html>
 - (a) Retail Food Stores and Food Service Establishments. In addition to retail food stores, provides guidance to operators of food service establishments such as food banks and church kitchens
<http://www.cfsan.fda.gov/~dms/secgui11.html>
 - (b) Importers and Filers: Food Security Preventive Measures Guidance. This guidance is designed to assist operators of food storage warehouses as well as food importing establishments and filers. It identifies the kinds of preventive measures that they may take to minimize the risk that food under their control will be subject to tampering or other malicious, criminal or terrorist actions.
<http://www.cfsan.fda.gov/~dms/secguid7.html>