

SUBJECT: Disaster Food Assistance

A. Purpose. This policy establishes the policy and procedures for distributing USDA donated commodities to relief organizations during times of distress or disaster.

B. Scope. This policy applies to all school food service authorities, State contracted warehouses, school food service warehouses and commercial warehouses contracted by the school food service authorities.

C. Authority.

1. 7 CFR 250.43 and 250.44, as amended, make provisions for the Bureau to distribute USDA donated commodities to relief organizations during a disaster or in situations of distress.
2. USDA guidance "Inventory Record Keeping System to Accommodate Commercial Labels on Commodities."

D. Definitions.

1. **Situation of Distress.** A situation of distress means any natural disaster including a hurricane, tornado, storm, flood, high water, wind-driven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide, snowstorm, drought, fire, explosion or other natural catastrophe not declared by the President to be a disaster which warrants the use of USDA commodities for congregate feeding or household distribution.
2. **Disaster.** A disaster means any natural catastrophe including a hurricane, tornado, storm, flood, high water, wind-driven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide, snowstorm, drought, fire, explosion or other catastrophe 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 Disaster Relief Act and Emergency Assistance 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.
3. **Disaster Organizations.** Disaster organizations are organizations authorized by appropriate Federal or State officials to assist disaster victims.
4. **Disaster Victims.** Disaster victims are persons who, because of acts of God or manmade disasters, are in need of food assistance, whether or not they are victims of a disaster or situation of distress as defined above.

E. Responsibilities.

1. United States Department of Agriculture (USDA). Disaster organizations providing food assistance under this policy are eligible to receive donated food under Section 416, Section 32, Section 709, Section 4 (a) and Section 412 and 413 of the Robert T. Stafford Disaster Relief and Emergency Act (42 U.S.C 5781-82). Accordingly, USDA routinely buys food as authorized by this legislation and makes it available to the State of Florida for designated programs. USDA pays for the initial processing and packaging of the food and for transporting to designated warehouses in the State. Also, USDA is responsible for ensuring that adequate stocks of food are available for congregate feeding and/or household distribution in any area suffering a disaster or situation of distress. In disaster situations, USDA field staff may be on hand to help local, State and Federal personnel carry out emergency functions.
2. Bureau of Food Distribution. The Bureau is responsible for storing, transporting and distributing USDA donated food to eligible participants in the various food programs located in the State. During a disaster or situation of distress, the Bureau ensures that the donated food stored in school stockrooms, recipient agency warehouses (including commercially contracted warehouses) and State contracted warehouses reaches the disaster relief organizations.
3. County School Food Services. All county school food services should keep a 3 to 5 day supply of non-perishable food on hand for use in a disaster or situation of distress as directed by the Bureau.
4. Disaster Relief Organizations. Disaster relief organizations in the State of Florida include the American Red Cross, The Salvation Army, Seventh Day Adventists, Southern Baptists, etc. These organizations help by preparing meals with donated food and serving them at central locations to the disaster victims.

F. Organizational Eligibility.

1. Disasters. In instances in which the President has declared a disaster and the Secretary of the United States Department of Agriculture has determined that as a result of the disaster, low income households are unable to purchase quantities of nutritious food, disaster organizations may be eligible to receive donated food for congregate meal service or household distribution to disaster victims. Disaster organizations will remain eligible for disaster assistance as long as USDA determines necessary, taking into consideration the consequences of the disaster on the earning power of the victims, except that in areas where the Food Stamp Program is in operation, donated food may be distributed for household use only as long as USDA finds that the commercial channels of trade have been disrupted because of a disaster.
2. Situations of Distress. In situations of distress, as determined by the State of Florida, disaster organizations may be eligible to receive donated food for congregate meal

service or household distribution to victims of the situation of distress.

G. Congregate Meal Service.

1. **Disaster Food Assistance.** The Bureau will review and approve requests submitted by disaster organizations for the donation of food for use in preparing congregate meals for disaster victims. The Bureau will also determine the length of such donations, taking into consideration the magnitude of the situation, and may extend the duration of such donations as developing circumstances require. After approval of a request for donated food, the Bureau will provide donated foods to the disaster relief organization from sources as determined by the Bureau, and within 24 hours of approving the request, report the approval to the Southeastern Regional Office (SERO), USDA.
2. **Situation of Distress.** The Bureau can review and approve requests for donated food for use in preparing congregate meals for a period not to exceed 30 days for victims of situations of distress. The Bureau will provide donated food to the disaster relief organizations from sources as determined by the Bureau. Following approval of the request, the Bureau must report the approval to the SERO, USDA within 24 hours. The Bureau will request approval from the SERO, USDA for donations to exceed 30 days.

H. Household Distribution. Household distribution of commodities to disaster relief organizations for both a disaster and situations of distress will be conducted **only** at the direction of USDA. Individual households may not receive disaster food stamps simultaneously with commodity assistance.

I. Procedures.

1. **Quantities of Donated Food.** The Bureau will make donated food available to disaster relief organizations based on the caseload factor information provided by the relief organization.
2. **Value of Donated Food.** The value of donated food will be the value of the commodity as posted in the inventory records of the recipient agency (includes food stored in school owned warehouses and/or commercially contracted warehouse). If there is no inventory value assigned, the Bureau will assign a value based on the latest average value provided by USDA. The Bureau will determine the value of the donated food distributed from State contracted warehouses. The disaster relief organization does not pay a purchase price nor is assessed any fees for USDA donated food.
3. **Processed Foods.** If processed foods are provided by recipient agencies to disaster relief organizations, these transactions are to be recorded locally for usage and inventory control purposes. These transactions are not to be reported to the Bureau.

The recipient agency will assign a value to this food based on local records. Claims for reimbursement for the value of the processed foods, including commodity value, should be submitted to the Federal Emergency Management Agency (FEMA) by the RA.

4. Transfer of USDA Donated Food. All transfers of USDA donated food from recipient agencies to disaster relief organizations must be documented.
 - (a) Transfer From School Inventory. The Bureau will notify the disaster relief organization and the recipient agency when these commodities are to be released. See letter of authorization in *Exhibit T*. The recipient agency must keep meticulous records on these transfers including the Delivery Order (D/O) Numbers of the commodities, the FNS Codes, titles of the commodities and the number of cases transferred. The recipient agency should obtain a receipt from the disaster relief organization.
 - (b) Transfer From School Food Service Commercially Contracted Warehouse. If the need for commodities exceeds the on-hand supply and commodities must be taken from a commercially contracted warehouse, the Bureau will notify the school food service of the quantity of commodities required and the school food service will make arrangements for transfer of these commodities to the disaster relief organizations. The records identified in Paragraph I.4 (a) above must be maintained and provided to the Bureau.

J. Replacement of Commodities Used for Disaster Feeding. In case of a Presidential declared disaster, entitlement credit will be available to RAs that furnish foods for feeding of impacted persons. The credit cannot exceed the lesser of the actual commodities supplied or the amount of the commodity received during the immediately preceding 12 months.

K. Reports and Records. Within 15 days following the cancellation of the disaster or situation of distress, each school food service that transferred commodities to a disaster relief organization must submit the information enumerated in Paragraph 4 above to the Bureau. Within 30 days following the cancellation of the disaster or situation of distress, the Bureau must submit Form FNS-292, Report of Food Stamp Issuance and Commodity Distribution for Disaster Relief (see Exhibit U) to USDA identifying amount of commodities used and seeking credit for their value. USDA will reimburse the State's entitlement for the value of any commodities used. All records related to the use of commodities in disaster feeding must be maintained for a period of 4 years following the cancellation of the disaster or situation of distress.