



Food Distribution National Policy Memorandum

United States
Department of
Agriculture

Food and
Nutrition
Service

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Alexandria, VA
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DATE: 10 8 MAR 2012

POLICY NO: FD-120: The Emergency Food Assistance Program (TEFAP)

SUBJECT: Criteria for Determining Household Income Eligibility for TEFAP
Foods Intended for Home Consumption

This memorandum is being released on the direction of the Consolidated and Further Continuing Appropriations Act of 2012 (P.L. 112-255), Conference Report 112-284.

TEFAP regulations at 7 CFR Part 251.5(b) require that each State agency must “establish uniform Statewide criteria for determining the eligibility of households to receive commodities provided... for home consumption.” Eligibility criteria must be income-based to ensure that only recipients who lack adequate income are eligible to receive TEFAP foods. State agencies may have a policy in place that makes applicants automatically income-eligible for TEFAP if they participate in one or more local, State, or federal means-tested programs. Additional information may be found in FD-036: TEFAP — Local-Level Record Keeping and Reporting Requirements.

State agencies must include their uniform eligibility criteria within their State Plans, per 7 CFR 251.6(a)(4). If such criteria are not included in current State Plans, the State agency must submit an amendment to the appropriate FNS Regional Office for approval.

The Food and Nutrition Service will continue reviewing State agency compliance with these requirements during management evaluations. Similarly, State agencies must continue monitoring eligible recipient agencies’ compliance with these requirements during their reviews, consistent with 251.10(e), taking corrective actions as necessary.

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