

TEFAP

The Emergency Food Assistance Program

Operations Manual:
For food distribution sites, and meal
distribution sites of USDA TEFAP
Foods

July 1, 2024, through September 30, 2025



**WISCONSIN DEPARTMENT
of HEALTH SERVICES**

Division of Public Health
P-01126 (07/2024)



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Introduction to The Emergency Food Assistance Program

Wisconsin has a network of more than 300 food distribution sites and meal sites that participate in The Emergency Food Assistance Program (TEFAP). Volunteers are its primary labor force; each year they invest thousands of hours as they gather, sort, and distribute food for their neediest neighbors. This “Wisconsin TEFAP Operator’s Manual is intended to help distribution sites successfully meet the requirements of their TEFAP site agreements and support volunteers as they distribute food in Wisconsin.

Operated by the United States Department of Agriculture (USDA) in partnership with states and the territories of Puerto Rico and Guam, TEFAP supplies an emergency 3–5-day food supply, distributed at Wisconsin’s partnering food distribution site and meal sites throughout the state. TEFAP represents an annual food value of approximately \$12 million. *TEFAP commodities are a public resource, intended to be easily accessible to all qualified persons and households in need.* Congress created TEFAP in 1981 to help supplement the diets of low-income Americans while simultaneously supporting farm prices in commodities markets. To accomplish this, USDA contracts with American growers to produce and package commodity foods. States and territories then select from among these offerings, order their proportional shares, and provide them to distribution site networks for household and meal site distribution. USDA also provides a grant to each state and territory to support the costs of shipping and storing USDA foods. USDA calculates state and territorial allocations on overall population, adjusted to the proportion of residents who are living in poverty or who are unemployed. USDA makes annual revisions to allocations that reflect demographic changes in poverty, employment, and population.

In Wisconsin, the Department of Health Services (DHS) administers TEFAP and establishes uniform, statewide eligibility criteria for participants.

A network of regional agencies, Recipient Agencies (RA’s) hold grant contracts with DHS to act as regional TEFAP coordinators, to provide technical assistance and monitoring to distribution sites and meal sites to ensure that

- 1) TEFAP distribution sites distribute food only to qualifying individuals and households.
- 2) TEFAP distribution sites store food safely and manage inventory correctly.
- 3) People distributing TEFAP foods respect the dignity and protect the civil rights of people they serve.

A TEFAP distribution site must be either:

- 1) A charitable organization with tax-exempt 501(c)(3) status provided by the Internal Revenue Service,
OR
- 2) A program housed within such agency, OR
- 3) A county or local government.

1. Food Distribution Site Practices

A. Promote Public Awareness

TEFAP USDA Foods are a public resource and public outreach is required (excluding domestic abuse shelters). It is especially important when there is minimal public access (such as the counties in which there may be only one or two distributions per month) to publicize the dates, times, location, and hours of TEFAP distribution and meals. Promotional information must note that your distribution site or meal site is an Equal Opportunity Provider and providing TEFAP USDA Foods. Distribution sites may choose methods of providing the information; these may include posters, fliers, a Facebook page, web site, Twitter, and/or community presentations at:

1. Head Start centers; congregate soup kitchens serving seniors
2. County human services offices and websites
3. Job centers
4. County offices for the Women, Infant and Children (WIC) Program
5. Local health departments and community health clinics
6. School guidance offices
7. Public facilities such as libraries, laundromats, municipal and county buildings
8. Churches (and church bulletins), social service and community action agencies
9. Community calendars in newspapers, local radio stations, and public access on cable television
10. Section 8 and low-income housing units

B. Eligibility Determination at Application

1. Current Eligibility Application F-40059 is provided on the DHS website in English, Spanish and Hmong.
2. Provide a TEFAP applicant as much privacy as possible for the application process.
3. To qualify, applicant self declares:
 - a) Name
 - b) Address. Attest that they reside in Wisconsin by providing address or attesting to being unhoused. Applicants residing in abuse shelters or other similar situation may also report as unhoused and are not required to disclose an address.
 - c) Review with applicant the “I certify, by self-attesting...” statement on the application. Make sure they understand that false information may subject them to prosecution and require repayment of the value of the benefits.

Form, F-40059 contains a certification by self-attesting statement. The language places the burden of responsibility for program compliance on the shoulders of the applicant. Applicants self-declare that their household is income eligible; that the food received will be used only by that household; that the USDA, State of Wisconsin, and distribution site are not liable for food distributed; and that she/he/they may face consequences for providing false information under a Federal Program.

Distribution sites that maintain electronic intake records must have a method to review the certification/self-attesting paragraph at intake.

- d) Self declare household size. A household is defined as a group of people who live at the same address AND share food preparation and usage. Members of a household may or may not be related. There are circumstances in which there may be more than one household living at the same address.

- e) Self-declare that their income is within the eligible range (200% of the poverty level) for their household size.
 - f) Distribution sites may serve persons whose annual household income exceeds 200 percent of the federal poverty level but must not provide TEFAP commodities to applicants whose self-declared income exceeds this amount. Pantries can offer other donated foods if that is within their pantries scope of distribution.
 - g) Proximity to a job, hours that are more flexible are just a couple of reasons why households would want to use a TEFAP provider outside their neighborhood. Distribution sites may suggest a closer TEFAP site for participant convenience, but TEFAP providers are required to provide TEFAP food to all households that express need whether they reside within the provider's self-identified service area for their other donated foods.
 - A) If a pantry has no geographical boundaries, they only need to convey that asking information beyond the TEFAP application is voluntary.
 - B) If a pantry has geographical boundaries, they can begin by asking the name and address of the participant. If the participant is not in their service area, they can offer the qualifying participant a TEFAP only distribution. They can recommend other pantries closer to the participant's home and offer connection with other services such as Foodshare, CSFP or WIC etc... If the participant is within their geographic boundaries see previous line "A" above.
4. Ensure the distribution site has a means to record the date of each household food distribution.

C. Annual Renewal/Changes Affecting Participation Status

1. A new form with updated income guidelines will be issued each year, this new form will act as the annual renewal for participants with ongoing service.
If an online application is used, please have a mechanism to conduct an annual renewal and a means to document the renewal.
2. Review and self-declare current address.
3. Review and self-declare they meet financial eligibility guidelines (F-40059I).
4. Review the "I certify, by self-attesting." section.
5. Ask participants to self-declare current number of people in their household.
6. Applications are valid up to one year or until participants discloses changes that affect the participation status. Sites may also ask if there are changes to their information at each distribution.

D. Record Keeping

Electronic records may be stored in a spreadsheet or database, as long as they can retrieve the required application record and participation history of each household. Records storage for the current FFY must be accessible onsite. If records are stored in the "cloud" allowing remote access, only authorized persons may access them via protected password. If records are stored on a hard drive, backup is required following each distribution, and the backup should be stored in a secure location. Outdated records must securely be destroyed. Whether paper or electronic, TEFAP records must be retained for three years beyond the current year.

E. Distribute Food in an Accessible, Appropriate Location at a Time Convenient for Participants

Distribution sites may operate from "brick and mortar" facilities or be a mobile distribution site. Mobiles must stop at a planned location and time each month for the two-hour distribution. Mobiles that serve TEFAP cannot be a pop-up. TEFAP prefers distribution sites that provide

greater access (e.g., weekly hours; open evenings and/or weekends).

TEFAP requires food distribution a *minimum* of one day per month for a *minimum* of two hours. There is no maximum limit on the number of times a distribution site may distribute food.

TEFAP foods must be available on a “walk in” basis. Appointments can be used but not required.

Distribution sites may determine how to provide food to participants.

- “Choice” invites participants to select their own food from shelves, or from a written “menu.” This is the preferred method of TEFAP distribution and reduces waste by not sending home with participants food they cannot utilize.
- Prepackage a portion and offer “Choice” in the remaining portion. Still others prepackage all food. “Choice” is most desirable; it prevents distribution of products that a household will not consume. It also offers greater dignity to and involvement from the participants.
- Space and volunteer limitations may determine which distribution method works best. Some sites may only be able to distribute from prepackaged selections.

TEFAP is an emergency short term supply of food and is meant to provide a 3–5-day food supply, they may increase the volume if it is available.

F. Serve Participants by Proxy

Eligible applicants and participants are sometimes unable to go to a TEFAP food distribution site. Reasons may include infirmity, lack of transportation, and scheduling conflicts with work or other obligations. Distribution sites must provide TEFAP applicants an option to obtain their TEFAP food by allowing them to designate a proxy to pick up the household’s food for them. A distribution site may:

- Mail the F-40059 form to a homebound individual for completion.
- Request that a homebound individual provide a letter or written note for proxy delivery.
- Develop its own proxy application form specifically for food delivery (food delivery is optional and is not required by TEFAP).

G. Requirement: Refer Households to FoodShare and Other Programs to Improve Food Security

Needy households may simultaneously participate in TEFAP AND other food programs. Your TEFAP distribution site should promote enrollment in other food programs and direct people to resources for application. If you have a volunteer able to help TEFAP participants apply for FoodShare, your distribution site can strengthen food security for TEFAP households and reduce their reliance on your distribution site. (<https://access.wisconsin.gov/access>.)

If applicants have documentation available, it can take as little as 15 minutes to determine FoodShare eligibility. If a TEFAP applicant is a pregnant woman or she has a child (or children) less than five years of age, she and her child may also qualify for Women, Infants and Children (WIC) benefits as well as WIC Farmers’ Market checks. Households with older children may qualify for the National School Lunch Program (NSLP); Summer Food Service Program (SFSP); and the Child and Adult Care Food Program (CACFP). Seniors may qualify for Senior Farmers’ Market

checks, and for the Commodity Supplemental Food Program (CSFP).

2. Determining Eligibility at Meal Sites

No TEFAP application is required to be used at meal sites. Participants at meal sites who consume meals prepared with TEFAP Foods *are presumed eligible* if the hosting organization can demonstrate that it predominantly serves persons with low incomes. (This is done upon the site applying for meal site participation and at Management Reviews with DHS). Meal sites must count and report the meals/persons served each day. Staff and volunteers at these facilities may participate in meals prepared with TEFAP foods if it is distribution site practice to serve the workers along with guests. Civil Rights Requirements for All TEFAP Distribution sites

3. Civil Rights Training and Responsibilities

A. Provide Civil Rights Training

In 1964, the Civil Rights Act outlawed discrimination in federal programs. Since then, at least six laws and executive orders have expanded protections to inclusively prohibit discrimination against individuals because of race, color, religion, country of national origin, gender, marital status, familial status, disability, age, gender identity, and sexual orientation, discrimination because a part or all of an individual's income is from public assistance; and reprisal for having previously filed a discrimination complaint. Distribution sites must take meaningful steps to provide reasonable accommodation for people with disabilities.

All individuals who work directly with the public at distribution sites or meal sites must receive annual training in Civil Rights. Training must be provided using the DHS Civil Rights Requirements for the Emergency Food Assistance Program. This training is available on the DHS website on the TEFAP for provider's page.

Training must be provided when a person starts to work with the public and yearly after that. Training records must be kept and include the date of training and the names of those trained.

B. Recognizing and Responding to a Civil Rights Complaint

Distribution sites should establish a process for managing complaints. If a manager has any doubt about how to handle a complaint, s/he should contact the RA. Responsiveness is best practice, but your response is independent of an individual's right to file a formal Civil Rights complaint.

If anyone expresses desire to file a formal complaint, the manager may certainly explain what distinguishes a Civil Rights complaint. However, you should not attempt to dissuade someone from filing a formal complaint if s/he believes service or food has been denied, delayed, deferred, deterred, or dissuaded because of his/her membership in a protected class. If you are aware that a participant has filed a Civil Rights complaint, notify your RA immediately. Complaints may be written or verbal; they include the person who allegedly discriminated; the date, time, and location; a description of what happened; a statement as to the reason the complainant believed they were the subject of discrimination; and the remedy the complainant seeks.

C. Serving People Who Have Physical Disabilities or Limited Mobility

Provide access to food for people with limited mobility. Distribution sites that have steps at their main entrances usually have alternative, wheelchair-accessible entrances if they are public facilities. If building limitations are insurmountable, they must take reasonable steps to provide applicants and participants with access to food by providing a menu of available food and assembling the order. Or site may provide food at an alternative, accessible location, or package and provide emergency food by taking it to the participant outside the building, i.e., to their car. You must allow people who use a service animal to bring that animal with them into your facility.

D. Serving People Who Have Behavioral Health Challenges

According to the National Institute of Mental Health, one in four adult Americans suffers from some form of a diagnosable mental health disorder in a given year. Your TEFAP distribution site is likely to serve people who exhibit symptoms of mental health disorders, or who have experienced brain injury or addiction. An individual may be especially challenging if his/her condition causes him/her to compromise personal hygiene or be belligerent. Do your best to serve them with patience and kindness. You have the right to refuse service to people who are uncooperative or belligerent, but someone with a mental illness may be a challenge one day and completely cooperative at their next visit. *Do not prohibit participants from future access without consulting your RA. In the rare event of a credible threat of violence or actual violence (including self-harm), call the local police department or county sheriff immediately.*

E. Serving People Who Have Visual Impairments or Who Seem Limited in Their Ability to Read

Interview TEFAP applicants and complete the application form for them. Offer them a volunteer to help them “shop”—to describe available foods, read ingredient labels, and help them select their food to the degree that such service is needed. Thoughtful assistance protects participant dignity.

F. Serving Applicants and Participants Who Have Limited English Proficiency (LEP)

TEFAP participants who are unable to speak English, or who describe themselves as speaking English at a level they consider “less than well” are considered LEP and need language accommodation. TEFAP distribution sites **must have the capacity to interpret in any language at any time for any participant who speaks English “less than well.”** They **MUST:**

Have available access to an interpretation service that can be used as needed.

And/or provide a qualified individual on-site to interpret.

If your distribution site serves an area that has an identified LEP population, it **must** have application forms and **all** required signage in English **and** the indicated language(s).

The following are required signage:

- a) Distribution site sign (exterior)
- b) Hours of service (exterior, near or on entrance)
- c) “And Justice for All” poster
- d) TEFAP forms F-40059 in the 1000/5% language(s)

Domestic violence shelters that participate in TEFAP are exempt from posting other TEFAP signage.

The LEP requirement applies only to your designated service area.

If your designated service area is a portion of a county, such as one or more zip codes, school districts, cities, or towns, the LEP rule of 1,000 person or 5 percent of the population speaks English “less than very well” may (or may not) exempt your service area. To determine, go to <http://factfinder.census.gov/faces/nav/jsf/pages/index.xhtml>

G. Post Required Civil Rights Language

All TEFAP distribution sites must display the “And Justice for All” poster. Ask your RA for the current version, or go to: <https://www.fns.usda.gov/cr/and-justice-all-posters-guidance-and-translations>

Printed materials and broadcast messages must contain the short version of the USDA-approved, Civil Rights statement: “*This institution is an equal opportunity provider.*”

4. Confidentiality: Data Collection and Storage

A. The only information required of TEFAP applicants is found on the DHS form, F-40059.

B. Distribution sites may ask to collect other information for grant purposes or for food bank partners. TEFAP applicants may be asked after TEFAP application is determined if they would voluntarily provide other information.

Organizations that provide charitable funds to food distribution sites sometimes request these data as a condition for financial support of the food program. Understandably, food distribution sites wish to cooperate. But because TEFAP does not require applicants to provide this additional data, distribution sites that wish to collect it **must inform applicants and participants (verbally AND posted in writing) that cooperation (or refusal) to provide other information will not affect the volume or quality of the food their household receives.**

This does not prevent a charitable organization from requesting other information from TEFAP participants at another time for another program. It does ensure that needy households will have swift access to emergency food, avoids even the appearance of coercion for cooperation, and ensures that eligibility criteria for the program are uniform across the state as required.

C. Personally Identifiable Information (PII)

A TEFAP distribution site may not share PII. Volunteers and/or staff may not discuss individual TEFAP recipients unless there is a legitimate business reason to do so. Volunteers and staff may not discuss TEFAP recipients outside the distribution site; they may not share PII or distribution site usage information with other distribution sites. Participant records may not be removed from the distribution site without written permission from the RA. If physical or electronic transport of records is legitimately necessary, files must be stored and/or relayed to protect confidentiality. Outdated files must be securely destroyed. Volunteers or employees who encounter a TEFAP participant in the community may extend greetings but should not identify how or why they recognize the individual. (This does not inversely apply to participants; they are free to acknowledge their connection to you.)

D. Privacy during application and check-in is important.

Distribution sites should provide a location or means for participants to have private conversations with eligibility intake workers.

E. Aggregate data is public information and may be shared.

Information that does not contain PII but represents the performance of the program is public information. This is primarily limited to the number of participants/households served.

5. “Unrelated Activities” and Determining Allowable and Unallowable Activity

A. Certain “Unrelated Activity” is prohibited during TEFAP application or distribution.

1. Campaigning by or on behalf of political candidates or ballot initiatives (examples include political printing on bags and wearing campaign buttons or shirts during distribution).
2. Engaging, approaching, or soliciting individuals to participate in religious practices.
3. Soliciting or suggesting contributions; offering items for purchase.
4. Agencies may not request TEFAP applicants or participants for permission to release confidential information during TEFAP application or distribution. A consent waiver for release of information, if essential for participation in an unrelated program, must be requested in conjunction with THAT program, not in conjunction with food distribution.
5. Requests for information that is expressly prohibited by state and/or federal law and/or by TEFAP agreement. Information that must not be requested includes (but is not limited to) Social Security Numbers and cards; proof of income (payroll records, tax records, check stubs); income amounts and sources; household expenses; information about medical and mental health conditions and treatment; prescription and nonprescription drug use; religious affiliation; criminal justice history or status; and gender identity or sexual orientation.

B. Non-food service is “Unrelated Activity”, but some may be allowable with DHS approval.

Most “Unrelated Activity” is unallowable during TEFAP application and distribution. However, both USDA and DHS recognize that low-income individuals might benefit from offers of service, provided such offers do not *interfere with food distribution, and provided they do not entice, coerce, or give the impression that TEFAP participants must “cooperate” in exchange for food*. For that reason, the following protocol was approved by USDA for situations in which Wisconsin TEFAP distribution sites wish to extend non-food offers of service to TEFAP participants.

Distribution sites must:

1. **Offer access to food first.** Distribution sites must offer TEFAP participants the opportunity to select their household’s emergency food package *before engaging in non-food discussions*. Participants must be offered the choice to collect their food first; select their food allocation and have the distribution site hold it; or defer their food procurement until they conclude other business.
2. **Communicate the distinction between requirements and options.** In both verbal and posted information, all TEFAP applicants and participants must be informed that they have the option to accept, or decline offers unrelated to food assistance. Recipients must be able to

simply obtain emergency food for their households and exit the premises if they wish.

3. **Obtain prior approval from DHS to extend non-food offers during TEFAP application and distribution.** Agencies wishing to extend unrelated service offers to TEFAP applicants and participants must contact the TEFAP Coordinator and request a review of the offer and presenting language.

C. Institutional or individual display of religious symbols is allowable.

Nothing in this manual prevents display or wearing of religious symbols in the course of TEFAP service. Organizations may provide literature where food is distributed; it may contain information about an organization's mission, services, and/or theology, *provided it is not included in food packages, or presented to TEFAP recipients during application or food distribution.* Note that TEFAP requirements do not govern activity at times when TEFAP application and distribution do not occur.

D. Provision of information about unrelated agency or community resources is allowable.

A TEFAP distribution site may offer additional (non-food) services to help low-income households improve their economic status. It may offer an assessment or schedule a meeting with a TEFAP participant to discuss available services and related details (after food has been provided as described above). It may offer presentations, demonstrations, or one-on-one conversations about services. Distribution sites may determine the scope and content of material as long as:

1. TEFAP participants choose it (e.g., distribution sites do not insert it in food packages).
2. Its content is not inconsistent with the policy described in this manual.
3. It does not violate state and federal laws and local ordinances.
4. It does not impede or delay participant access to emergency food.

Such meetings or assessments may occur sequentially with TEFAP application and distribution—but not simultaneously with it.

6. USDA Food Management

A. Ordering, Distribution: Timely response to ordering questions

1. TEFAP food ordering is a complex task because the food environment is constantly changing. USDA offers to purchase Food offers can happen at any time and often with little prior notice.

When USDA announces an offer the RAs in each area are consulted to determine what to order and in what quantity. **If your RA asks you for ordering input, respond immediately.** This gives us the best opportunity to maximize efficiency and minimize waste and cost. We need to know how much capacity your distribution site has to store frozen food, in dry storage, and sometimes in refrigeration. We need to know it quickly.

2. Once food arrives some RA's then survey their distribution sites to determine how best to allocate product, distribution sites that do not respond to food surveys in a timely manner cause unnecessary accumulation of an aging product, AND waste shipping and storage dollars. **If your RA asks for your order preferences, respond immediately. Failure to respond or accept your allocations may result in termination from participation as a TEFAP distribution site.**

B. Delivery to counties

Like food ordering, delivery is a dynamic process. Wisconsin receives shipments throughout the year because USDA food delivery schedules are set on a food-by-food basis, with a shipping food surveys in a timely manner each time a product is offered (once or more annually, depending on the food). Schedules are subject to change. Problems may occur in shipping that delay or reroute delivery. Management requires vigilance.

Surveys influence the content of county food orders.

Based on warehouse inventory, DPI surveys the ERAs to determine which foods to pull from storage and pack on trucks for county delivery. Through ERAs, DPI offers each county a percentage of the commodities available to the entire state based on the number of low-income and unemployed people who live there. Regional ERAs will usually give food to distribution sites based on the number of people served monthly or similar criteria. ERAs also may adjust the amount of food for a distribution site based on the distribution site's inventory, local demand, availability of private food, and storage capacity.

1. Generally, there is one monthly shipment to each county of shelf stable and frozen foods.
2. When USDA offers fresh and perishable food these offers may only be distributed to counties in which this perishable food can be quickly distributed or properly stored for rapid, subsequent distribution.
3. Distribution sites receive monthly food allocations in one of five ways:
 - a. *Distribution sites meet the DPI/MPI truck on delivery day* at the county's designated drop site, immediately load their share, return to distribution site and unload.
 - b. *Distribution sites retrieve their allocation from the designated county drop site* on delivery day or soon after (at either an RA warehouse or another TEFAP distribution site willing to temporarily store food for other distribution sites) and load their designated portions of the shipment.
 - c. On delivery day, *the county shipment goes directly to the only distribution site in the*

county, where the manager is responsible for verifying the order and unloading with help from staff/volunteers.

- d. *The RA receives shipments at its own warehouse*, then loads distribution site allocations and trucks them to their final destination on a preset schedule. *The RA bears the extra expense of loading/unloading, warehousing, and transportation*. Staff and volunteers at the receiving sites are responsible for unloading.
- e. *The RA rents warehouse space and accepts shipment for one or more counties*. The RA then allows distribution sites to retrieve their food order within a predetermined window of time. The RA bears the extra cost of warehousing. Distribution sites are responsible for loading and unloading.

C. Delivery discrepancies for distribution sites that pick up their monthly TEFAP Food allocations.

Your RA will provide you with a monthly list of products and expected amounts you will be receiving.

When you receive your order:

1. Have a copy with you (or obtain a receipt after you have selected your order).
2. Check that your order is complete. Be sure that your allocation does not contain:
 - a. Less product than your order indicates.
 - b. Product that appears to have been damaged in shipping.
 - c. Product that appears to be “out-of-condition” (see E. below).

If any part of your order is short, damaged or “out-of-condition,” write *a brief description* of the problem and the *amount* of the product missing or compromised. Record the product name, product brand, product weight/size, lot code, and date code. Send it to your RA immediately.

D. Addressing delivery discrepancies for distribution sites that directly receive a county shipment.

1. Have a copy of the order with you.
2. Check that the county order is complete. Be sure that your order does not contain:
 - a. **Excess product.** The driver should take the excess.
 - b. **Incorrect product.** The driver should remove product not included in the written order.
 - c. **Less product than the order indicates.** If the order is short, on your copy and the driver’s copy of the orders, *you should write the number of missing cases next to each product, have the driver initial next to each product and then have the driver sign and date the copies*. The driver will take his/her copy; relay yours to your RA immediately.
 - d. **Product that appears to have been damaged in shipping or out of condition:** If you see the damage or out of condition product at delivery, on your copy and the driver’s copy of the delivery order, ***you should write the visible damage to the product next to each product, have the driver initial next to each product and then have the driver sign and date the copies***. The driver will take his/her copy. Relay a copy to your RA immediately.

Despite damage, you must accept the entire shipment. Your RA will provide guidance for documenting damage and disposing of the product. Record the product description, description of problem, date of delivery, quantity of product, quantity of product remaining from that delivery, sales order number and purchase order number.

3. **Your RA must enter shortages into the Wisconsin USDA Foods Ordering System** operated by DPI **by the 15th of the month** following a food shortage, *DPH will not receive a*

fiscal adjustment and your distribution site will not be eligible for replacement product. Based on the submitted adjustments, DPI will reconcile discrepancies with the trucking company and warehouse. If the trucking company disagrees with the discrepancy, it will provide a proof of delivery document to DPI. If you and the RA follow protocol correctly, your distribution site may receive replacement product and DPH will recoup storage/shipping costs associated with the mistake or damage.

E. “Out-of-condition” food (food production defects or improper storage)

Examples of “out-of-condition” product include leaking or bulging cans, frozen product with freezer burn or failed packaging, and dry goods infested with insects. “Out-of-condition” defects are not the responsibility of the driver, trucking company, or warehouse. Do not dispose of these products without instruction. Record the package information and quantity of the ruined portion. Photograph (quantity and visible detail), then follow RA instruction for disposal. The RA will file form F-40063 (Commodity Loss/Complaint) with DHS as soon as notified and will report losses to USDA on WBSM. You may receive replacement product (if it is available).

F. Food storage requirements

Food storage requirements are universal and apply to TEFAP commodities AND matching food. RAs are responsible for inspecting food storage areas and ensuring that all food distributed by TEFAP distribution sites is safely and appropriately stored.

1. Distribution sites must record storage temperatures. Recording dates may vary, depending on the frequency with which the distribution site is open, but at minimum, all distribution sites should record temperatures on distribution days. Equipment temperatures should be taken and recorded before public food distribution begins.

Frozen = 0 degrees Fahrenheit or cooler. (A minimum of one freezer is required.) Even if freezers have external thermometers, adding an internal thermometer is recommended, because in the event of a power failure, you can still determine whether the interior temperature has held. Gaskets and seals must be clean and functional; if they are cracked, they must be replaced.

Refrigerated = within the range of 35 to 41 degrees Fahrenheit. (Refrigerators are not required by TEFAP but are recommended.)

Dry storage (all shelf or bin-stored food) = between 50- and 70-degrees Fahrenheit

2. Practice “first in; first out” (FIFO) inventory, distributing oldest product first.

Distribution sites should not exceed a two- to three-month supply of most products. If inventory of a TEFAP product exceeds that amount, the RA may adjust subsequent orders and you should arrange for excess product to be transferred to another TEFAP location. Your RA will make these arrangements and submit paperwork if needed.

All TEFAP products should be distributed within 6 months.

3. Maintain required circulation space around stored food. Food in dry storage as well as food stored in walk-in refrigerator and freezer units must be at least six inches from the floor, four inches from the walls, and two feet from the ceiling. This enables air circulation and allows for cleaning and visual inspection for pest.
4. RAs may make exceptions to these requirements based on particular situations.
5. Separate cleaning supplies and chemicals from food. Shelves must be free of toxic items.

6. Walls, ceilings, and floors must be free of hazards. Standing water and slick floor finishes pose a hazard. Pipes that generate heat or cold must be insulated, and insulation must be intact to prevent condensation and dripping.
7. Pest control strategies must be in place. This includes regular inspections and treatment (rodent traps/fly strips/insect traps). Distribution sites may contract with a pest control service or perform the function with staff and/or volunteers, and log inspection dates.
8. Protect commodities from access and theft by unauthorized persons.

G. The USDA offers guidance on “sell-by,” and “best-if-used-by” dates on consumer products available in retail stores.

TEFAP distribution sites that distribute outdated products do so at their own risk. If a USDA product contains a “use-by” date and the distribution site fails to distribute the product before that date, the RA will reduce food shipments to that distribution site, and in the case of egregious or continuing failure to distribute product quickly, a distribution site may lose its TEFAP agreement.

[Food Product Dating | Food Safety and Inspection Service \(usda.gov\)](#) USDA guidance on Food Product Dating.

H. Commodity loss (at the distribution site or RA warehouse)

Acts of nature (such as storms, lightning strikes, flash floods) may result in a loss of USDA commodities. Sometimes, human failure causes food loss (over-packing a freezer; negligence in replacing failing equipment, knowingly storing food in high or low temperatures; equipment inexplicably unplugged; or theft due to negligence). *Immediately notify your RA of ANY TEFAP commodity loss, regardless of the cause or the value of the lost product.* The RA must then file form F-40062 (Commodity Loss Report) with DPH within 15 days of the loss discovery. The RA will work with DHS to report the loss and cooperate with the loss investigation and reporting to USDA and possible need for replacement of the food.

I. Transferring commodities between TEFAP distribution sites

Transferring commodities between TEFAP distribution sites may be facilitated by your RA if such transfer is necessary to use products in a timely manner. Transfer to other TEFAP sites in the RA footprint does not require approval with DHS but transfers outside the RA footprint require filling out the transfer form and submission to DHS. The RA completes this step.

Transfer adds shipping costs and additional labor to the program and occurs only to avoid waste. If your distribution site is offered additional product that is surplus from another distribution site, be sure that you have the capacity to distribute the additional product.

J. Providing an equivalent amount of non TEFAP food:

1. CFR 251.4 State agencies shall require that recipient agencies receiving USDA Foods shall not diminish their normal expenditures for food because of receipt of commodities.
2. A distribution site shall provide food of comparable volume and quality to TEFAP food, it must meet or exceed a food match requirement during the course of a year.
3. A distribution site may meet its match requirement through donation or purchase. Match may include donations from businesses, charities, community food drives, or any combination of sources.
4. Food must be in good condition (undamaged; within recommended “use by” dates) and of a

variety of types of *nutritious food similar in quality to USDA commodities*.

5. Distribution sites must document match by a reasonable, replicable method acceptable to the RA (weight, product count, cost, etc.).
6. TEFAP match foods must be produced by a qualified processor. (Home-canned or baked goods may not be used as match.)

Resources

As a member of the TEFAP network, your first contact with questions or concerns should be the RA with which you signed your TEFAP Distribution Site Agreement.

For additional assistance, you may contact Wisconsin TEFAP Coordinator, Carol Johnson at: Wisconsin Department of Health Services

Email: carol.johnson@dhs.wisconsin.gov

- For TEFAP operations, go to: <https://www.dhs.wisconsin.gov/nutrition/tefap/forms.htm>
- For information on USDA Food and Nutrition Services:
<http://www.fns.usda.gov/tefap> and <http://www.fns.usda.gov/cr/and-justice-all-posters>
- For links to food safety information: <http://www.foodsafety.gov>

Appendix A: Guidelines for Managing Concerns about Possible Distribution site Misuse

When Congress created The Emergency Food Assistance Program (TEFAP), it intended to provide simple access and minimal bureaucracy to quickly distribute food commodities to qualifying, low-income households. Recipients self-declare income to establish eligibility; USDA prohibits participating distribution sites from requiring proof of income, requesting social security numbers or personal information not found on the TEFAP form. Wisconsin also protects the confidentiality of TEFAP recipients; **information about individual distribution site users may not be shared among distribution sites**. Most TEFAP recipients are honest persons struggling with food insecurity, but occasionally you may encounter a situation that causes concern. It is never appropriate for volunteers to “investigate” situations; please consult with your Distribution site Coordinator if issues arise. The following chart guides appropriate responses.

What Should I Do If...	Volunteer Response
A. I believe someone is selling food they received from my distribution site?	If you witness a specific incident (or one is reported to you by an eyewitness), immediately communicate the details (who, what, where and when) to the Distribution site Coordinator, who will relay it to their RA, and then work with the RA to determine appropriate follow up. They may have a conversation with the person who observed the incident; they may talk with the distribution site user. It may result in a warning letter or a report to the Department of Health Services/USDA. You will be asked for detailed facts. Avoid speculation or rumor. Report what you know and let management handle it.
B. I believe that someone serving as proxy is taking food that is intended for a homebound person?	If a homebound TEFAP recipient reports that they’ve not yet received an expected food package that has already been picked up and signed for by their Proxy, you should communicate this to your Distribution site Coordinator. They will follow up with the homebound individual to determine if there is a problem, and if there is, work with the homebound TEFAP recipient to determine whether the current Proxy should continue or be replaced.
C. I believe that someone is misrepresenting their income?	TEFAP income is self-declared based on current income (of up to 200% of the federal poverty level). People’s circumstances may suddenly change (job change or loss, death, divorce, illness causing depletion of assets, expansion of household—or a combination of factors). <i>This may not be apparent by simply looking at someone</i> . Individuals may have assets but not income. So, for example, a late model car driven to the distribution site may not be an indication of the person’s current financial circumstances. Communicate your concerns to the Distribution site Coordinator; they may choose to privately review the TEFAP form with the distribution site patron, including the language that certifies the individual is accurately representing their current income.
D. I believe that someone may be misrepresenting the number of members in their household? Their address? Their identity?	Families experience fluctuations in the number of people living in their households. Ask if their needs have increased, and whether they are eligible for other nutrition programs (such as FoodShare, WIC, school nutrition, community meals). If they need more food and the distribution site has capacity, you can choose to increase their supply. Conversely, if your distribution site’s supply is limited and running low, you may determine that you need to reduce the size of household food allocations to respond to the limits. You can post information for distribution site users that reminds them that they are on the honor system—and if they misrepresent their household size, address, or identity—it may affect your distribution site’s ability to provide food to others.
E. I am asked for more food?	Acknowledge their need and give them more food if that is possible. Ask them if they have applied for FoodShare. If they have children under the age of five years, they may be eligible for WIC. If there are free meals in your community, give them information about the times and locations. See if you can offer them other options.

<p>F. I believe that someone has very recently obtained food from other distribution sites?</p>	<p>People who visit multiple distribution sites generally do so because the 3-5 day per month package is insufficient to meet their needs. Begin with this assumption. If you want to help, take them aside and ask them if they need more food. If they do and if you are able, give them more. Talk to them about FoodShare and other sources of food. If they are truly in need, this may help them; if not, talking may effectively discourage this. If your concern continues, tell your Distribution site Coordinator but do not attempt to “investigate.” In keeping with TEFAP confidentiality policies, no food distribution site may share Personally Identifiable Information (PII) about any individual participants with any person or organization—including but not limited to—another food distribution site.</p>
<p>G. I believe that distribution site users are trading food themselves?</p>	<p>Unless you feel someone is coercing someone else, ignore it. If your distribution site patrons find a way to use their food that suits them better than the package you’ve prepared for them, don’t worry about it.</p>
<p>H. I believe that someone is selecting my distribution site instead of using their local distribution site because we have better food or service?</p>	<p>First, congratulations! You’re volunteering for a distribution site that people clearly like. Find out why they are using your distribution site instead of one closer to home. You may let them know of a closer location to their home or work but if your distribution site hours and location are more convenient for them you would continue to serve them.</p>
<p>I. I see someone taking more food than they’re supposed to take. Taking food without asking?</p>	<p>Keeping in mind that hungry people are sometimes desperate, you have several options. You could take that individual aside ask them if they need more food. You could tell them what you thought you saw and ask them to stop. Or you could simply ignore it. Talk to your Distribution site Coordinator about the best approach.</p>
<p>J. Someone refuses a food?</p>	<p>Take it back. If they will not use it, now is the best opportunity to divert the food back into the distribution site.</p>
<p>K. I believe someone is intoxicated or high?</p>	<p>People who have addictions and behavioral health issues need to eat like everybody else. Members of their household— including children—need to eat too. Unless they are a threat to you, serve them. It would be appropriate for the Distribution site Coordinator to take them aside and tell them that you would prefer they not come in high or intoxicated. If they have driven to the distribution site, recommend to them that they NOT drive home; find them a ride if you can. If you are concerned, they might injure themselves or someone else by driving, the Distribution site Coordinator may (or may not) warn them that s/he will call law enforcement if they attempt to drive.</p>
<p>L. Someone swears at me or is rude to me? Someone threatens me?</p>	<p>If you encounter threatening or obnoxious behavior, you have the right to ask that person to refrain from it. If they will not, you can ask them to leave. If you feel uncomfortable doing that, call in the Distribution site Coordinator to assist you. If you are alone or feel physically threatened, call 911. Whether the individual has a mental illness, is abusing a substance or simply ornery, you have the right to be safe. The Distribution site may choose to send a warning letter that any such behavior in the future may result in denying them access to the Distribution site. A food distribution site must not permanently deny access to any individual without first consulting with your RA.</p>
<p>M. Someone refuses to fill out the form?</p>	<p>There are reasons someone may refuse. They may not be literate. They may be undocumented. They may have a mental health problem. If they are willing to provide you with the information you need to serve them, read the form to them, and complete it on their behalf.</p>