

§250.1 Purpose and use of donated foods.

(a) Purpose.

(1)

(e.g.,

(2)

(i.e.,

32,

416,

70,

250.2).

(b) Use of donated foods.

(e.g.,

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251

El.

(El.

(e.g.,

(1)

(e.g.,

(2)

(3)

(c) Legislative sanctions.

(42,

1760)

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73

(7,

612)

§250.2 Definitions.

2 CFR part 200

ACL

Administering agency

Adult care institution

Backhauling

Bonus foods

416,

70

32,

CACFP

Carrier

Charitable institutions

250.67.

Child care institution

Child nutrition program

Commingling

Commodity offer value

Commodity school

Consignee

Contract value of the donated foods

CSFP

Department

DHHS

Disaster

Disaster organization

Distributing agency

Distribution charge

Distributor

Donated foods

Food and Nutrition Service, USDA

§ 250.2

Elderly nutrition project

Eligible persons

(1)

(2)

(3)

End product

End product data schedule

Entitlement

Entitlement foods

Multi-food shipment

Multi-State processor

National per-meal value

17() (1) ()

6

1755() 1766() (1) ()

National processing agreement

Nonprofit organization

Nonprofit school food service

NSIP

NSLP

Out-of-condition donated foods

Performance supply and surety bond

Processing

(1)

(2)

(3)

Processor

Recipient agencies

Recipients

Recipient agency processing agreement

Reimbursable meals

Replacement value

SAE funds

235.

SBP

School food authority

School year 12
 30

Section 4(a) 4 ()
 1 73 (7) 612

Section 6 6
 (42 1755)

Section 14 14
 (42 1762)
 32 416

Section 27 27
 2036) 200 (7)

Section 32 32
 74 320 (7) 612)

Section 311 311
 1 65 (42)
 3030)

Section 416 416
 1 4 (7) 416 1431)

Section 709 70
 1 65 (7)
 1446 1)

416
Service institution
SFSP
Similar replacement
 (e.g.,
Single inventory management
Situation of distress
SNAP
Split shipment
State
State Participation Agreement
State Unit on Aging
 (1)
 (2)

§ 250.3

7 CFR Ch. II (1-1-21 Edition)

Food and Nutrition Service, USDA

§ 250.4

§ 250.4 Administration at the State level.

() *Distributing agency.*
250.2,
Federal-State Agreement,

§ 250.5

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2 200, 2

400 416,

210.16 210.21

(b) *Provision of information on donated foods.*

(1)

4

§ 250.5 **Civil rights.**

15, 15 15) (7)

Subpart B—Delivery, Distribution, and Control of Donated Foods

E. 1 23104, 1, 2016,

§ 250.10 **Availability and ordering of donated foods.**

(c) *Ordering donated foods.*

(1)

() Replacement of donated foods.

() Replacement of donated foods.

() Replacement of donated foods.

() Replacement of donated foods.

(1) Replacement of donated foods.

(2) Replacement of donated foods.

() Payment of costs relating to shipments.

() Payment of costs relating to shipments.

() Transfer of title.

() Transfer of title.

§ 250.12

7 CFR Ch. II (1-1-21 Edition)

(1) ...

(2) ...

(3) ...

(4) ...

(5) ...

(6) ...

(7) ...

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§ 250.13 Efficient and cost-effective distribution of donated foods.

() *Direct shipments.*

...

(1) ...

(2) ...

(3) ...

250.2,

() *Distributing agency storage and distribution charge.* (1)

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250.12()

(2)

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235. E.

250.2,

2 200, E.

2 400. () FNS approval of amount of State distributing agency distribution charge to school food authorities and other recipient agencies in child nutrition programs.

() *Transfer of donated foods to another recipient agency.*

(e.g.,

(e.g.,

El.

/ 250.67,

() *Commercial storage facilities.*

2

200,

2

400

416,

§ 250.15 Out-of-condition donated foods, food recalls, and complaints.

() *Out-of-condition donated foods at the distributing agency level.*

/ 250.2,

(e.g.,

(b) *Out-of-condition donated foods at the recipient agency level.*

/ 250.14(b),

/ 250.67,

() *Food recalls.*

/ 250.2,

() *Complaints relating to donated foods.*



§ 250.16 Claims and restitution for donated food losses.

() *Distributing agency responsibilities.*



() *FNS claim actions.*



§ 250.17 Use of funds obtained incidental to donated food distribution.

() *Distribution charge*

200, 416.
 21 400 416.
 \$25,000.
 (1)
 (2)
 (3)
 () Prohibitions.
 () Buy American.
 235.

250.56() 250.61().
 (1)
 (2)
§250.18 Reporting requirements.
 () Inventory and distribution of donated foods.
 152, Monthly Distribution of Donated Foods to Family Units.
 155, Inventory Management Register.
 () Processor performance.
 250.37()
 () Disasters and situations of distress.
 2 2, Report of Commodity Distribution for Disaster Relief.
 250.6 250.70.
 45
 () Other information.
 (2) * -14.15 3 -1

§ 250.19

250.13 () () .
1 23100, } . 1, 2016, 3
1 27, } 1, 2011

1 23100, } . 1, 2016, 3
1 27, } 1, 2011

§ 250.19 Recordkeeping requirements.

() Required records.

250.5 () ,
235.11(e)

250.54.

250.16.

(b) Retention of records.

§ 250.20 Audit requirements.

() Requirements for distributing and recipient agencies.

200,
400.

(b) Requirements for processors.

250.2.

Food and Nutrition Service, USDA

§ 250.22

(1) *Post-audit actions required of processors.*

(2) *Failure to meet audit requirements.*

(3) *Scope of review requirements.*

31

31

250.3(b).

() *Failure to meet audit requirements.*

() *Scope of review requirements.*

§250.21 Distributing agency reviews.

() *Scope of review requirements.*

(1) ...

(2) ...

(3) ...

(4) ...

(5) ...

(6) ...

(7) ...

(b) *Corrective action plan.*

(c) ...

60 ...

(c) *Termination or suspension.*

Subpart C—Processing of Donated Foods

E. 3 1 27, 1, 201, 1

§250.30 Processing of donated foods into end products.

(a) *Purpose of processing donated foods.*

(b) *Agreement requirement.*

- (5) ✓
- (6)
- () *Recipient Agency Processing Agreement.*

- () *Prohibition against subcontracting.*

() *Prohibition against subcontracting.*

(i.e.,)

() *Agreements between processors and distributors.*

(i.e.,)

250.11.

(i.e.,)

- (1) ✓
- (2) ✓
- (3) ✓
- (4)
- (5) ✓
- (6)
- () *Ensuring acceptability of end products.*

- () *Agreements between processors and distributors.*
- (i.e.,)
- 250.11.
- () *Duration of agreements.*

() *Ensuring acceptability of end products.*

§ 250.31 Procurement requirements.

() *Applicability of Federal procurement requirements.*

2 200 400.

Food and Nutrition Service, USDA

§ 250.33

200 400, 2

(b) *Required information in procurement documents.*

(3)

(4)

(5)

(b) *Processing yields of donated foods.*

(1)

(2)

(i.e.,

(i.e.,

(4)

(i.e.,

* 1743 -1.125 / 1 , 12.55

Food and Nutrition Service, USDA

§ 250.34

() Credit for sale of by-products.

() Labeling requirements.

§ 250.33

(b) Prohibition against substitution and other requirements for backhaul 1m30-
 () Prohibition against substitution and other requirements for backhaul 1m30-

§ 250.34 Substitution of donated foods.

() Substitution of commercially purchased foods for donated foods.

() Substitution of commercially purchased foods for donated foods.

(1) / 250.34,
(2) / 250.34,
(3) / 250.34,
/ 250.34,

§250.36 End product sales and crediting for the value of donated foods.

- (a) *Methods of end product sales.*
- (b) *Refund or rebate.*

§ 250.37 Reports, records, and reviews of processor performance.

(1) Performance reports.

(i.e., ())

() Approved alternative method.

() Donated food value used in crediting.

() Ensuring sale and delivery of end products to eligible recipient agencies.

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§ 250.38

7 CFR Ch. II (1-1-21 Edition)

- (4) Review requirements for the distributing agency.
- (5) Review requirements for the distributing agency.
- (6) Review requirements for the distributing agency.
- (7) Review requirements for the distributing agency.
- (8) Review requirements for the distributing agency.
- (9) Review requirements for the distributing agency.
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- (15) Review requirements for the distributing agency.
- (16) Review requirements for the distributing agency.
- (17) Review requirements for the distributing agency.
- (18) Review requirements for the distributing agency.
- (19) Review requirements for the distributing agency.
- (20) Review requirements for the distributing agency.
- (21) Review requirements for the distributing agency.
- (22) Review requirements for the distributing agency.
- (23) Review requirements for the distributing agency.
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- (26) Review requirements for the distributing agency.
- (27) Review requirements for the distributing agency.
- (28) Review requirements for the distributing agency.
- (29) Review requirements for the distributing agency.
- (30) Review requirements for the distributing agency.
- (31) Review requirements for the distributing agency.
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- (36) Review requirements for the distributing agency.
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- (47) Review requirements for the distributing agency.
- (48) Review requirements for the distributing agency.
- (49) Review requirements for the distributing agency.
- (50) Review requirements for the distributing agency.

§ 250.38 Provisions of agreements.

- (a) *National Processing Agreement.*
- (b) *Required provisions for State Participation Agreement.*
- (1) Required provisions for State Participation Agreement.
- (2) Required provisions for State Participation Agreement.
- (3) Required provisions for State Participation Agreement.

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250.37

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250.30()

() Required provisions for Recipient Agency Processing Agreement.

(e.g.,)

() Noncompliance with processing requirements.

(e.g.,)

§250.39 Miscellaneous provisions.

() Waiver of processing requirements.

(b) Processing activity guidance.

(1)

(2)

(3) -
 (4) -
 (5) -
 () *Guidance or information.*

() *Procurement requirements.*
 2 200, 2

Subpart D—Donated Foods in Contracts With Food Service Management Companies

E. 73 461 5, 200,

400 416,
 210, 220, 225, 226.

§250.50 Contract requirements and procurement.

() *Contract requirements.*
 ()
 / 250.51.
 / 250.51().

()
 / 250.51.
 () *Activities relating to donated foods.*
 ()

225, 226, 7 210, 220,
 E.

(b) *Types of contracts.*
 7 226.

()

(1) ...
 (2) ...
 § 250.51 () ...
 (3) ...
 § 250.52 ...
 (4) ...
 73 461 5, 200 , 1
 23111, . 1 , 2016

§250.51 Crediting for, and use of, donated foods.

() *Crediting for donated foods.*
 ...
 ...
 ...

(1) ...
 (2) ...
 (b) *Method and frequency of crediting.*

* .02 () * .25 2

(b) *Use of donated foods.*

() *Use of donated foods.*

73 461 5, 200 , 1
23111, . 1 , 2016

() *Use of donated foods.*

1 23111, . 1 , 2016

§ 250.53 Contract provisions.

() *Required contract provisions in*

§ 250.52 Storage and inventory management of donated foods.

() *General requirements.*

(b) *Storage and inventory with commercially purchased foods.*

() *Disposition of donated foods and credit reconciliation upon termination of the contract.*

(7)

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7 250

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250.54(b)

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(b) Required contract provisions in cost-reimbursable contracts.

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225, 226, 1762(), 14 (42
 32 (7), 612, 416 (7
 1431), 70 (7, 1446
 1),
 () *National per-meal value of donated foods.*
 250.51(), 6()
 (42, 1755()),
 6

() *Departmental reviews of food service management companies.*

Subpart E—National School Lunch Program (NSLP) and Other Child Nutrition Programs

E. 73 461 5, 200

§ 250.56 Provision of donated foods in NSLP.

() *Distribution of donated foods in NSLP.*

() *Cash in lieu of donated foods.*
 1, 1 74,
 42
 225,
 210,
 7

(b) *Types of donated foods distributed.*

6 (42, 1755)

() *Donated food values used to credit distributing agency entitlement levels.*

() *Cash in lieu of donated foods.*
 1, 1 74,
 42
 225,
 3 2.2

() *Departmental reviews of food service management companies.*

() *Distribution of donated foods in NSLP.*

() *Donated food values used to credit distributing agency entitlement levels.*

() *Cash in lieu of donated foods.*
 1, 1 74,
 42
 225,
 3 2.2

() *Departmental reviews of food service management companies.*

() *Distribution of donated foods in NSLP.*

() *Donated food values used to credit distributing agency entitlement levels.*

() *Cash in lieu of donated foods.*
 1, 1 74,
 42
 225,
 3 2.2

() *Departmental reviews of food service management companies.*

(b) Value of donated foods for commodity schools.

7 210,

4

(42 1753),

5

6 14

(42 1755 1762()),

32 (7

612), 416 (7 1431),

70 (7 1446 1),

§250.58 Ordering donated foods and their provision to school food authorities.

() Ordering and distribution of donated foods.

(1)

(2)

(b) Value of donated foods offered to school food authorities.

6()

(42 1755()),

4

(42 1753),

6,

() Receipt of less donated foods than the commodity offer value.

(1)

(2)

() Receipt of more donated foods than the commodity offer value.

(c) *Donated food value in crediting.*

(1)

(2)

(3)

(4)

(d) *Use of donated foods outside of the nonprofit school food service.*

73 461 5, 200, 1
23111, 1, 2016

§ 250.59 Storage, control, and use of donated foods.

(a) *Storage and inventory management.*

250.12 250.13

210.13 250.14
250.14

250.13

250.14

(b) *Use of donated foods in the nonprofit school food service.*

(e.g.,)

(e.g.,)

e.g.,

(c) *Use of donated foods in a contract with a food service management company.*

210.16

(b)

(d) *School food authorities acting as a collective unit.*

(e.g.,

§ 250.61 Summer Food Service Program (SFSP).

(a) *Distribution of donated foods in SFSP.*

(1) *Use of donated foods in a contract with a food service management company.*

(b) *Types and quantities of donated foods distributed.*

(1) *Distribution of donated foods to service institutions in SFSP.*

(2) *Use of donated foods in a contract with a food service management company.*

(3) *Applicability of other requirements in this subpart to SFSP.*

73 461 5, 200
1 23112, 1, 2016

Subpart F—Household Programs

§ 250.65 Food Distribution Program on Indian Reservations (FDPIR).

() *Distribution of donated foods in FDPIR.*

(i.e., 7 253
254, 7 253
254. 7 253
254. 7 253
254. 7 253

(b) *Types of donated foods distributed.*

4(1) 32.
416, 6 70, 125 -1.1).

(b) *Types and quantities of donated foods distributed.*

(c) *Role of distributing agency.*

(d) *Donated food values used in crediting a State Unit on Aging's NSIP grant.*

(e) *Coordination between FNS and ACL.*

(f) *Use of donated foods to provide congregate meals.*

(g) *Use of donated foods to provide congregate meals.*

1 23113, . . . 1, 2016

§ 250.69 Disasters.

() *Use of donated foods to provide congregate meals.*

() *Use of donated foods to provide congregate meals.*

(b) *Use of donated foods to provide congregate meals.*

(c) *Use of donated foods to provide congregate meals.*

(d) *Use of donated foods to provide congregate meals.*

(e) *Use of donated foods to provide congregate meals.*

(f) *Use of donated foods to provide congregate meals.*

250.2. (e.g., 30 130 (e.g.,)

(b) Use of donated foods for distribution to households.

(c) Approval of disaster organizations.

250.6 ()

(b) Information from households.

250.6 ()

() Eligibility of emergency relief workers for congregate meals.

() Reporting and recordkeeping requirements.

Food and Nutrition Service, USDA

§ 251.2

()