SUBCHAPTER B—GENERAL REGULATIONS AND POLICIES— FOOD DISTRIBUTION

PART 250—DONATION OF FOODS FOR USE IN THE UNITED STATES, ITS TERRITORIES AND POSSESSIONS AND AREAS UNDER ITS JURISDICTION

Subpart A—General

§ 250.1 General purpose and scope.
This part prescribes the terms and conditions under which donated foods may be obtained from the Department by Federal, State and private agencies for use in any State in child nutrition programs, nonprofit summer camps for children, charitable institutions, nutrition programs for the elderly, the Commodity Supplemental Food Program, the Special Supplemental Nutrition Program for Women, Infants, and Children, the Food Distribution Programs on Indian Reservations and the assistance of needy persons.

§ 250.2 Administration.
(a) Delegation to FNS. Within the Department, FNS shall act on behalf of the Department in the administration

Subpart B—General Operating Provisions

§ 250.10 Eligible distributing and subdistributing agencies.
§ 250.11 Eligibility determination for recipient agencies and recipients.
§ 250.12 Agreements.
§ 250.13 Distribution and control of donated foods.
§ 250.14 Warehousing, distribution and storage of donated foods.

Subpart C—Processiing and Labeling of Donated Foods

§ 250.30 State processing of donated foods.

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

§ 250.50 Contract requirements and procurement.
§ 250.51 Crediting for, and use of, donated foods.
§ 250.52 Storage and inventory management of donated foods.
§ 250.53 Contract provisions.
§ 250.54 Recordkeeping and reviews.

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

§ 250.56 Provision of donated foods in NSLP.
§ 250.57 Commodity schools.
§ 250.58 Ordering donated foods and their provision to school food authorities.

§ 250.59 Storage and inventory management of donated foods.
§ 250.60 Use of donated foods in the school food service.
§ 250.61 Child and Adult Care Food Program (CACFP).
§ 250.62 Summer Food Service Program (SFSP).

Subpart F—Household Programs

§ 250.63 Commodity Supplemental Food Program.
§ 250.64 Food Distribution Program in the Trust Territory of the Pacific Islands.
§ 250.65 Food Distribution Program on Indian reservations.
§ 250.66 Special Supplemental Nutrition Program for Women, Infants, and Children.

Subpart G—Other Donated Food Outlets

§ 250.67 Charitable institutions.
§ 250.68 Nutrition Services Incentive Program (NSIP).
§ 250.69 Disaster food assistance.
§ 250.70 Food assistance in situations of distress.


SOURCE: 53 FR 20426, June 3, 1988, unless otherwise noted.

Subpart A—General
Food and Nutrition Service, USDA

§ 250.3 Definitions.

7 CFR part 2016 means the Department’s regulations establishing uniform administrative requirements for Federal grants and cooperative agreements and subawards to State, local, and Indian tribal governments.

7 CFR part 2019 means the Department’s regulations establishing uniform administrative requirements for Federal grants and cooperative agreements awarded to institutions of higher education, hospitals, and other nonprofit organizations.

Adult care institution means a nonresidential adult day care center that participates independently in CACFP, or that participates as a sponsoring organization, in accordance with an agreement with the distributing agency.

AoA means the Administration on Aging, which is the DHHS agency that administers NSIP.

Bonus foods means Section 32, Section 416, and Section 709 donated foods, as defined in this section, which are purchased under surplus removal or price support authority, and provided to distributing agencies in addition to legislatively authorized levels of assistance.

CACFP means the Child and Adult Care Food Program, 7 CFR part 226.

Charitable institutions means public institutions or nonprofit organizations, as defined in this section, that provide a meal service on a regular basis to predominantly needy persons in the same place without marked changes. Charitable institutions include, but are not limited to, emergency shelters, soup kitchens, hospitals, retirement homes, elderly nutrition projects; schools, summer camps, service institutions, and child and adult care institutions that do not participate in a child nutrition program, or as a commodity school, as they are defined in this section; and adult correctional institutions that conduct rehabilitation programs for a majority of inmates.

Child care institution means a nonresidential child care center that participates independently in CACFP, or that participates as a sponsoring organization, in accordance with an agreement with the distributing agency.

Child nutrition program means NSLP, CACFP, SFSP, or SBP.

Commodities means foods donated, or available for donation, by the Department under any of the legislation referred to in this part (see “Donated Foods”).

Commodity offer value means the minimum value of donated foods that the distributing agency must offer to a school food authority participating in NSLP each school year. The commodity offer value is equal to the national per-meal value of donated food assistance multiplied by the number of reimbursable lunches served by the school food authority in the previous school year.

Commodity school means a school that operates a nonprofit food service, in accordance with 7 CFR part 210, but that receives additional donated food assistance rather than the cash assistance available to it under Section 4 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1753).

Contract value of the donated foods means the price assigned by the Department to a donated food which shall