

TEXAS DEPARTMENT OF AGRICULTURE REVISION NOTICE

Date: March 6, 2025

To: All Holders of *The Emergency Food Assistance Handbook*

Revision No: 25-01

Effective: **Immediately**

Subject: Revisions to sections of the *TEFAP Handbook*

Sections of the *TEFAP Handbook* were revised for clarity and to reflect the most recent policy guidance. Significant revisions to content and guidance are noted under the section names below.

Section 3, Managing the Program

- Edit to require that applicant must provide zip-code to establish residency. CEs may request but not require the full address or any associated identifying documentation. (Application form also revised accordingly in a separate release.)
- Edit to clarify that additional eligibility criteria or distributions for only certain populations are not permitted.
- Edits to clarify the participant confidentiality requirements of the program.

Section 4, USDA Foods

- Edits to remove outdated references to additional and alternate CEs.
- Edit to clarify use of the H1639 Temperature Log Form
- Edit to clarify required food storage temperature ranges to avoid related administrative review findings.

Section 5, Visits, Reviews, and Audits

- Edits to reflect the increase of the single audit threshold rate to \$1,000,000.
- Edit to reflect the increase of the de minimis indirect cost rate to 15%.

Section 6, Civil Rights

- Edit to clarify complainant confidentiality requirements.

Section 7, Financial Management

- Edits to remove outdated references to alternate and additional CEs.
- Edit to describe capital expenditure approval request process.
- Edits to clarify equipment inventory recordkeeping requirements.
- Edit to reflect the increase of the equipment definition cost threshold to \$10,000.

Section 10, Disaster Policies and Procedures

- Edits to reflect that dual participation in D-SNAP and DHD is now permitted.

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The *TEFAP Handbook* is available through the Texas Department of Agriculture (TDA) Internet site at <http://www.squaremeals.org/>; select Programs, The Emergency Food Assistance Program, and then TEFAP Policy & Handbook.

If you downloaded and saved a copy of the *TEFAP Handbook* or any section(s) on your computer, delete and replace them with a downloaded copy of the revised section(s) or revised handbook in its entirety.

TDA does not require you to print a copy of the *TEFAP Handbook*. During a review, TDA will verify that that you and your employees know how to access the handbook online. TDA will not, however, verify whether you possess a printed copy of the handbook.

TEXAS DEPARTMENT OF AGRICULTURE
REVISION NOTICE

Date: July 26, 2024

To: All Holders of *The Emergency Food Assistance Handbook*

Revision No: 24-01

Effective: **Immediately**

Subject: Revisions to sections of the *TEFAP Handbook*

Sections of the *TEFAP Handbook* were revised for clarity and to reflect the most recent policy guidance. Significant revisions to content and guidance are noted under the section names below.

Section 2, Program Application

- Edit to clarify TX-UNPS is used for CE application and claim processing and not ordering.
- Edit to clarify that only new CEs need to sign a permanent agreement with TDA during the initial application process.

Section 3, Managing the Program

- Added that a *Written Notice of Beneficiary Rights* must be provided to all participants and applicants at all sites, the required elements of the Notice, the options for providing the Notice, and the requirement that CEs' written application procedures must describe how the CE will provide the Notice to participants and applicants.

Section, 4 USDA Foods

- Edit to update references to *FNS Instruction 709-5*.

Section 5, Visits, Reviews, and Audits

- Edit to correct a broken link in a footnote for the item describing how to determine the value of USDA Foods for audit purposes.

Section 9, Terms, Definitions, and Acronyms

- Edit to remove unnecessary definition of additional contracting entity.
- Edit to remove reference to ordering in definition of TX-UNPS.

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TEXAS DEPARTMENT OF AGRICULTURE
REVISION NOTICE

Date: October 6, 2023

To: All Holders of *The Emergency Food Assistance Handbook*

Revision No: 23-02

Effective: **Immediately**

Subject: Revision to sections of the *TEFAP Handbook*

Sections of the *TEFAP Handbook* were revised for clarity and to reflect the most recent policy guidance. Significant revisions to content and guidance are noted under the section names below.

Section 3, Managing the Program

- Removed requirements for sites operated by religious organizations to display a Written Notice of Beneficiary Rights and to provide a referral to an alternate site to participants who object to the religious character of the site. These changes reflect the removal of these requirements from 7 CFR 16.

Section 6, Civil Rights

- Updated the Complaints section to better explain how Contracting Entities should process Civil Rights complaints, along with notification requirements to USDA and TDA.

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TEXAS DEPARTMENT OF AGRICULTURE

REVISION NOTICE

Date: August 4, 2023

To: All Holders of *The Emergency Food Assistance Handbook*

Revision No: 23-01

Effective: **Immediately**

Subject: Revisions to sections of the *TEFAP Handbook*

Sections of the *TEFAP Handbook* were revised for clarity and ease of use. Significant revisions to content and guidance are noted under the section names below.

Section 2, Program Administration

- Edits to clarify definitions of site and subdistributing agency.
- Edit to remove redundant item related to renewing agreements for contract entities.
- Edit to remove outdated item describing agreements between TDA and non-food bank contracting entities.

Section 3, Managing the Program

- Edits to clarify sources of program requirements for contracting entities.
- Edits to Monitor Reviews by Contracting Entities item to clarify frequency, areas of compliance to be reviewed, and requirements associated with any corrective action.
- Edits to section related to income eligibility to reorganize content for clarity.
- Edits to clarify types of records subject to administrative review.

Section 4, USDA Foods

- Edit to reflect shipment receipts are now entered by CEs into WBSCM.
- Minor edits to table formatting.
- Edit to remove outdated reference to an inspection of food items before a transfer.
- Edit made to clarify notification process for holds and recalls.

Section 5, Visits, Reviews, and Audits

- Edits made to revise references to compliance reviews to administrative reviews.
- Edits made to clarify workflow related administrative review process.

Section 6, Civil Rights

- Edit to revise reference to compliance review to administrative review.
- Edit to remove redundant reference to complaint form.
- Edit to clarify online location of civil rights training.

Section 7, Financial Management

- Edit to update the reference to the *Emergency Procurement or Sole Source* request form.

- Edit to remove outdated directions for submitting approval requests for noncompetitive procurement.
- Edit to clarify request for approval process when not selecting lowest bid.

Section 8, Denials and Terminations

- Edit to change reference to corrective action plan to corrective action document.

Section 9, Terms, Definitions, and Acronyms

- Edits to definition of authorized representative to clarify an authorized representative must be an employee of CE and remove outdated reference to Form FND-101.
- Edit to revise definition of corrective action plan to corrective action document.
- Edit to clarify definition of distribution receipt.
- Edit to revise definition of federal fiscal year.
- Edit to clarify definition of in-kind replacement.
- Edit to clarify definition of physical inventory.
- Edit to add definition of user access manager.
- Edit to add definition of unique entity identifier.
- Edits to add CFR, CSFP, UAM, and UEI to acronyms list.

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TEXAS DEPARTMENT OF AGRICULTURE

REVISION NOTICE

Date: October 7, 2022

To: All Holders of *The Emergency Food Assistance Handbook*

Revision No: 22-01

Effective: **Immediately**

Subject: Revisions to all sections of the *TEFAP Handbook*

All sections of the *TEFAP Handbook* were revised for clarity and ease of use. Significant revisions to content and guidance are noted under the section names below.

All sections underwent the following style and format changes:

- Name of Program added to footer.
- Minor text edits for clarity as well as for proper grammar, usage, punctuation, and typos.
- Updated broken URLs, hyperlinks, and other terminology.

Section 2, Program Administration

- Edit to explain new UEI request system replacing DUNS number.
- Edit to add item Additional Requirements which now replaces three items (Training, Site Information, General Requirements) for clarity and to avoid redundancy of information elsewhere in the manual.
- Edits to remove and/or replace outdated references to form FND-101 with form FND-135.
- Edit to clarify an authorized representative must be an employee of CE.

Section 3, Managing the Program

- Edits to Training item under Program Administration to clarify methods and associated record keeping.
- Edit to revise reference to Form FND-101 to Form FND-135.
- Edit to clarify claims should be submitted monthly.
- Edit to remove adjusted claim submission via email.
- Edit to add reference to alternate application form H1555B.
- Edit to remove references to collecting participant and proxy signatures.
- Edits to clarify record retention period.
- Edit to remove outdated Statistics by County item.

Section 4, USDA Foods

- Edit to Air Circulation section to revise shelf clearance to six inches from floor.
- Edit to Distribution Quantities item to clarify that distributions must be at least monthly.
- Edit to clarify appointment system CEs may use for distributions.

Section 5, Visits, Reviews, and Audits

- Edit to clarify timeframe for CE reviews of sites.

- Edit to clarify record retention period.
- Edit to update references to corrective action documents.

Section 6, Civil Rights

- Edits made to insert the new Nondiscrimination Statement provided by USDA, in English and Spanish.

Section 7, Financial Management

- Edit to reflect revised process by which CE submits an approval request for an emergency or sole source procurement.
- Edit to clarify length of records retention requirement.
- Edit to clarify that cell phone expenses are only reimbursable if phone is in the name of the CE.
- Edit to clarify Capital Expenditures allowability.

Section 9, Terms, Definitions, and Acronyms

- Edits to definition of authorized representative to clarify an authorized representative must be an employee of CE and remove outdated reference to Form FND-101.
- Edit to revise definition of corrective action plan to corrective action document.
- Edit to remove reference to signature in proxy definition.
- Edit to add definition of user access manager.
- Edit to add definition of unique entity identifier.
- Edit to revise CAP to CAD in acronyms list.

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TEXAS DEPARTMENT OF AGRICULTURE REVISION NOTICE

Date: November 30, 2020

To: All Holders of *The Emergency Food Assistance Handbook*

Revision No: 20-01

Effective: **Immediately**

Subject: Revisions to all sections of the *TEFAP Handbook*

All sections of the *TEFAP Handbook* were revised for clarity and ease of use. Significant revisions to content and guidance are noted under the new section names below.

All sections underwent the following style and format changes:

- Reformatted text for readability.
- Rewrote some text for clarity as well as for proper grammar, usage, and punctuation.
- Removed the heading numbering sequence for readability.
- Updated broken URLs and hyperlinks.

Several sections were merged, and all sections were renumbered as outlined under the new section names below. The following sections were removed, and information within was reorganized into other sections as applicable:

- Section 10000, Email Notification and TEFAP Handbook Online
- Section 11000, Resources
- Section 12000, Frequently Asked Questions

Section 1, Introduction

- Previously Section 1000, Introduction.
- Minor edits made to improve clarity.

Section 2, Program Application

- Section 2000, Eligibility and Application Requirements and Section 3000, Program Agreement were combined into one new section.
- Other minor edits made to improve clarity.

Section 3, Managing the Program

- Previously Section 4000, Managing the Program. Section 4000 was split into two sections. Information regarding program administration, enrolling and certifying participants, participant rights and responsibilities, and program documentation was combined into the new Section 3, Managing the Program.
- Revised to clarify participant residency requirements for household distributions as related to the intent of the program. See Section 3, page 10.
- Other minor edits made to improve clarity.

Section 4, USDA Foods

- Previously Section 4000, Managing the Program. Section 4000 was split into two sections. Information regarding the handling and storage of USDA Foods was combined into the new Section 4, USDA Foods.
- Added the Temperature Chart for food storage, previously located in Section 11000, Resources. See Section 4, page 6.
- Revised to remove Priority 3 from the distribution priorities guidance to simplify operations and align with regulation more closely. See Section 4, page 15.
- Other minor edits made to improve clarity.

Section 5, Visits, Reviews, and Audits

- Previously Section 5000, Visits, Reviews, and Audits.
- Minor edits made to improve clarity.

Section 6, Civil Rights

- Previously Section 6000, Civil Rights.
- Updated the URLs and hyperlinks in the Nondiscrimination Statement. See Section 6, page 14.
- Other minor edits made to improve clarity.

Section 7, Financial Management

- Previously Section 7000, Financial Management.
- Updated 2 CFR 200 citations.
- Added additional funding guidance. See Section 7, page 37.
- Other minor edits made to improve clarity.

Section 8, Denials and Terminations

- Previously Section 8000, Denials and Terminations.
- Minor edits made to improve clarity.

Section 9, Terms, Definitions, and Acronyms

- Previously Section 9000, Terms, Definitions, and Acronyms.
- Added definition for “resident.” See Section 9, page 7.
- Other minor edits made to improve clarity.

Section 10, Disaster Policies and Procedures

- Previously Section 12000, Frequently Asked Questions.
- Combined all other disaster-related guidance from other sections into this section.
- Other minor revisions made to improve clarity.

Since the entire *TEFAP Handbook* was revised, this revision replaces the previous version of the handbook and all sections therein.

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TEXAS DEPARTMENT OF AGRICULTURE
REVISION NOTICE

Date: November 7, 2019

To: All Holders of *The Emergency Food Assistance Handbook*

Revision No: 19–03

Effective: **Immediately**

Subject: Revisions to all section of the *TEFAP Handbook*, Sections 1000 - 5000 and Sections 7000 – 9000 and related Documents

Section 1000, Introduction

- Revised to remove references to appeals.
- Other minor revisions made to improve clarity.

Section 2000, Eligibility and Application Requirements

- Revised to change the name of the *Commodity (USDA Foods) Agreement Between Contracting Entity and the Texas Department of Agriculture* (“Commodity Agreement”) to *The Emergency Food Assistance Program Agreement Between Contracting Entity and Texas Department of Agriculture* (“TEFAP Agreement”).
- Revised to remove reference to appeals.
- Other minor revisions made to improve clarity.

Section 3000, Program Agreement

- Revised to change the name of the *Commodity (USDA Foods) Agreement Between Contracting Entity and the Texas Department of Agriculture* (“Commodity Agreement”) to *The Emergency Food Assistance Program Agreement Between Contracting Entity and Texas Department of Agriculture* (“TEFAP Agreement”).
- Revised to remove reference to appeals.
- Revised to reflect the latest policy and guidance.
- Other minor revisions made to improve clarity.

Section 4000, Managing the Program

- Revised to change the name of the *Commodity (USDA Foods) Agreement Between Contracting Entity and the Texas Department of Agriculture* (“Commodity Agreement”) to *The Emergency Food Assistance Program Agreement Between Contracting Entity and Texas Department of Agriculture* (“TEFAP Agreement”).
- Revised to remove reference to appeals.
- Revised to reflect the latest policy and guidance.
- Other minor revisions made to improve clarity.

Section 5000, Visits, Reviews, and Audits

- Revised to change the name of the *Commodity (USDA Foods) Agreement Between Contracting Entity and the Texas Department of Agriculture* (“Commodity Agreement”) to *The Emergency*

Food Assistance Program Agreement Between Contracting Entity and Texas Department of Agriculture (“TEFAP Agreement”).

- Revised to remove reference to appeals.
- Revised to reflect the latest policy and guidance.
 - *FD-104, Value of USDA Donated Foods for Audits (Revised)*
 - *FD-037, Office of Management and Budget Uniform Guidance Audit Requirements (Revised)*
 - *2 CFR Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*
- Other minor revisions made to improve clarity.

Section 7000, Financial Management

- Revised to reflect the latest policy and guidance including the requirements in *2 CFR Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*
- Other minor revisions made to improve clarity.

Section 8000, Denials and Terminations

- Revised name of the Section.
- Revised to change the name of the *Commodity (USDA Foods) Agreement Between Contracting Entity and the Texas Department of Agriculture* (“Commodity Agreement”) to *The Emergency Food Assistance Program Agreement Between Contracting Entity and Texas Department of Agriculture* (“TEFAP Agreement”).
- Revised to remove reference to appeals.
- Other minor revisions made to improve clarity.

Section 9000, Terms, Definitions, and Acronyms

- Revised to change the name of the *Commodity (USDA Foods) Agreement Between Contracting Entity and the Texas Department of Agriculture* (“Commodity Agreement”) to *The Emergency Food Assistance Program Agreement Between Contracting Entity and Texas Department of Agriculture* (“TEFAP Agreement”).
- Revised to remove reference to appeals.
- Other minor revisions made to improve clarity.

This revision of Section 1000 replaces the July 2015 version.

This revision of Section 2000 replaces the July 2015 version.

This revision of Section 3000 replaces the July 2015 version.

This revision of Section 4000 replaces the March 2018 version.

This revision of Section 5000 replaces the July 2015 version.

The revision of Section 7000 replaces the January 2019 version.

The revision of Section 8000 replaces the July 2015 version.

The revision of Section 9000 replaces the March 2019 version.

NOTE: The style and format of this handbook are under revision. All sections will eventually undergo the bulleted list of changes below. The text was reformatted for readability.

- Some portions of the text were moved for context and logical flow.
- Some text was rewritten for clarity as well as for proper grammar, usage, and punctuation.

- Terminology was updated to reflect current TDA usage.
- The updated, tiered table of contents better aids navigation.
- Navigation to information on SquareMeals is updated.
- Footnotes now provide information that otherwise would clutter the text.

Upon complete revision of the entire handbook, TDA will correlate numbers or headings throughout. Until then, some internal references may not be accurate. TDA suggests that CEs search the text by key words or phrases. If necessary, email the USDA Foods Program Specialist at CommodityOperations@TexasAgriculture.gov for help locating information.

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In addition to the revisions to the TEFAP Handbook, revisions were made to the following TEFAP Documents:

Instructions, H1638, Report of Loss of USDA Foods

- Reformatted the instructions and made updates consistent with revisions to the Handbook summarized above.
- Updated contact information for USDA Foods Program Specialist.
- No changes made to H1638, Report of Lost of USDA Foods.

Participant Rights and Responsibilities

- Revised to remove reference to appeals.

Agreement Between Contracting Entity and Site

- Revised to remove reference to appeals.
- Other minor revisions made to improve clarity.

Agreement Between Contracting Entity and Subdistributing Agency

- Revised to remove reference to appeals.
- Other minor revisions made to improve clarity.

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TEXAS DEPARTMENT OF AGRICULTURE
REVISION NOTICE

Date: June 28, 2019
To: All Holders of *The Emergency Food Assistance Handbook*
Revision No: 19-02
Effective: **Immediately**
Subject: Revisions to *TEFAP Handbook*, Section 6000

Section 6000, *Civil Rights*, of the TEFAP Handbook has been **revised** to reflect the latest policy and guidance.

This revision of Section 6000 replaces the December 2015 version.

The *TEFAP Handbook* is available through the Texas Department of Agriculture (TDA) Internet site at <http://www.squaremeals.org/>; select Programs, The Emergency Food Assistance Program, and then TEFAP Policy & Handbook.

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TEXAS DEPARTMENT OF AGRICULTURE
REVISION NOTICE

Date: January 7, 2019
To: All Holders of *The Emergency Food Assistance Handbook*
Revision No: 19-01
Effective: **January 1, 2019**
Subject: Revisions to *TEFAP Handbook*, Section 7000

Section 7000, *Financial Management*, of the TEFAP Handbook has been **revised** to reflect the changes as indicated below.

7311, Micro-Purchase Method – Effective January 1, 2019, the micro-purchase threshold increased from \$3,500 to \$10,000. The increased micro-purchase threshold is only applicable to those procurements conducted on or after January 1, 2019.

This revision of Section 7000 replaces the July 2018 version.

The *TEFAP Handbook* is available through the Texas Department of Agriculture (TDA) Internet site at <http://www.squaremeals.org/>; select Programs, The Emergency Food Assistance Program, and then TEFAP Policy & Handbook.

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TEXAS DEPARTMENT OF AGRICULTURE
REVISION NOTICE

Date: August 16, 2018

To: All Holders of *The Emergency Food Assistance Handbook*

Revision No: 18-04

Effective: **Immediately**

Subject: Revisions to *TEFAP Handbook*, Sections 11000 and 12000

The style and format of this handbook are under revision. All sections will eventually undergo the bulleted list of changes below. This current revision covers Section 11000, *Resources*; and Section 12000, *Frequently Asked Questions*.

- The text was reformatted for readability.
- Some portions of the text were moved for context and logical flow.
- Some text was rewritten for clarity as well as for proper grammar, usage, and punctuation.
- Terminology was updated to reflect current TDA usage.
- The updated, tiered table of contents better aids navigation.
- Navigation to information on SquareMeals is updated.
- Footnotes now provide information that otherwise would clutter the text.

Upon complete revision of the entire handbook, TDA will correlate numbers or headings throughout. Until then, however, references to titles or item numbers might not be accurate. TDA suggests that CEs search the text by key words or phrases. If necessary, email the Program Specialist at CommodityOperations@TexasAgriculture.gov for help locating information.

Changes, Additions, and Deletions
Section 11000

Damaged or Short Shipments – Deleted from this section because it appears elsewhere in the handbook.

Food Assistance for Disaster Relief – Deleted from this section because it appears elsewhere in the handbook.

The Emergency Food Assistance Program Guidelines for Distributing USDA Foods – Deleted from this section because it appears elsewhere in the handbook.

USDA Foods Available – Deleted outdated location text from this item.

Training – Deleted from this section because it appears elsewhere in the handbook.

Texas Department of Agriculture Civil Rights Training – Deleted from this section because it appears elsewhere in the handbook.

Changes, Additions, and Deletions Section 12000

Questions and Answers about Food Quality and Safety for Households – Deleted to avoid repetition with updated guidance.

Guidance for Households on Safe Storage Practices – Deleted to avoid repetition with updated guidance.

Guidance for Households: Food Safety Best Practices for Households – Added to direct readers to USDA’s food safety resources at <https://www.fns.usda.gov/food-safety/food-safety-resources>.

The August 2018 revision of Section 11000 replaces the March 2018 version. The August 2018 revision of Section 12000 replaces the November 2017 version.

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TEXAS DEPARTMENT OF AGRICULTURE
REVISION NOTICE

Date: July 9, 2018
To: All Holders of *The Emergency Food Assistance Program Handbook*
Revision No: 18-03
Effective: Immediately
Subject: Revisions to *TEFAP Handbook*, Section 7000

The style and format of this handbook are under revision. All sections will eventually undergo the bulleted list of changes below. This current revision covers Section 7000, *Financial Management* (formerly *Procurement*).

- The text was reformatted for readability.
- Some portions of the text were moved for context and logical flow.
- Some text was rewritten for clarity as well as for proper grammar, usage, and punctuation.
- Terminology was updated to reflect current TDA usage.
- The updated, tiered table of contents better aids navigation.
- Navigation to information on SquareMeals is updated.
- Footnotes now provide information that otherwise would clutter the text.

Upon complete revision of the entire handbook, TDA will correlate numbers or headings throughout. Until then, however, references to titles or item numbers might be inaccurate. TDA suggests that CEs search the text by key words or phrases. If necessary, email the Program Specialist at CommodityOperations@TexasAgriculture.gov for help locating information.

Changes and Additions
Section 7000

Financial Management (the section title) — Previously *Procurement*. Revised section name better reflects content.

Financial Management – This subsection was added based on 2 CFR 200.302 provide general information about financial management.

Cost Principles — Added based on 2 CFR 200.302 to explain cost principles; and allowable and unallowable costs.

Standards of Conduct — The changes to this subsection are from 2 CFR 200.318 to provide clarity about standards of conduct.

Full and Open Competition — The changes to this subsection fully express the intent of 2 CFR 200.319.

Written Procurement Procedures — This subsection is revised per 2 CFR 200.318 to provide details about written procedures.

Procurement Methods — Changes to this subsection, which explains details about procurement methods, are from 2 CFR 200.320.

Noncompetitive Method — The changes to the subsection are from 2 CFR 200.320(f) to explain the details of noncompetitive procurement methods.

Bonding Requirements — Changes to this subsection are per 2 CFR 200.325 to provide details about the use and requirement of bonds.

Solicitation — Revisions to this subsection per 2 CFR 200.319 to detail information about solicitations.

Contracts — Additions to this subsection are based on 2 CFR 200 Appendix II to provide further information about contracts.

Contract Negotiation for an RFP — Changes to this section based on 2 CFR 200.320 to clarify negotiation for an RFP.

Contract for an IFB — Changes to this subsection based on 2 CFR 200.320 to provide details about a contract for an IFB.

Contract Management — Added per Appendix II of Part 200 to express details of contract management.

Clean Air and Water Act and Federal Water Pollution Control Act — Edits made based on 2 CFR 200 Appendix II. (G) to provide citations for USC.

Equal Employment Opportunity — Edits made based on 2 CFR 200 Appendix II. (C) to provide a citation for and a brief explanation of the EEO.

Copeland Anti-Kickback Act — Edits made based on 2 CFR 200 Appendix II. (D) to provide citations about Copeland.

Davis-Bacon Act — Edits made based on 2 CFR 200 Appendix II. (D) to provide citations about the Davis-Bacon Act.

Contract Work Hours and Safety Standards Act — Edits made based on 2 CFR 200 Appendix II. (E) to provide citations and an outline of the act.

Rights to Inventions Made Under a Contract or Agreement — Edits made per 2 CFR 200 Appendix II. (F) to provide a brief description of rights.

Small and Minority Businesses, Women's Business Enterprise, and Labor Surplus Area Firms — Addition based on 2 CFR 200.321 to provide a brief description of federal regs.

Protest — Addition based on 2 CFR 200.318 to provide further details about protests.

Records Retention — Added based on 2 CFR 200.333 to provide information about record retention.

Contracting with Small and Minority Businesses, Women’s Business Enterprises, and Labor Surplus Area Firms — Revisions based on 2 CFR 200.321 to provide additional guidance.

Compensation for Purchased Services — Revisions to this subsection based on 2 CFR 200.319.

Disputes — Clarification based on 2 CFR 200.318.

This section was rewritten to include recent changes in federal regulations.

The July 2018 revision of Section 7000 replaces the July 2015 version.

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TEXAS DEPARTMENT OF AGRICULTURE
REVISION NOTICE

Date: March 5, 2018

To: All Holders of *The Emergency Food Assistance Program (TEFAP) Handbook*

Revision No: 18-02

Effective: Immediately

Subject: Revisions to *TEFAP Handbook*

This revision covers the following sections and forms:

1. Section 4000, *Managing the Program*
2. Section 9000, *Terms, Definitions, and Acronyms*
3. Section 11000, *Resources*
4. *Household Application for USDA Foods (H1555)*
5. Instructions for *Household Application for USDA Foods (H1555)*
6. *Participant Rights and Responsibilities* (previously titled *Participant Agreement, Rights, Obligations, and Fair Hearing Request*)

The entire TEFAP Handbook is undergoing revision. As revisions progress, existing references to revised item numbers and subheads will become outdated. This issue will resolve upon the complete revision of the handbook. Remember to search by key word or topic to maximize the search results.

All sections will eventually undergo the bulleted list of changes listed below.

- Text reformatted for readability.
- Some text revised for clarity as well as for proper grammar, usage, and punctuation.
- Terminology updated to reflect current TDA usage.
- Tiered table of contents to better aid navigation.
- Item numbers removed for formatting consistency with *Administrator's Reference Manual (ARM)*. (Contracting entities that participate in School Nutrition Programs use the ARM.)
- Add footnotes to provide additional information that would otherwise clutter the text.

Additional revisions to Section 4000, *Managing the Program* are below.

TEFAP Structure — Illustrates the existing structure among entities in TEFAP.

Procedures for Reporting Fraud – Revised for clarity

Eligible recipient agency — Added to clarify federal regulations.

Emergency feeding organization — Added to clarify federal regulations.

Sites Located at Religious Organizations — Added per the following USDA memos:

1. FD-138, *Written Notice and Referral Requirements for Beneficiaries Receiving TEFAP and CSFP Benefits from Religious Organizations* (June 10, 2016). This memo clarifies the written notice and referral requirements for religious organizations that receive USDA Foods through TEFAP.
2. FD-141, *Questions and Answers Related to 7 CFR Part 16: Equal Opportunity for Religious Organizations Final Rule* (November 28, 2016). This memo clarifies the implementation of the final rule *Federal Agency Final Regulations Implementing Executive Order 13559: Fundamental Principles and Policymaking Criteria for Partnerships with Faith-Based and Other Neighborhood Organizations*.
3. FD-142, *Further Clarification on the Prohibition Against Explicitly Religious Activities As Part of TEFAP and CSFP Activities* (November 28, 2016). This memo clarifies “explicitly religious activities” per 7 CFR 16. The memo also provides specific examples related to TEFAP.

Public Notice — Revised for clarify and per final rule *Requirements for the Distribution and Control of Donated Foods — The Emergency Food Assistance Program: Implementation of the Agricultural Act of 2014* (April 19, 2016).

Eligibility Determinations — Revised for clarity.

Request but don't require — Clarifies federal regulation.

The Proxy — Revised per USDA memo FD-099, *Questions and Answers about Waiting Lists, and Available Flexibilities in Caseload Management (Rev)*. Although this memo is issued for CSFP, it details best practices for proxies in TEFAP as well.

Residency — Revised in response to a programmatic change.

Referral to Other Sites — Added to clarify federal regulations.

Identity — Separated Identity and Citizenship into two sections. Revised to clarify federal regulations.

Citizenship — Separated Identity and Citizenship into two sections. Revised to clarify federal regulations.

Participant Rights and Responsibilities — Previously titled *Participant Agreement, Rights, Obligations, and Fair Hearing Request*. Revised to clarify use and details of the form *Participant Rights and Responsibilities*.

Appeal and Review of Adverse Action — Revised to fully explain TEFAP's appeal process.

Distribution — Revised per final rule *Requirements for the Distribution and Control of Donated Foods — The Emergency Food Assistance Program: Implementation of the Agricultural Act of 2014* (April 19, 2016).

Meeting the priority system — Previously titled “Non-Needy Persons Who Eat at Priorities 1 and 2.” Revised for clarity.

Ensure Orderly Distribution — Added to describe resources for an orderly distribution.

Meals for Volunteers and Staff — Revised per USDA memo FD-017, *Meals Provided to Volunteers (Rev)* (October 26, 2016). This memo outlines the conditions for providing meals to volunteers that staff distribution sites.

Insurance Requirements — Added per USDA memo FD-139, *Clarification on Inventory Protection Requirements* (September 22, 2016). This memo clarifies food insurance requirements.

Inventory Requirements — Revised to require separate inventory records for USDA Foods per final rule *Requirements for the Distribution and Control of Donated Foods — The Emergency Food Assistance Program: Implementation of the Agricultural Act of 2014* (April 19, 2016).

USDA Foods Transfer — Added to explain transfers of USDA Foods per final rule *Requirements for the Distribution and Control of Donated Foods — The Emergency Food Assistance Program: Implementation of the Agricultural Act of 2014* (April 19, 2016).

Food Losses — Revised per final rule *Requirements for the Distribution and Control of Donated Foods — The Emergency Food Assistance Program: Implementation of the Agricultural Act of 2014* (April 19, 2016) and for clarity.

Holds and Recalls — Revised per final rule *Requirements for the Distribution and Control of Donated Foods — The Emergency Food Assistance Program: Implementation of the Agricultural Act of 2014* (April 19, 2016).

Out-of-Condition USDA Foods — Revised per final rule *Requirements for the Distribution and Control of Donated Foods — The Emergency Food Assistance Program: Implementation of the Agricultural Act of 2014* (April 19, 2016).

Out-of-Condition upon Delivery — Added per final rule *Requirements for the Distribution and Control of Donated Foods — The Emergency Food Assistance Program: Implementation of the Agricultural Act of 2014* (April 19, 2016).

Record Retention — Previously titled Retention Period. Revised for clarity.

TEFAP Foods for Children — Revised per USDA memo FD-041, *Distribution of TEFAP Foods to Children (Rev)* (June 30, 2017). This memo guides the distribution of TEFAP foods to children.

Presidentially Declared Disasters and Situations of Distress — Revised per final rule, *Requirements for the Distribution and Control of Donated Foods — The Emergency Food Assistance Program: Implementation of the Agricultural Act of 2014* (April 19, 2016) and USDA memo FD-093, *Questions and Answers about Disaster Policies and Procedures (Rev)* (December 9, 2016). The USDA memo consolidates and clarifies disaster and emergency policies in TEFAP and other programs.

Disaster Household Distribution Program — Added per final rule *Requirements for the Distribution and Control of Donated Foods — The Emergency Food Assistance Program: Implementation of the Agricultural Act of 2014* (April 19, 2016).

SNAP Recruitment and Promotion — Added per USDA memo FD-143, *Prohibition of SNAP Recruitment and Promotion Activities by FDPIR and TEFAP Administering Agencies* (May 9, 2017). This memo provides further information on the final rule *Supplemental Nutrition Assistance Program Promotion*, which prohibits the use of federal funds to recruit individuals for SNAP benefits.

Various portions of text — Per the final rule, *Requirements for the Distribution and Control of Donated Foods — The Emergency Food Assistance Program: Implementation of the Agricultural Act of 2014* (April 19, 2016).

Additional revisions to Section 9000, Terms, Definitions, and Acronyms

The following definitions and acronyms have been added, revised, or deleted.

Definitions

Allocation	Means test
Appeal	Needy person
Code of Federal Regulations	Prepared meal
Congregate meal	Proxy
Denial of benefits	Recipient agency
Distribution site	Review of adverse action
Eligible person	Service area
Eligible recipient agency	Site
Emergency feeding organization	State Office of Administrative Hearings
Expiration	Subdistributing agency
Fair hearing	Termination of benefits
Food bank	USDA Foods for children

Acronyms

ARO	SNAP
CFR	SOAH
CY	SSI
DSNAP	TANF

Additional revisions to Section 11000, Resources

Presidentially-Declared Disasters and Situations of Distress — Added instructions to find disaster and situation of distress resources.

Revisions to Forms

Household Application for USDA Foods (H1555) — Revised both form and instructions based on feedback from CEs.

Participant Rights and Responsibilities — Previously titled *Participant Agreement, Rights, Obligations, and Fair Hearing Request*. Revised to clarify appeals; renamed to reflect its purpose.

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TEXAS DEPARTMENT OF AGRICULTURE
REVISION NOTICE

Date: November 16, 2017

To: All Holders of *The Emergency Food Assistance Program (TEFAP) Handbook*

Revision No: 18-01

Effective: Immediately

Subject: Revisions to *TEFAP Handbook*

TEFAP Handbook, Section 12000, *Frequently Asked Questions*, has been **revised** to reflect the change indicated below.

Questions and Answers about Disaster Policies and Procedures — Revised to reflect USDA memo FD-093, *Questions and Answers about Disaster Policies and procedures (Rev)*, which contains information from USDA about disaster and emergency policy and procedures.

The November 2017 revision replaces the July 2015 version.

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