

Commodity Supplemental Food Program:

Using Private Companies to Distribute CSFP Food Packages

The Texas Department of Agriculture has the discretion to allow Contracting Entities to utilize a for-profit company to provide home delivery of CSFP food packages, if certain conditions are met.

Agreements:

First, consistent with 7 CFR 250.4(c) and (d), an agreement or contract must be in place between the company and the CE which ensures that the delivery service adheres to all CSFP program regulations (see also 7 CFR 247.4).

At a minimum, a contract or agreement for these delivery services must require the company to provide:

- I. Safe storage and transportation of the foods in compliance with program regulations at 7 CFR 250;
- II. Verification of the identity of each CSFP participant through a review of the participant's, or proxy's, identification before issuing the CSFP food package, consistent with 7 CFR 247.10(b);
- III. All applicable records required by the state or local agency;
- IV. An assurance that the privacy and confidentiality of participant information will be maintained, consistent with 7 CFR 247.36; and
- V. Civil Rights training for delivery personnel.

Documents to submit to TDA:

- A copy of the agreement must be submitted to TDA prior to implementing this delivery model.
- A copy of the CE's plan of operation outlining the following:
 - *How CSFP foods will be transported to ensure food safety, to include how cheese will be kept cold,*
 - *How the participant data will be kept confidential,*
 - *How training will be provided,*



TEXAS DEPARTMENT OF AGRICULTURE
COMMISSIONER SID MILLER

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Documents to submit to TDA (cont.):

- A copy of the CE's plan of operation outlining the following (continued):
 - *How many participants the CE is planning to serve daily/monthly,*
 - *How the CE will identify and discontinue participants who miss (2) consecutive distributions,*
 - *How eligibility and annual validations will be conducted,*
 - *How the CE will issue written notices to include certification expirations, discontinuance, disqualifications, and terminations within the required timeframes, and*
 - *How the CE will continue to serve participants if this agreement is terminated/ends.*

Procurement:

If the CE plans to use CSFP administrative funds to procure this service, they must follow procedures outlined in 2 CFR 200, subpart E, and all applicable state and local procurement regulations.

If the CE is procuring for these services, proper documentation must be maintained in accordance with the CE's procurement plan.

If the for-profit company is donating its services, the state or local agency does not need to follow procurement regulations but must still have a contract or service agreement in place, preferably a no-cost contract or agreement.

CSFP CE Responsibility:

Employees of the for-profit delivery services may not collect participant information or make eligibility determinations for new participants. Additionally, such employees may not be considered proxies for participants. The CE must ensure responsibility of carrying out major local responsibilities and not pass these along to the private company (see 7 CFR 247.5(c)(1)-(8) listing the major local agency responsibilities).

Delivery of CSFP Food Packages:

- The CE must ensure food packages are not dropped off at a door or left unattended at a pick-up location.
- The CE must ensure that participants or their proxies present identification before being issued a food package (see 7 CFR 247.10(b)).



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