

# Donation or Transfer of USDA Foods



A contracting entity (CE) participating in the National School Lunch Program (NSLP) may transfer inventories of USDA Foods to another entity when they are unable to utilize the product within the program year it was allocated or if it is close to expiring. This guide outlines the steps a CE must follow to initiate a transfer.

## 1. If the USDA Foods are stored on-site at a CE's kitchen or warehouse:

### a. The CE has the following options:

- i. The CE can donate the product to a local food bank. If you need help finding your local food bank you may utilize the hunger map on the Feeding Texas website, <https://www.feedingtexas.org/>. Enter your zip code to find contact information for the food bank that serves your county. You may contact the food bank to get more information on their process for accepting food donations.
- ii. The CE may contact another CE to initiate a transfer of product.

### b. NOTE: TDA approval is not required.

### c. Entitlement is not replaced in these situations.

### d. CE must keep records of all food transferred to another entity



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## 2. If the USDA Foods are stored at a TDA-contracted warehouse or pounds are with a processor, the CE should follow the steps below:

- a. The CE should identify another NSLP CE to transfer excess product to or release the product to TDA by emailing form H4529 to [CommodityOperations@TexasAgriculture.gov](mailto:CommodityOperations@TexasAgriculture.gov). The CE may download form H4529, Authorization to Transfer USDA Foods, from [SquareMeals.org](http://SquareMeals.org) and fill out the appropriate transferring CE information.
  - i. If the CE has identified another CE to take the excess product, they will send the form to the receiving CE for completion of the receiving section.
  - ii. If the CE is releasing the product to TDA, they must indicate that information on the form before e-mailing to TDA. Note: in this circumstance, TDA will not unallocate excess product from a CE until another CE or place can be identified for the product and storage fees would remain the responsibility of the releasing CE.
  - iii. If the CE is transferring processing pounds, the first step is to contact your cooperative coordinator to let them know that you have pounds at a processor that you cannot use.
- b. The transferring CE sends the completed H4529 form to TDA for authorization by attaching the form to an email to [CommodityOperations@TexasAgriculture.gov](mailto:CommodityOperations@TexasAgriculture.gov).
- c. TDA will transfer the product within the appropriate systems and product will be available for the receiving CE to order.
- d. The transferring CE's entitlement will not be replaced, nor will USDA replace the food products.
- e. The food products transferred to the CE will not be charged to the CE's entitlement. However, the receiving CE will pay the state-contracted warehouse's standard delivery fees.
- f. Processor-to-Processor transfers require approval from both Processors and USDA.
- g. CEs must maintain documentation of transfers for five years from the close of the program year for which it pertains.



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