



South Carolina  
**DEPARTMENT OF AGRICULTURE**

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Hugh E. Weathers, Commissioner

**COMMODITY SUPPLEMENTAL  
FOOD PROGRAM (CSFP)**

**STATE OPERATIONS  
MANUAL 2021**

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# DEFINITIONS

## APPLICANT

Any person who applies to receive program benefits.

## CASELOAD

Number of persons the State agency may serve monthly during a caseload cycle.

## CASELOAD CYCLE

The period from January 1 through the following December 31.

## CERTIFICATION

Procedures to determine an applicant's program eligibility.

## CERTIFICATION PERIOD

The period of time a participant continues to receive program benefits.

## COMMODITIES

USDA foods to supplement the diets of CSFP participants.

## CSFP

The Commodity Supplemental Food Program.

## DISQUALIFICATION

Ending Program participation of the participant as a punitive sanction.

## DUAL PARTICIPATION

Participation by an individual in CSFP at more than one distribution site.

## ELDERLY PERSONS

Persons at least 60 years of age.

## FISCAL YEAR

The period from October 1 through the following September 30.

## FNS

The Food and Nutrition Service of the U. S. Department of Agriculture.

## FOOD BANKS

Eligible non-profit local agencies within South Carolina.

## HOMEBOUND ELDERLY PERSONS

Persons who are, in the judgment of the Local Agency, unable to obtain monthly food packages without assistance provided by or through the Local Agency.

## LOCAL AGENCY (LA)

A public or private nonprofit agency, which enters into an agreement with the State agency to administer CSFP at the local level.

## NONPROFIT AGENCY

A private agency or organization with tax-exempt status under the Internal Revenue Code.

## PROXY

Person designated by a participant or caretaker, to obtain supplemental food on behalf of the participant.

## SCDA

South Carolina Department of Agriculture

## STATE AGENCY (SA)

The South Carolina Department of Agriculture

## STATE PLAN

The document the State agency uses to administer the program in the State.

## CHAPTER 1

# PROGRAM ADMINISTRATION

The South Carolina Commodity Supplemental Food Program (CSFP) works to improve the health of older persons at least 60 years of age by supplementing their diets with nutritious USDA commodity foods. The South Carolina Department of Agriculture (SCDA) administers the CSFP. The CSFP food packages do not provide a complete diet, but rather are good sources of the nutrients typically lacking in the diets of the target population.

USDA purchases food and makes it available to SCDA along with funds for administrative costs. SCDA distributes the food to public and non-profit private local agencies in South Carolina. Local agencies determine the eligibility of applicants, distribute the foods, and provide nutrition education. Local agencies also provide referrals to other welfare, nutrition, and health care programs such as food stamps, Medicaid, and Medicare.

Participants must reside in the state of South Carolina, within a CSFP service area, be elderly (age 60 or above), and have income at or below 130 percent of the Federal Poverty Income Guidelines.

Food packages include a variety of foods, such as non-fat dry milk, shelf stable milk, juice, hot or ready-to-eat cereal, rice or pasta, peanut butter or dry beans, canned meat or poultry or tuna or salmon or egg mix, and canned fruits and vegetables.

For more information go to [agriculture.sc.gov/tefap-csfp](http://agriculture.sc.gov/tefap-csfp) or contact:

CSFP Program Manager  
South Carolina Department of Agriculture  
1200 Senate St.  
Columbia, SC 29211

## CERTIFICATION

Local agencies shall assure certifying officials are trained and demonstrate understanding of the requirements of the certification process.

All certification data for each applicant shall be recorded on the CSFP Participant Application. The application shall be completed by the certifying official in its entirety. Any individual requesting to apply shall be allowed to complete the CSFP Participant Application. If caseload is not available, eligible applicants shall be placed on the waiting list.

All completed CSFP Participant Applications shall be retained for a period of three years plus the current year, including those of applicants determined to be ineligible and all previous applicants and participants.

To be eligible for CSFP, certifying official must determine the applicant meets the following criteria:

1. Can be classified as an elderly person;
2. Meets residency requirements;
3. Meets the income eligibility. Elderly persons are income eligible if they have household income at or below 130% of federal poverty income guidelines.

Certifying officials must assure the sentences located in the signature box are read by, or read to, the applicant or the applicant's caretaker, in the appropriate translation, at the time of certification.

Appeals Process information shall be available at all certification and distribution sites and copies shall be available upon request.

The "And Justice for All" poster must be posted in a prominent location at all certification sites. This poster is also available on the web at [fns.usda.gov/cr/and-justice-all-posters-guidance-and-translations](https://fns.usda.gov/cr/and-justice-all-posters-guidance-and-translations)

Within 10 days from the date of application, certifying officials must notify applicants in writing of their eligibility or ineligibility for CSFP benefits, or their placement on a waiting list.

Notification of eligibility/ineligibility must be in writing and must include the length of the certification period and information on the time, location, and means of food distribution. If deemed ineligible, the reason for this determination must be provided in writing. The date written notice was provided to applicant must be entered on the Participant Agreement.

Notification of placement on a waiting list must be in writing when applicants exceed available caseload, certifying officials must maintain a waiting list of individuals who apply for the Program. The date written notice was provided to applicant must be entered on the Participant Agreement.

If there is no waiting list, a person determined eligible for program benefits shall receive supplemental foods at the next regularly scheduled distribution after notification of eligibility.

At least 15 days before the expiration of a certification period participants must be notified in writing that eligibility for the Program is about to expire using the Certification Expiration Notice. Documentation of the notification shall have a copy retained in the individual's file.

A copy of the participant's current Application is available upon request by any participant relocating during the certification period and such forms from other CSFP locations or states shall be honored.

Verification of eligibility is determined by the use of a birth certificate or hospital record of birth. If not available, any of the following may be used, which must show the applicant's name and age or date of birth:

1. state identity card,
2. insurance policy,
3. driver's license,
4. clinic, doctor, or hospital record,
5. U.S. passport or U.S. citizen ID card,

6. marriage or divorce record,
7. voter's registration,
8. military record.

Local agencies are authorized to serve residents from counties within their normal service area as defined by SCDA. In special cases, local agencies may serve residents from counties outside their service area as long as the area does not overlap another local agency's CSFP service area.

Local agencies will establish distinct, non-overlapping service areas for distribution and certification sites under their jurisdiction.

Elderly persons living in nursing homes are not eligible for CSFP benefits.

Verification of residency may include a utility bill, driver's license, welfare identification card, a letter addressed to the applicant, or an indication from an employer that residency is in South Carolina.

South Carolina is an income self-declaration state.

Income is gross cash income before any deductions. The local agency shall count as income the following:

1. Monetary compensation for services, including:
  - a. Wages or salary.
  - b. Commissions.
  - c. Fees.
  - d. Tips.
  - e. Farming self-employment.
  - f. Non-farming self-employment.
  - g. Rental property.
  - h. Royalties.
2. Social Security benefits.
3. Public assistance or welfare payments.
4. Unemployment compensation.
5. Strike benefits.
6. Workmen's compensation.
7. Pensions, retirement pay or annuities.

## WAITING LISTS

The South Carolina Department of Agriculture assigns caseload to each local agency, who in turn allots caseloads to each certification site. When applications exceed the assigned caseload level the local agency shall assure the certification site implements a waiting list. Only certified applicant's will be place on the waiting list.

Applicants on the waiting list will be served on a first come first serve basis when caseload slots become available. Examples of when slots may become available are:

1. The certification period is not extended for an elderly participant.
2. Current participant moves from the area, moves to a nursing home, or voluntarily stops participating in the program.
3. Participant is discontinued or disqualified.
4. Site received additional caseload slots.
5. Upon the death of a current participant.

When waiting lists are required, available caseload

authorizations must be offered to the first individual listed. Reasonable efforts must be made to contact individuals in the order they were placed on the list until all available caseload authorizations are filled.

When there are waiting applicants, at least 15 days before the expiration of a certification period, participants not eligible for certification extension must be notified in writing that eligibility for the Program is about to expire. Notification of appeal rights is not required at the expiration of a certification period, per 7 CFR 247.33(a).

Sites must establish a monthly distribution period ending prior to the end of the distribution month. All participants must be notified of the distribution period and of the "No Show" policy when boxes are not picked up during the monthly distribution period.

When there are "No Shows" or when boxes remain undistributed after the monthly distribution period, sites must contact individuals on the waiting list starting with the first person on the list as indicated above to fulfill the assigned monthly caseload.

## ADVERSE ACTION NOTIFICATIONS

When certification periods expire, appeal rights notification is not required per 7 CFR 247.33(a). Certification and extension of certification periods depends on caseload availability, whether applicants are waiting, and eligibility.

A person found ineligible for the Program during the certification process shall be advised in writing of the reasons for ineligibility and of the right to a fair hearing by Notice of Eligibility Determination within 10 days from the date of application. The date written notice was provided to participant must be entered on the Participant Application.

If a local agency has evidence that a participant is no longer eligible for CSFP benefits during the certification period, it must provide the participant with a written notification of discontinuance including the reason for discontinuance at least 15 days before the effective date of discontinuance using the Closure Notification Letter. Documentation of the notification shall have a copy retained in the individual's file.

If a participant is no longer eligible for CSFP benefits due to violation of the established "no-show" policy, the local agency must provide the participant with a written notification of discontinuance including the reason for discontinuance at least 15 days before the effective date of discontinuance Notification of Removal from Program. Documentation of the notification shall have a copy retained in the individual's file.

If a local agency does not have sufficient resources, such as a sufficient number of caseload slots, to continue providing benefits to the participant(s) for the entire certification period, it must provide the participant(s) with a written notification of discontinuance including the reason for discontinuance at least 15 days before the effective date of discontinuance. Documentation of the notification shall have a copy retained in the individual's file.

CSFP applicants or participants, or caretakers of applicants or participants, who commit program violations may be disqualified for a period of up to one year in accordance with 7 CFR 247.20. The local agency must provide the individual with written notification of disqualification for CSFP including the effective date and period of disqualification and the reason for the disqualification at least 15 days before the effective date of disqualification using Closure Notification Letter. Program violations include the following actions:

1. Intentionally making false or misleading statements, orally or in writing;
2. Intentionally withholding information pertaining to eligibility in CSFP;
3. Selling commodities obtained in the program, or exchanging them for non-food items;
4. Physical abuse, or threat of physical abuse, directed at program staff; or
5. Participating in two CSFP sites at the same time.

Disqualification may be waived if the local agency determines that disqualification would result in a serious health risk. Waiver of disqualification must be documented and retained in the participant's file. A participant who commits three program violations that involve fraud must be permanently disqualified from participation in CSFP. In accordance with 7 CFR 247.20 (b), for the purposes of this program, fraud includes:

1. Intentionally making false or misleading statements to obtain CSFP commodities;
2. Intentionally withholding information to obtain CSFP commodities; or
3. Selling CSFP commodities or exchanging them for non-food items.

The Closure Notification Letter must be used because it includes a statement of the individual's



right to appeal the adverse action through the fair hearing process and a statement that informs the individual that program standards are applied without discrimination by race, color, national origin, age, sex or disability.

Individuals wishing to appeal ineligibility for, discontinuance of or disqualification for CSFP benefits have 60 days from the date of notice of adverse

action. A request for a hearing is defined as any clear expression by the individual, guardian, or other representative that an opportunity to present its case to a Hearing Officer is desired.

See [Chapter 12](#) for details about fair hearings for individuals. The “Appeals Process” shall be posted at all certification and distribution sites and copies shall be available upon request.

## CHAPTER 5

### CERTIFICATION PERIOD

Each participant shall be certified at the time of entrance into the program for the period extending to the following January. All applicants are recertified every January.

Each certification period should allow for the issuance of food to the end of the month in which eligibility expires.

Each participant shall be notified in writing at least 15 days before the expiration of each certification period that eligibility for the Program is about to expire using Notice of

Recertification. Documentation of the notification shall be maintained with a copy retained in the individual’s file.

## CHAPTER 6

### TRANSFER OF CERTIFICATION

Local agencies and/or certification sites upon request will help facilitate a participant who relocates during the certification period.

Local agencies and/or certification sites shall facilitate the transfer of certification forms or similar documents issued by other states to other local agencies.

The verification of certification is valid until the certification period expires and shall be accepted as proof of eligibility for Program benefits.

If a receiving local agency has waiting lists for participation, the transferring participant shall be placed on the list ahead of all waiting applicants.

## CHAPTER 7

# DUAL PARTICIPATION

The following sentences appear in the signature box of the application and must be read by, or read to, the applicant or the applicant's caretaker, in the appropriate translation, at the time of certification. "I am aware that deliberate misrepresentation may subject me to prosecution under applicable State and Federal statutes. I am also aware that I may not receive CSFP benefits at more than one CSFP site at the same time."

Local agencies shall establish safeguards against dual participation in two different CSFP programs at the

same time by establishing procedures that identify participants who are participating in two different programs or by establishing specific service areas for each distribution site.

Participants disqualified as a result of dual participation must be notified in writing at least 15 days before the effective date of disqualification using Notification of Removal from Program, Documentation of the notification shall be maintained on a log or a copy retained in the individual's file.

## CHAPTER 8

# CASELOAD MANAGEMENT

The SCDA is granted caseload for the calendar year by the USDA Food and Nutrition Service. South Carolina has been granted a caseload of 6,338 for 2021.

USDA announces caseload allocation annually by December 31 or within 30 days after enactment of appropriations legislation covering the full fiscal year, whichever comes later. USDA evaluates requests for expansion caseload based on the actual caseload served during the previous federal fiscal. A State's base caseload will be the highest average level served during either the entire federal fiscal year or the final quarter of the federal fiscal year. If a State serves less than an average of 100% of the assigned caseload, then the base caseload for the next calendar year will be set at the highest average level served.

SCDA allocates caseload to contractors based on the contractors' requests, their demonstrated capabilities, projected CSFP eligible population within their service

area and actual number of participants served during the previous fiscal year.

Contractors shall allocate caseload to each distribution and certification site based on available caseload, estimated eligible population and the site capacity.

The authorized caseload assignment will be made in terms of a monthly level, i.e., a caseload assignment of 500 authorizes 500 participants to receive food packages each month for the caseload cycle (January 1 through December 31).

The State Agency may adjust caseload allocations when a local agency consistently fails to serve its assigned caseload.

Local agencies must report the number of participants who actually receive food packages each month on the FNS-153.

Local agencies shall monitor participation to assure maximum use of caseload and to maintain caseload at assigned levels. If a distribution site consistently fails to serve its assigned caseload, local agencies should redistribute caseload to other distribution sites where waiting lists are being maintained.

Fluctuations in participation are expected. Monthly monitoring will allow local agencies to adjust outreach efforts appropriately. If participation is below the authorized level, outreach efforts should be directed to contact and enroll

## CHAPTER 9

# PARTICIPANT NO-SHOW POLICY

Local agencies shall establish a “no-show” policy stating the maximum allowable periods that persons may fail to pick-up food packages and remain enrolled in the program is two consecutive months.

The “no-show” policy shall be posted in a prominent location and each participant shall be informed of this policy during certification and recertification.

Elderly participants who are required to be in the hospital for extended stays retain their participant status. They should not be removed from the program for missing two consecutive months. They can be issued food for any month within their certification period for which they had at least one day at home. If they have extended hospital stays covering every day of the month, they should not receive a food package for that month.

Violation of the “no-show” policy shall result in discontinuance of CSFP benefits. If a participant

violates the established “no-show” policy, the local agency must provide the participant with a written notification of discontinuance including the reason for discontinuance at least 15 days before the effective date of discontinuance. Documentation of the notification shall be maintained on a log or a copy retained in the individual’s file.

Participants who are removed from the program for violation of the “no-show” policy are allowed to reapply for benefits unless they have violated the “no-show” policy twice previously. If a waiting list exists, participants reapplying after violating the “no-show” policy must be treated the same as all applicants and must be placed on the list in the order which they applied. Participants who violate the “no-show” policy a third time within a twelve-month period must be disqualified from CSFP for a period of up to one year, unless the local agency determines that disqualification would result in a serious health risk.

## CHAPTER 10

# OUTREACH EFFORTS

Outreach to elderly populations is required and may be conducted through the Area Agencies on Aging, as well as through a variety of community venues. Flyers outlining the program benefits and criteria for participation are available to the agencies and the senior centers they serve.

The SA works closely with Local Agencies to assure that all outreach activities are conducted in accordance with federal regulations and the State Plan. Local agencies can create flyers to post and/or distribute to local businesses and other community agencies announcing the availability of the program and where to go to get benefits.

## CHAPTER 11

# HOMEBOUND ELDERLY

Local agencies shall coordinate efforts with the distribution sites to meet the needs of homebound elderly to conduct certification and delivery of food packages. Local agencies shall also allow designated proxies to pick up food packages for homebound elderly individuals.

When appropriate, local agencies shall conduct training to volunteers in the communities to take applications

to elderly persons and to collect appropriate information and documentation. Actual certification of the homebound elderly shall occur at certification sites.

Food packages shall be delivered directly by the local agency, by volunteers and/or proxies. The homebound or the proxy shall be required to sign a roster or receipt upon delivery of the food package.

## CHAPTER 12

# NUTRITION EDUCATION

The Local Agency shall make nutrition education available to all participants at the time of certification in order to address the following subject matter:

1. The nutritional value of CSFP foods, and their relationship to the overall dietary needs of the population groups served;
2. Nutritious ways to use CSFP foods;
3. Special nutritional needs of participants and how these needs may be met;

4. The importance of health care, and the role nutrition plays in maintaining good health; and
5. The importance of the use of the foods by the participant to whom they are distributed, and not by another person.

The SA or Local Agency or another agency with which it has signed an agreement may use CSFP foods to conduct cooking demonstrations as part of the nutrition education provided to program participant, but not for other purposes.

## CHAPTER 13

# MULTI-FOOD ORDERING AND RECEIVING

Multi-food orders are placed in the Web Based Commodity Supply Chain Management (WBSCM) system. Level 1 Access to USDA's eAuthorization system and proper linkage are prerequisites to access WBSCM. At least one person at each local agency must apply for Level 1 Access to USDA eAuthorization.

Each local agency has an established monthly delivery schedule, designated by FNS.

Each local agency will place their order prior to the order deadline and notify the state agency once the

order has been placed. The carrier contacts the local agency to confirm delivery and schedule the time. The local agency must follow the instructions in the USDA publication "FNS Handbook 501" regarding inspection, over, short or damaged shipments, and out of condition commodities. The local agency completes the Bill of Lading (BOL) with printed name of receiver, receiver's signature, quantity verification, receipt date and, for refrigerated product, temperature on arrival and submit it in WBSCM within 24 hours.

## CHAPTER 14

# FOOD PACKAGE ASSEMBLY

Foods required to be included in food packages are listed in the Commodity Supplemental Food Program Maximum Monthly Distribution Rates.

Partial food packages MAY NOT be distributed.

CSFP commodities may not be used for outreach, refreshments, or for any purposes other than distribution to, and nutrition education for, CSFP participants.

## FOOD PACKAGE DISTRIBUTION

Local agencies are responsible for recruiting and/or establishing food distribution sites.

Each site must conform to local, state and federal health standards and must enter into an agreement with the local agency to assure proper food handling, storing, and distribution procedures and recording requirements are maintained.

The local agency shall provide to the state agency the name and address of each certification, food distribution and storage site under its jurisdiction annually, when any information changes, and when written agreements are established, to the SA.

The written agreements with other agencies shall be on file with the local agency and the sub-distributing agency.

If local agencies allow distribution sites to store commodities, local agencies shall assure that distribution sites under their jurisdiction provide adequate care and security for the food while in their possession. Foods shall be stored in adequate and secured areas at each distribution site to safeguard them from spoilage, infestation, fire and other losses.

Participants pick up food packages at their designated distribution site once each month during the distribution site's normal hours of operation. Staff at the site shall verify recipient identity and eligibility prior to distributing the foods and shall require the participant or proxy to sign for the receipt of food packages.

Local agencies may permit the use of proxies if procedures are in place to deter fraud. At a minimum, such procedures must:

1. Require that the participant authorizes proxies in writing (On application)
2. Require that records of proxy designations be maintained on file;
3. Require that the proxy provide some form of

identification prior to completing the certification, recertification, or food package distribution process; and

4. Determine whether participants receive the food package released to proxies for delivery.

Distribution site staff or volunteers may deliver food packages to homebound participants within 2 working days of a single distribution day. Participants or authorized proxy must sign for the receipt of food packages.

The frequency of food distribution to participants shall be a one-month food package issued each month for the current month. Food shall not be issued in the current month for a past month except when food packages are delivered to homebound participants and a single distribution day falls less than five working days from the end of the month.

When undistributed food packages remain after distribution, the packages shall be offered to the first applicants on the waiting list. Recipients of such packages must be advised that there is no guarantee of a food package the following month.

When undistributed food packages remain at the end of the month the distribution site must report the number of boxes remaining and the unique content code for each box to the local agency.

Undistributed food packages remaining at the end of the month shall be included in the local agencies end of the month physical inventory on the FNS 153.

Participants shall not be required to make any payments, or provide any materials or services in connection with the receipt of CSFP commodities and, they shall not be solicited in connection with the receipt of CSFP commodities for voluntary cash contributions for any purpose.

Distribution of supplemental foods shall not be used as a means for furthering the political interest of any person or party.

## INVENTORY CONTROL AND REPORTS

The State provides an electronic copy of the FNS 153 to each food bank. The FNS 153 carries over the ending inventory from the previous month to provide the beginning inventory for the report month. Local agencies must enter food receipts, distributions or issuances and all other commodity activity for the report month.

Local agencies must conduct a per unit month-end physical inventory of all commodity foods on hand including the content of undistributed food packages located in the warehouse and at distribution sites.

Local agencies shall compare the agency-wide per unit physical inventory with the ending inventory calculated on the FNS 153. The ending inventory calculated on the FNS 153 must equal the physical inventory amounts.

If the physical inventory differs from the ending inventory reflected on the FNS 153, the local agency must show positive or negative adjustments to cause

the calculated ending inventory to agree with the actual physical inventory amounts.

A written explanation is required for every inventory adjustment.

The FNS 153 must be submitted to the State by the 15th day of the following month, unless otherwise specified by the State agency upon delivery of the reporting form for that month.

The local agency must report food losses due to damage, spoilage or infestation. A written explanation is required for every food loss item.

If neglect, carelessness, and/or willful mishandling cause damage to or loss of USDA donated food or if USDA donated foods are used or distributed improperly, local agencies, warehouse personnel and other persons are subject to a claim determination and the corresponding repayment responsibility.

## CHAPTER 17

# MANAGEMENT EVALUATION

The State evaluates program administration on an ongoing basis by reviewing financial reports, audit reports, food orders, inventory reports, and other relevant information.

At least once every two years, the State performs an on-site review of local agencies, storage facilities, and distribution/certification sites. As part of the onsite review, the State evaluates all aspects of program administration, including certification procedures, nutrition education, civil rights compliance, food storage practices, inventory controls, and financial management systems. The SA also reviews distribution/certification sites at random.

Following the monitoring review, the local agency will receive a copy of the report with instructions to submit

a corrective action plan if areas of non-compliance are noted. Areas of non-compliance will be reviewed with the local agency representative. The Local Agency is required to respond to all corrective actions within 45 calendar days of the review with a written report and a completed Indicator Sheet.

The SA will review the corrective action plan to assure that the plan is feasible and complete and will contact the local agency if additional action is required.

If significant problems exist and or appropriate corrective actions are not taken, the local agency may be in non-compliance with the contract agreement between the SA and LA. Failure to comply with federal regulation and the contract scope of work could result in termination of the contract and from the CSFP.

## CHAPTER 18

# TRAINING, MONITORING AND TECHNICAL

Local agencies must implement a process for training and evaluation of all staff and volunteers involved in the CSFP including at least one representative from each sub-agency under CSFP agreements with the local agency. Training should be appropriate to the degree and frequency of an individual's involvement in the CSFP. Training shall be documented including date, topics covered, persons attending and sites represented.

There shall be an evaluation component of such training and a mechanism for trainees to provide input.

Local agencies shall provide technical assistance and at least annually, monitor the certification of participants and receipt and issuance of supplemental food on site and at sub-agencies to assure compliance with Program regulations, policies and procedures.

The State provides technical assistance for local agency staff upon request. Seminars and teleconferences shall be provided for periodic updates.



## CHAPTER 19

# FINANCIAL MANAGEMENT SYSTEMS

The SCDA financial management assures accurate and timely drawdown of federal funds.

Local agencies are required by contract to follow state and federal procurement procedures. Both the State Agency and local agencies are required to maintain inventory records for all CSFP transactions.

Funds are made available to each of the local CSFP agencies through contracts by the SCDA. The contracts specify the services to be performed according to federal regulations and the state plan of operation. Contracts also specify the allocation

of administrative funds and caseload. All payments for administrative funds are disbursed in the form of reimbursements for administrative costs incurred by the local agency.

The local agencies are responsible for the cost of receiving, storing and distributing the commodities from their location to recipients or other distribution sites. Any claims containing expenses that do not reflect appropriate program expenditures will be adjusted pending further justification from the contractor.

## CHAPTER 20

# ADMINISTRATIVE COSTS

The following expenses are examples of allowable expenses according to 7 CFR 247:

1. Salaries;
2. Fringe;
3. Space Cost;
4. Transportation/Travel;
5. Supplies;
6. Contract Services.

Local agencies wishing to use CSFP program funds to purchase equipment valued at or above \$1000.00 must obtain prior written approval from the State Agency by

submitting a Request for Authorization of Equipment Purchases. Describe how the purchase will be made in a manner to provide open and free competition. The State Agency must obtain prior written approval from the USDA SERO for equipment purchased in whole or in part with federal funds in excess of \$5,000.00.

Specific examples of unallowable uses of administrative funds in CSFP include:

1. The cost of alteration of facilities not required specifically for the program; and
2. Actual losses that could have been covered by permissible insurance (through an approved self-insurance program or by other means).

## CHAPTER 21

# RECORDS AND REPORTS

All records and supporting documentation shall be retained for a period of 3 years following the end of the federal fiscal year to which the records pertain, or, if they are related to unresolved claims actions, audits, or investigations, until those activities have been resolved.

All records shall be available during normal business hours for federal or state representatives to inspect, audit, and copy.

To be acceptable for audit purposes, all financial and program performance reports shall be traceable to source documentation.

Following is a list of reports, documents, and due dates.

1. Form FNS-153, Monthly Report of the CSFP, due by the 15th of the month for the preceding month.
2. The Caseload Monitoring Spreadsheet, due by the 15th of the month for the preceding month.
3. The TEFAP-CSFP Reporting Doc, due by the 15th of the month for the preceding month.
4. FNS Form 191 Racial/Ethnic Group Participation – Completed annually for the month of April. This is due to the state by June 15th every year.
5. FNS Form 57 – Report of Shipment Received Over, Short and/or Damaged – Required when shipments are received over, short and/or damaged. Local agency must submit with copies of bills of lading to the State within 2 business days after a shipment is received and the State forwards to USDA.

## CHAPTER 22

# PURSUIT OF CLAIMS AGAINST PARTICIPANTS

The pursuit of a claim against a participant to recover the value of CSFP commodities improperly received or used is cost effective when the value exceeds \$100 or 5 months of CSFP benefits. The estimated value of the monthly CSFP benefit is \$20.

For the purposes of this program, fraud includes intentionally making false or misleading statements or intentionally withholding information to obtain CSFP commodities, or the selling or exchange of CSFP commodities for non-food items.

If the local agency determines that the participant or caretaker of the participant, fraudulently received or used the commodities, the local agencies must document the number of months CSFP benefit was

improperly received or used. If at least 5 months of benefits were improperly received or used, a claim against the participant must be pursued.

In pursuing a claim against a participant, the State Agency must:

1. Issue a letter requesting repayment for the value of the commodities improperly received or used.
2. If repayment is not made in a timely manner, take additional collection actions that are cost-effective, in accordance with the standards established by SCDA.
3. Maintain all records regarding claims actions taken against participants.

Letters demanding repayment for the value of the commodities improperly received or used must:

1. Advise the participant of the opportunity to appeal the claim through the fair hearing process, and
2. Provide a copy of “Appeals Process.”

The local agency must also disqualify the participant from CSFP for a period of up to one year, unless the local agency determines and documents that disqualification would result in a serious health risk.

## CHAPTER 23

# COMPLAINTS

During certification all participants and applicants will be informed of their rights and obligations. Participants will be advised of the policy of non-discrimination and the procedure for filing a complaint if they believe they have been discriminated against.

Depending on the nature of the complaint, the problem will be promptly investigated by the local agency and the person making the complaint will be notified of the results in writing. All persons making complaints must be notified of their right to a fair hearing so they may take further steps should their complaint not be satisfactorily resolved.

Complaints suggesting a potential health hazard will be reported immediately to the South Carolina Department of Agriculture by the local agency. SCDA will immediately refer the matter to the DHEC, the U.S. Department of Agriculture, and the local public health agency for prompt follow-up and resolution.

All complaints will be documented along with appropriate and necessary corrective action. Follow-up on complaints will be conducted within 45 days of resolution of the complaint to assure that all problems have been corrected.

The distributing agency, in cooperation with the local agency, will investigate promptly complaints received in connection with the distribution or use of donated foods, correct any irregularity, and inform the local agency and SCDA. The distributing agency will maintain documentation on file of complaints and actions taken. SCDA reserves the right to make investigations and has the final determination as to when a complaint has been properly adjusted. Serious irregularities will be reported to USDA by SCDA in writing.

## CIVIL RIGHTS

Each local agency, distribution site, and certification site must display in a prominent location the “And Justice for All” Poster. Translations of this document are also available on the USDA website.

Each local agency and/or each distributing agency shall collect the number of participants receiving food packages by racial/ethnic category during the month of April each year. This count may be collected as a manual head count of food package recipients or may be collected from a review of certification forms. Counts must be submitted by June 15th each year to the State Agency on Form FNS-191 Racial/ Ethnic Group Participation using the instructions and categories provided.

Written materials used to promote or advertise the program must contain the nondiscrimination statement and procedures for filing a complaint. If the material is too small to permit the full statement to be included, the material will at a minimum include the statement, in print size no smaller than the text, that “USDA is an equal opportunity provider and employer.” The full authorized statement changes periodically and must be verified by FNS prior to use.

All staff should receive annual training on all aspects of civil rights compliance. Staff should be able to identify a civil rights complaint if received. They should know what to do if they receive a complaint and they should understand that it is the basic right of the individual to file a complaint.

Where a significant proportion of the population of the area served by the local agency is composed of non-English or limited English-speaking persons who speak the same language, program information, except certification forms, shall be provided in the appropriate language orally and in writing. It is the responsibility of the local agency and distributing agency to provide these materials in the appropriate language.

Local agency compliance to Civil Rights requirements is reviewed during the management evaluation and documented on the Monitoring Review form. Local agencies must monitor compliance to Civil Rights requirements by sub-agencies at least annually.

All complaints alleging discrimination based on race, sex, age, color, national origin or disability will be accepted, either verbally or written. In the event of a verbal complaint, the person to whom the allegations are made must write up the elements of the complaint for the complainant. Every effort should be made to have the complainant provide the following information:

1. Name, address, and telephone number or other means of contacting the complainant,
2. The specific location and name of the State agency, local agency, or other sub recipient delivering the service or benefit,
3. The nature of the incident or action that led the complainant to feel discrimination was a factor, and an example of the method of administration that is having a disparate effect on the public, potential eligible persons, applicants, or participants,
4. The basis on which the complainant believes discrimination exists. The bases for nondiscrimination is race, color, national origin, age, disability or sex.
5. The names, telephone numbers, titles, and business or personal addresses of persons who may have knowledge of the alleged discriminatory action, and
6. The date(s) during which the alleged discriminatory actions occurred or, if continuing, the duration of such actions.

All complaints received by the local agency or SCDA, either verbal or written, which allege discrimination shall be referred to the USDA-FNS/SERO and processed in accordance with the complaint processing procedures and timelines in FNS Instruction 113-1.

## FAIR HEARINGS

Individuals have a right to a fair hearing and may appeal any decision made by the local agency regarding denial or discontinuance of program benefits, disqualification from the program, or a claim to repay the value of commodities received as a result of fraud.

Reasons for denial that are appealable include:

1. Denial or discontinuance of program benefits.
2. Disqualification from the program.
3. A claim to repay the value of commodities received as a result of fraud.

### APPEAL PROCEDURES

1. An individual, or an individual's caretaker, may request a fair hearing by making a clear expression, verbal or written, to a State or local agency official, that an appeal of the adverse action is desired.
2. The request for appeal must be made within 60 days from the date the agency mails or gives the individual the notification of adverse action.
3. The state or local agency may deny a request for a fair hearing when: (1) The request is not received within 60 days; (2) the request is withdrawn in writing by the individual requesting the hearing or by an authorized representative of the individual or (3) the individual fails to appear, without good cause, for the scheduled hearing.
4. Participants who appeal the discontinuance of program benefits with the 15-day advance notification period required under 247.17 and 247.20 must be permitted to continue to receive benefits until a decision on the appeal is made by the hearing official, or until the end of the participant's certification period, whichever occurs first. However, if the hearing decision finds that a participant received program benefits fraudulently, the local agency must include the value of benefits received during the time that the hearing was

pending, as well as for any previous period, in its initiation and pursuit of a claim against the participant.

5. The State or local agency must provide an individual with at least 10 day's advance written notice of the time and place of the hearing and must include the rules of procedure for the hearing.

The individual may:

1. Examine documents supporting the State or local agency's decision before and during the hearing;
2. Be assisted or represented by an attorney or other persons;
3. Bring witnesses;
4. Present arguments;
5. Question or refute testimony or evidence, including an opportunity to confront and cross-examine others at the hearing;
6. Submit evidence to help establish facts and circumstances.

### APPEAL DECISIONS

1. The hearing officer must be an impartial official who does not have any personal stake or involvement in the decision and was not directly involved in the initial adverse action that resulted in the hearing.
2. A hearing decision must be made, and the individual notified of the decision, in writing, within 45 days of the request for the hearing.
3. If the decision is in favor of an applicant who was denied CSFP benefits, the receipt of benefits must begin within 45 days from the date that the hearing was requested, if the applicant is still eligible for the program.
4. If the hearing decision is against the participant, the State or local agency must discontinue benefits

as soon as possible, or at a date determined by the hearing official.

5. A hearing report shall be available for public inspection and copying but shall assure confidentiality.

All requested fair hearings will be conducted within 30 days from the date the department receives the request for a hearing, unless waived by local agency in writing.

Those requesting a hearing will be notified in writing a minimum of ten days in advance of the time and place of the hearing and of the hearing procedure.

The local agency will be notified in writing of the decision within 30 days of the hearing. All decisions shall be based on the evidence presented at the hearing.

## CHAPTER 26

# SITE MANAGEMENT

Each approved site distributing CSFP food packages identifies a Site Manager as the primary contact.

Local Agencies are assigned a caseload and allocate a caseload to each distribution site.

Caseload is based on the capacity of the site to distribute the food packages and the proximity of eligible participants.

The Site Manager ensures arrangement is made with the Local Agency to pick up, or have delivered, the required number of food packages prior to each distribution.

When maximum caseload is achieved, eligible applicants are placed on a waiting list, ordered by date and time of application. The Site Manager reports to the Local Agency when changes are made to the active participant list and the waiting list.

The Site Manager communicates to certified participants the date and time to pick up food packages.

The Local Agency may determine when the Site Manager and/or trained site personnel will be available to conduct certification interviews each month.

Site Managers maintain the list of active participants and a waiting list.

The Site Manager and/or trained staff members conduct eligibility interviews and certify participants.

“And Justice for All” civil rights posters must be prominently displayed in an area of the facility frequented by applicants and participants.

Outreach is a required component of CSFP.

A proxy is any person designated by the participant to obtain CSFP foods on behalf of the participant. Proxy data must be confirmed during recertification. Participants may change proxy at any time by completing a new Proxy Statement. Site Managers and persons involved in the management and/or distribution of the CSFP food packages may not be proxies.

## APPLICATIONS

The Site Manager and trained staff members provide applications to interested seniors.

Those who contact the distribution site are informed of:

1. days and times application are accepted;
2. the requirement to provide proof of age and address;
3. current household income limits;

4. the requirement to reside within the county where the distribution site is located (migrant and seasonal farm workers entering a CSFP service area are considered to meet residency requirements upon meeting all other eligibility criteria).

Applications must be provided to, and accepted from, anyone who requests it.

Certification interviews must be performed in person.

Authorized site personnel accept applications, review and document on the application, verification of age, address, and identity.

Documents acceptable as proof of age: State-issued I.D. or driver's license, birth certificate, or other formal document that verifies age (if none of these are available, church or medical records may be accepted).

Documents acceptable as proof of address: State-issued I.D. or driver's license, recent utility bill, or any non-junk mail, showing applicant's name and address, and dated within the past 30 days.

Request race and ethnicity data. If applicant chooses not to disclose, site personnel complete the section based on observation.

Provide applicant with a copy of the completed application.

## RECERTIFICATION

All Participants must be recertified every January.

The formal recertification process is the same as that for initial certification. Participants will present verification of age, residency, and identity. A new Participant Application is completed.

The certification period ends on the last day December. Participants must be notified of the expiration date in writing, no less than 15 days before the expiration date. Participants who remain on a waiting list must be recertified in the same manner as active participants. Such participants retain the same place on the waiting list.

## CANCELLING PARTICIPATION

Site Managers should notify the Local Agency of violations or expiration of certifications and provide as much detail as possible.

Participants may not be removed from the program without cause.

When removal is required, the Local Agency will send participants:

1. Notice of Removal from Program;
2. A copy of hearing procedures (found in Chapter 25).

Participants have the right to request a fair hearing for any adverse action, within 60 days of the date of the notification. They may do so by making a clear expression, either verbally or in writing, that they want a hearing. If such statement is made to the Site Manager or other site personnel, it must be immediately forwarded to the Local Agency.

Participants may voluntarily withdraw from the program. Site Managers should request the participant withdraw in writing. If the participant chooses not to provide written withdrawal notification, Site Managers should place notes in the participant file that include the date, reason and as much detail as possible.

Voluntary withdrawals that are not in writing should be verified with the participant, by the Site Manager or Local Agency, whenever possible.

Participants removed from the program for failure to pick up food packages may reapply. If caseload is full, they are placed on the waiting list, ordered by date and time of application.

## PORTING

If a participant relocates to another county where CSFP is available, they may transfer to the Local Agency for that service area. The originating Local Agency will provide the participant with proof of participation. If the caseload for the destination Local Agency is not full, the receiving Local Agency will place the transferring participant on active status. If the receiving Local Agency's caseload is full, the transferring participant must be placed at the top of the waiting list.

## DISTRIBUTION

Distribution must be open to the public.

There may be no membership required nor fees charged to receive a CSFP food package.

Participants and proxies must present I.D. at every food package pick-up.

Food packages may not be given to anyone other than certified participants and proxies.

Site Managers should call participants who missed a pickup appointment. Food packages may be held for **no more than two days** if it is likely a participant will pick up the package. Participants who fail to pick up a food package for two consecutive months receive Notice of Removal from Program. After two (2) days, begin contacting participants on the waiting list. Unclaimed food packages should be offered to participants on the waiting list, starting with the participant in the first position and continuing until contact is achieved with enough participants to accept all unclaimed food packages. If unable to reach someone on the waiting list, move on to the next. Do not leave messages. Advise waiting list participants contacted that:

1. The one-time opportunity does not guarantee a food package the next month.
2. Accepting the one-time food package will not jeopardize their position on the waiting list.
3. A participant on the waiting list may receive unclaimed food packages several months in a row before a caseload slot becomes available.

## NUTRITION EDUCATION

The Local Agency will supply nutritional education information no less than quarterly. Site Managers are encouraged to provide recipes or other information pertaining to senior nutrition more frequently. The goal of nutrition education is to enable CSFP participants to obtain better nutritional status through increased understanding of basic nutrition needs met with the CSFP food package. The following are essential in achieving that goal:

1. Reinforcement of basic nutrition instruction;
2. Instruction on the use of CSFP food items, including food preparation techniques, recipes, meal frequency and food cost savings;
3. Recognition of the special health and nutritional problems of low income seniors, such as high blood pressure, sodium/potassium ratios, anemia and obesity;
4. Dissemination of information on preventative health care and nutrition through partnerships with county community programs such as nutrition services, cooperative extension services and The Emergency Food Assistance Program training;
5. Consumer resource information and assistance.

CSFP food packages may be used for nutrition education.



## APPENDIX A

# STATE AGENCY & FOOD BANK ADDRESSES

### **SOUTH CAROLINA DEPARTMENT OF AGRICULTURE**

1200 Senate Street • Wade Hampton Bldg, 5<sup>th</sup> Floor • Columbia, SC 29201

### **HARVEST HOPE FOOD BANK**

2818 White Horse Road • Greenville, SC 29611

2200 Shop Road • Columbia, SC 29202

### **SECOND HARVEST FOOD BANK OF METROLINA**

500-B Spratt Street • Charlotte, NC 28206

311 Alliance Parkway • Williamston, SC 29803

1503 Old Converse Road • Spartanburg, SC 29307

### **LOWCOUNTRY FOOD BANK**

2864 Azalea Drive • Charleston, SC 29405

4716 Northgate Blvd • Myrtle Beach, SC 29577

### **GOLDEN HARVEST FOOD BANK**

81 Capital Drive • Aiken, SC 2980

## WEB RESOURCES

### **ELECTRONIC CODE OF FEDERAL REGULATIONS**

[ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title07/7cfr247\\_main\\_02.tpl](http://ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title07/7cfr247_main_02.tpl)

### **COMMODITY SUPPLEMENTAL FOOD PROGRAM**

[fns.usda.gov/csfp/commodity-supplemental-food-program](http://fns.usda.gov/csfp/commodity-supplemental-food-program)