

THE EMERGENCY FOOD BOX PROGRAM (TEFAP) TERMS AND CONDITIONS AGREEMENT BETWEEN CHRP AND REGIONAL FOOD BANK

Term Dates: _____

REGIONAL FOOD BANK INFORMATION

Name: _____ Address (No., Street): _____

City: _____ State: _____ ZIP Code: _____

Contact Person: _____ Contact Phone: _____ Contact Email: _____

TERMS AND CONDITIONS

The Regional Food Bank agrees to use United States Department of Agriculture (USDA) TEFAP commodities in accordance with USDA regulations contained in 7 CFR Parts 247, 250, 251, 253, and 254 and the Arizona Department of Economic Security (ADES) policies and procedures shall conform to the following requirements:

1. Provide TEFAP commodities free-of-charge to eligible individuals. Eligible individuals are low-income, with incomes at or below 185% of the Federal Poverty Level. No supporting documentation is required for income eligibility determination. Individuals receiving commodities will self-certify they meet the income guidelines, by printing their names on the TEFAP Household Distribution Sign-In Sheet.
2. Current income guidelines must be posted where it is visible to individuals.
3. Ensure completion of the TEFAP Household Distribution Sign-In Sheet by individuals interested in receiving commodities.
4. Length of residency in geographic location must not be used as a criterion of eligibility (Final Rule, Sec. 251.5)
5. Applicant agency will ensure that TEFAP food is distributed in fair share proportions per household size. A household of four should receive proportionally twice that of a household of two
6. Ensure that ability to make a financial donation is not a condition for receiving commodities. Donations cannot be solicited from individuals presenting to receive TEFAP commodities.
7. TEFAP distribution sites must be open to the general population. Sites that limit participation or attendance to only their members may not be TEFAP distribution sites.
8. Proof of household income shall not be required in order for a client to receive contract-related food income eligibility is a self-declaration by clients after reviewing posted current income eligibility guidelines. The SDA may require further client information for use with other programs. However, clients shall not be denied TEFAP food if they refuse to reveal any information that is not a requirement of TEFAP (e.g., demographics).
9. If it is determined that a distribution site is collecting client social security numbers and/or requiring verification of household income this will be cause for the ERA to terminate the TEFAP agreement immediately.
10. Maintain full and accurate record of operations under this agreement and retain such records for a period of (5) years after the end of the federal fiscal year to which they pertain unless such records are part of an unresolved audit, which thereby extends the five (5) year period.
11. Notify the sub-distributing agency within 15 days of any changes to the information provided on page 1.
12. Make available to the sub-distributing agency, the Arizona Department of Economic Security (DES), the United States Department of Agriculture (USDA) or any other state entity or statutory authorized person conducting an inspection, review, or audit; accounts and records pertaining to operations under this agreement. Such records shall be produced at the office(s) designated by the applicable person conducting such inspection, review, or audit.
13. Comply with the requirements of all state and federal regulations regarding nondiscrimination. Specifically, the applicant agency hereby agrees that it will comply with Title VI of the Civil Rights Act of 1964 (P.L.88-352) (42 U.S.C.2000d et seq.) "Title VI"; Section 504 of the Rehabilitation Act of 1973 (P.L.93-112) (29U.S.C. 794); with the Title II of the Americans with Disabilities Act, and the Arizona Disability Act, which prohibit discrimination on the basis of physical or mental disabilities; the Age Discrimination Act of 1975 (P.L.94-135) (42 U.S.C. 6101 et seq.), and all requirements imposed by the regulations of the USDA; United States Department of Justice Enforcement Guidelines; and Food and Consumer Service ("FCS") directives and guidelines to the effect that, no person in the United States shall, on the grounds of race, color, national origin, age, sex, or

- 14. All FNS assistance programs must include a public notification system. The purpose of this system is to inform applicants, participants, and potentially eligible persons of the program availability, program rights and responsibilities, the policy of nondiscrimination, and the procedure for filing a complaint.
- 15. Basic Elements of Public Notification. The public notification system must include the following three basic elements:
- 16. Program Availability. Each State agency, local agency, or other subrecipient that distributes program benefits and services must take specific action to inform applicants, participants, and potentially eligible persons of their program rights and responsibilities and the steps necessary for participation.
- 17. Complaint Information. Applicants and participants must be advised at the service delivery point of their right to file a complaint, how to file a complaint, and the complaint procedures.
- 18. Nondiscrimination Statement. All information materials and sources, including Web sites, used by FNS, State agencies, local agencies, or other subrecipients to inform the public about FNS programs must contain a nondiscrimination statement. It is not required that the nondiscrimination statement be included on every page of the program information web site. At the minimum, the nondiscrimination statement, or a link to it, must be included on the home page of the program information. 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 "This institution is an equal opportunity provider."
- 19. Must have a posted Client Grievance Policy and maintain and report information on discrimination complaints to the sub-distributing agency if any, and their resolutions.
- 20. Food and Nutrition Services (FNS) requires civil rights training for people involved in all levels of the administration of programs that receive Federal financial assistance. Staff and all frontline volunteers, such as individuals who regularly interact with program applicants and participants or determine eligibility must receive full civil rights training on an annual basis as outlined in FNS Instruction 113-1, Section XI.
- 21. Post "Justice For All" posters on site directly next to where the commodities are distributed.
- 22. Store and maintain food to allow for proper ventilation, with commodities stored off the floor and away from walls.
- 23. Store and maintain food at proper temperatures to prevent loss.
- 24. Ensure proper pest control measures are in place.
- 25. Immediately, upon discovery, report theft, loss, infestation, or other spoilage of any commodities to the sub-distributing agency.
- 26. Conduct monthly inventories and complete and submit necessary reports.
- 27. Not request or accept more commodities than can be distributed in five (5) months.
- 28. Follow first in-first out inventory practices.

No right or interest in this agreement shall be assigned or delegated without the written permission of the other party and the concurrence of the Arizona Department of Economic Security (ADES).

Termination of Agreement

This agreement may be canceled upon (30) days' notice in writing by either party. Notwithstanding the foregoing, the State may cancel this agreement immediately upon receipt of evidence that the terms hereof have not been complied with by the Regional Food Bank. [250.4(c)(4)] and [247.4(b)(6)]

ACKNOWLEDGMENT

By signing below, the Representative certifies that his/her Regional Food Bank agrees to the above terms and conditions.

Regional Food Bank Representative Name (*Print or Type*)

Title

Regional Food Bank Representative Signature

Date

CHRP Representative Name (*Print or Type*)

Title

CHRP Representative Signature

Date

The USDA is an equal opportunity provider and employer • Auxiliary aids and services are available upon request to individuals with disabilities • TTY/TDD Services 7-1-1 • Disponible en español en línea o en la oficina local.