

A Guide to TEFAP for Outlets

*Program responsibilities and standards for Wisconsin food pantries,
meal sites and shelters participating
in The Emergency Food Assistance Program*

2010



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TEFAP Administration

TEFAP is administered by the United States Department of Agriculture's Food and Nutrition Service USDA/FNS. State agencies receive the food and supervise overall distribution.

In Wisconsin, the Department of Health Services (DHS) is the designated state agency responsible for program administration. The TEFAP Contract Administrator and program contact is Robin Soileau, Nutrition & Physical Activity Section, Department of Health Services at 1 West Wilson Street, P.O. Box 2659, Madison, WI 53701, Tel: (608) 267-9071 and email: robin.soileau@wi.gov.

DHS has contract agreements with 16 regional organizations referred to as Emergency Feeding Organizations (EFOs). The EFOs have primary responsibility for the distribution of TEFAP in their regions, which range from 1 to 11 counties. Visit the DHS webpage <http://dhs.wisconsin.gov/health/Nutrition/TEFAP/reports.htm> for a current listing of regional EFOs. The EFOs manage program requirements and coordinate commodity distribution with staff and volunteers at food pantries, meal sites and shelters.

The EFO TEFAP staff train and monitor existing outlets, identify new sites, order foods and coordinate monthly food deliveries, submit reports, conduct fund-raising and food donations, promote hunger awareness and enlist community support. Some EFOs directly operate their own outlets, while others provide support to outlets operated by churches or other community organizations.

Commodities

Each year the USDA provides funds to each state for the purchase of commodities. TEFAP includes non-surplus products – referred to as “*Entitlement*” food, as well as surplus commodities – known as “*Bonus*” food. USDA commodities may include meats, vegetables, fruits, juices, beans, cereals, grains and nuts. Every quarter the USDA releases a menu of about 60 available entitlement food items that states can order. The EFOs are surveyed quarterly for their recommendations of foods to order, quantities and shipment dates.

The USDA's Agricultural Marketing Service (AMS) purchases surplus domestic agricultural products as part of its price stabilization program. Wisconsin receives a portion of these Bonus products for distribution to emergency food providers.

The value of commodities distributed in Wisconsin from August 2008 to June 2009 was \$8,400,000. The commodities are high quality, nutritious foods and are an important supplement to existing emergency food assistance resources. The standards in this guide about food storage, distribution and food safety must be followed to maintain the quality of the commodities for public distribution.

TEFAP Outlet Standards

- ◆ Food pantries shall distribute food to income eligible households, including food from sources other than USDA/TEFAP to relieve situations of emergency and distress.
- ◆ Food pantries shall maintain regularly scheduled and consistent operating hours for TEFAP distribution and provide emergency access to food.
- ◆ Food distribution must take place at least once per month. However, outlets should make every effort to be open at least one day per week to ensure households have reasonable access to food.
- ◆ Food pantries shall publicize the days and hours of operation. A sign must be posted at the physical location of the site to identify it as a food pantry.
- ◆ Outlets must post emergency instructions for obtaining access to food when the outlet is not open. This could include instructions for contacting the pantry coordinator or a community referral agency (i.e., First Call for Help, 211, social services, law enforcement, etc.).
- ◆ 50% of all food distributed by a TEFAP outlet must be privately donated or purchased food when measured over the course of a year. The EFOs can offer support to outlets that have trouble in meeting this goal. The reason for the 50% goal is that TEFAP is intended to supplement the privately donated and purchased food already distributed by emergency food providers rather than serve as a primary source of food.
- ◆ Outlets must have a geographically defined service area, such as a school district, county, zip code, or neighborhood. Service areas help ensure that as many low-income families as possible in each county have access to emergency food without duplicating services.
- ◆ Food assistance must be provided to households such as new residents and homeless persons or migrants, who do not have proof of residency at the first visit.
- ◆ Outlets should have at least one freezer, one refrigerator, good quality shelving, and an adequate, well-maintained facility, storage area and equipment.
- ◆ Outlets must comply with the Americans with Disabilities Act that requires removal of architectural or structural barriers if the agency can make the accommodations without great difficulty or expense.

Criteria for Eligibility and Application Process

The TEFAP application process is designed to require minimal paperwork. The Division of Public Health (DPH) encourages outlets to keep the process simple for many reasons; a process

that eliminates unnecessary documentation can help to maintain client confidentiality and ensure Civil Rights compliance requirements are met.

Eligibility

- ◆ Wisconsin households are eligible to receive commodities at participating food pantries if the total gross income for the household does not exceed 185 % of the federal poverty level provided on the current year TEFAP Eligibility Certification form F-40059.
- ◆ A household can be a single person or a group of persons (related or not) who live as one economic group and customarily purchase and prepare food together. Assets are not included in the gross household income.
- ◆ Eligibility is based on current income status and self-declared eligibility for participation.
- ◆ Homeless people, including low-income senior citizens, are eligible to participate in TEFAP. Homeless people can receive prepared meals served in a congregate setting without submitting an application.
- ◆ Homeless people must meet state income eligibility requirements in order to receive TEFAP food that is not served in prepared meals.
- ◆ Participants must be Wisconsin residents and they may reside in the pantry's service area. A minimum length of stay is not required to prove residency. Recipients of prepared meals are considered needy and are not subject to income requirements.

Application Process

- ◆ The application process requires the participant to complete the application with their name, household address and the number of people in their household.
- ◆ A utility bill or a piece of mail can be used to demonstrate residency.
- ◆ Households must not be required to show proof of income. Participants self-declare eligibility upon signing the application.
- ◆ Households are not required to show proof of dependents. *See Note.
- ◆ Participants may be asked at subsequent visits if anything has changed about their situation; if not, pantries are only required to have the participants sign for receipt of the commodities.
- ◆ Participants must sign for the receipt of commodities each time they receive food.

Identification

- ◆ Pantry staff and volunteers should request ID from the household member or proxy who is providing the signature for the receipt of commodities.
- ◆ DHS does not require households to provide documentation for proof of their dependents.
- ◆ ID can be a Driver's license, a State ID card, another form of a picture ID, or any other form that proves identity.

***Note:** Although household proof of dependents is not required by DPH, food pantries may have decided that this is necessary for their operations. If a food pantry asks any household for proof; then they must ask all participants at the pantry for proof.

Income Eligibility Forms. DPH updates forms every spring with the new guidelines. These forms are available from the regional EFO and are available at the TEFAP website. New forms must be in use by the beginning of the new federal year, October 1st. Forms must be replaced even if forms currently in use have not been completed because participants do not get food every month.

Once residency is established, it is not necessary to re-verify this again at each subsequent visit. Many pantries have an annual intake process to update information. The pantry can ask whether any information has changed since the last visit. Homeless persons may use the local Social Services office for their address.

Can TEFAP pantries impose other eligibility criteria? Food pantries that distribute commodities agree to use only household income and residency as the basis for determining eligibility for all food they distribute. Civil Rights Laws prohibits discrimination in the delivery of services on the basis of race, color, age, national origin, sex, or disability. The only time it is reasonable to decline food assistance to a person who is otherwise eligible is if they act in a belligerent or threatening fashion, appear to be intoxicated or using illegal drugs. Persons exhibiting irresponsible behavior may be invited to return when they can be cooperative.

Are migrant families eligible for TEFAP at food pantries? Yes, migrant families that meet TEFAP income limits are eligible. Because migrant earnings fluctuate widely throughout the year, migrant households may use either monthly or annual gross income to meet income limits. For this reason, the Spanish version of the F- 40059 form shows both monthly and annual income limits. Pantries should keep a current Spanish version of the F- 40059 form on hand.

How do food pantries serve non-English speaking people who request food assistance? Generally, service must be provided – but there can be flexibility in how it is provided. Volunteers may be used, but make sure they understand participant confidentiality. Contact the regional EFO if an interpreter is needed for a participant. Outlets are required to develop methods for ensuring meaningful and accurate communication for Limited English Proficiency (LEP) groups in the outlets service delivery area. Contact the regional EFO for TEFAP certifications in Russian, Spanish and Hmong.

Different treatment based on a person's inability to speak, read, write, or understand English may be a type of national origin discrimination.

How can food pantries serve home-bound participants and determine eligibility?

Food pantries shall allow authorized persons (proxies) to pick up food for participants if they present a valid proxy note. The note, signed by the participant, indicates that they are eligible for TEFAP and indicates the proxy name. The proxy must show identification and sign the F-40059 form attesting to the receipt of food on the participant's behalf. The proxy note should be filed with the F-40059 form.

- ◆ For outlets that make home deliveries, the participant simply signs the eligibility form.

Can outlet staff and volunteers receive commodities? Pantry staff and volunteers may receive commodities if they meet TEFAP income and residency requirements. They must complete the TEFAP eligibility form just like any other participant. They cannot receive preferential treatment or larger food packages than others. Staff and volunteers at meal sites and shelters may receive meals prepared with commodities if it is the outlet's practice to serve meals to workers and the site serves predominately low-income people.

What if a participant lives outside a pantry's service area? It is the policy of DPH that participants seeking food assistance at TEFAP outlets must be provided food assistance at the first visit. At that time, they should be given information about pantries serving the area where they live for the second visit. If they return the following month, they may be declined service at the site's discretion. Participants from outside the service area may sometimes ask to receive commodities only because their regular pantry doesn't have them. TEFAP pantries should not do this because it encourages participants to disregard pantry service boundaries and commodities are intended to be integrated with private food packages.

What if it is suspected that a pantry participant is misrepresenting their income or residency? Contact the regional EFO TEFAP manager. They have the experience and a solid foundation in Civil Rights compliance. The EFO manager can help the food pantry manager decide upon next steps and a plan of action if the situation warrants attention. The situation may or may not require intervention and a personal interview with the participant. Any concerns about abuse must not be discussed among volunteers – this can lead to a breach of confidentiality.

Participant Confidentiality

State Statutes require that participant confidentiality is acknowledged and maintained at all times. Participants seeking food assistance are providing household information at the time they complete eligibility certifications. This information is confidential and every step should be taken to ensure that the information is protected. Only immediate staff and volunteers should have access to this information. Outlets must ensure that there are procedures in place to respect participant confidentiality when seeking food assistance. Participant names should not be yelled out during the food distribution process, nor should participants names be visible to others during the signing in process.

These actions must be taken to ensure that participant confidentiality is maintained.

1. Participants' files must be maintained in locked files and /or in rooms that can be locked and are secure from unauthorized entry.
2. When files are used during pantry visits, they must be handled in ways to maintain participant confidentiality; e.g., so that participants cannot read another person's file, nor may the files be left unlocked or unattended.
3. Files must not be taken home or to other places except as required for travel to commodity distribution sites. During such travel, files should be transported in such a way to maintain confidentiality and must be in the possession of pantry staff at all times.

Are private interviews required? Interviews offer an ideal time to learn more about a participant's circumstances and needs and give referral information. Some pantries have sufficient space to interview participants in private rooms, while others do not. In either case, all pantries must have sufficient space between waiting areas and interview areas so participants can provide personal information to workers without being overheard by others. Participant information is confidential and staff and volunteers must take care to protect participant's identity to the extent allowable in a food pantry setting.

Are there guidelines for preparing food packages? Yes. Food packages should be as nutritionally balanced as possible and should ideally contain a 3-5 day supply that is adjusted for the size of the household. The actual amount and type of food in each package will of course depend on exactly what and how much food is in storage. Pantries should ask whether participants have dietary restrictions and provide foods that meet the cultural, dietary, and religious needs of the household. Do consider appropriate foods for individuals with reduced ability to prepare foods (i.e., persons with disability), inadequate cooking facilities and for homeless individuals.

What is a "nutritionally balanced" food package? A nutritionally balanced food package contains a meat or protein, fruit and/or fruit juice, vegetables, and grain (bread, rice, cereal or pasta). The USDA's food guide pyramid is available on the Internet at <http://www.usda.gov/cnpp/pyramid.html> and includes an explanation of the basic food groups and how much of each group constitute a healthy diet.

Can pantries decide whether to give fixed food packages or let participants choose the food? It's up to the pantry to decide what works best for them. Many pantries have become "Participant Choice" - allowing families to choose the food they want within limits set for each household size. "Participant Choice" pantries usually find that there is less waste because participants take only the food they can use. Food pantry staff will encourage households to say "no thanks" to food items they do not want.

When our pantry prepares food packages do we mix commodities with private food or bag them separately? It may be done either way. But unless there are lots of participants being served whose income exceeds TEFAP income limits (see below), there's no reason to stock or bag commodities separately from private food. There is also no requirement that individuals receive a certain percentage of commodities or private food in a particular food package. The

important thing to consider is to provide packages that are nutritionally balanced and contain a variety of foods.

How often can participants be served? TEFAP pantries must serve income eligible participants at least once a month. However, pantries may serve participants more often than that if they choose. Regardless of how often in a month participants are served, all food packages may contain TEFAP commodities. This does not concern meal sites and shelters which usually serve all participants multiple times in a month.

If a household has an exceptional need for food, can we give them more than our standard package? Yes, the household may be given a larger quantity of food than the standard package or they can be invited to return later in the month. Food pantries that provide extra food in the same month to families in crisis should have some criteria for deciding if a household's financial situation warrants extra food. All households should be made aware of the policy and pantries should be careful to apply it in a fair and a non-discriminating manner.

What if a household needs food assistance but their income is too high for TEFAP? The food pantry may serve households whose income is higher than 185% of the poverty level, but should not include TEFAP commodity items in the food package. Although there are many reasons why a higher income family may require food assistance, federal law requires states to set a gross income limit for receipt of commodities.

Outreach & Referral

Are outlets required to publicize their services? All outlets must post an exterior sign noting the days and hours of operation, the main phone number, and where to call after hours in an emergency in English, in languages of the LEP groups in the outlet's service area, and in alternative formats for the visually impaired. The hearing impaired should be given information by a signage interpreter. Outlets should also make reasonable efforts to inform low-income people in the community of their services, hours, and eligibility criteria. Examples of outreach include articles in organizational newsletters and newspapers, public service announcements in the media, contacting community agencies that make referrals such as social services, school counselors, churches, police, and other low-income serving organizations, placing posters in stores, Laundromats, and libraries, etc. Outreach to potential participants is especially important when an outlet has a large service area or serves people in more than one community.

Why is participant referral so important? Households seeking food assistance are frequently eligible for other assistance programs that may provide much needed resources and reduce the need for emergency food. This includes nutrition programs (food stamps, WIC, school meals, elderly meal sites, meals-on-wheels, SHARE), as well as non-nutrition programs like health care, energy assistance, W-2 cash assistance and child care, child support, disability assistance, and tax credits. Participation in non-nutrition programs can improve household food security by reducing other expenses and leaving more money in the household budget to purchase food at grocery stores.

DPH encourages all TEFAP outlets to schedule brief private interviews with all new participants and to visit with existing participants at least once a year to learn about their needs and to provide referral information. Outlets must provide participants with written resource materials or distribute them in with food packages on a regular basis. When pantry workers encourage participants to apply for programs it helps them to overcome stigma and reluctance.

Where can I get eligibility information on federal assistance programs?

ACCESS is the DHS website where *people* can find out in less than 15 minutes if they may be eligible for important federal health and nutrition programs. Visitors to the site simply type in basic information about the people in their household, their income and expenses, and ACCESS determines if they might qualify for *Food Share* (food stamps), WIC, medical assistance, Badger Care Plus, Senior Care (help buying prescription medicines for seniors), and other programs. *People can also use ACCESS to apply for benefits, check their benefits, and report changes.* If the pantry, meal site or shelter has Internet access, assist participants to use the site or provide a computer terminal where they can use ACCESS themselves. The address is: <http://www.access.wi.gov>.

Delivery to Outlets

How often do outlets receive commodities? Food is delivered once a month except in July when the Department of Public Instruction (DPI) conducts an inventory of its warehouses in Eau Claire and Madison.

How do EFOs determine the amount of food an outlet receives? Each county is offered a percentage of the commodities available to the entire state based on both the number of low-income and unemployed people who live there. Regional EFOs will usually give food to outlets based on the number of people served monthly or similar criteria. EFOs also may adjust the amount of food for an outlet based on the outlet's inventory, local demand, availability of private food, and storage capacity.

How do outlets physically receive delivery of commodities? The USDA delivers TEFAP food directly to two Central Storage warehouses - in Madison and Eau Claire –which are under contract with DPI. From there trucking companies hired by Central Storage make monthly deliveries to individual counties. In counties with only one TEFAP outlet, commodities are usually delivered directly to the outlet. In counties with multiple TEFAP outlets, commodities are usually delivered to a central drop off location – such as a food bank, warehouse or large pantry. From there the regional EFO will either deliver it to individual outlets or outlets will pick it up. It is the responsibility of staff and volunteers at the receiving site to unload and store the food.

What if food is damaged, “out of condition”, or the quantity is wrong at the time of receipt? USDA commodities are very high quality and rarely in poor condition. However, when outlets take receipt of commodities they should always verify the kind, quantity and condition of the food using the DPH 40060A form. “Out-of-condition” products are those that come from the processor contaminated, deteriorated, spoiled, infested or with packaging defects. Cans that are leaking, bulging, have sharp dents, or have rust on the seams are also considered out-of-

condition. Any discrepancies (shortage, overage, damage or out-of-condition) must be noted on the PI-1412 form and signed by both the driver and outlet representative. Damaged or out-of-condition food must be accepted from the trucker but should be reported immediately to the regional EFO.

Food Storage and Safety

What are the basic storage requirements for TEFAP food? All TEFAP outlets must...

- ◆ Maintain food within optimal storage conditions, including monitoring and logging temperatures of freezers, refrigerators and dry storage.
- ◆ Store food on racks or pallets that keep it at least 6 inches off the floor, 4 inches from the wall and 2 feet from the ceiling.
- ◆ Keep rooms and shelving clean, well-maintained, and free of toxic items (like cleaning supplies, paint, or hazardous chemicals) that could contaminate food.
- ◆ Keep storage areas free of pests such as rodents and insects. Outlets must either contract with a professional pest control company or regularly inspect storage areas themselves, taking all necessary steps to prevent and safely control any infestations that might occur.
- ◆ Insulate any heat generating pipes or ducts.
- ◆ Ensure the food storage area is secure to prevent access by unauthorized persons.

When should temperatures be reviewed and recorded? Check temperatures and record in the log at the beginning of the day when the outlet is first opened and before food distribution begins. Many outlets may be closed for days or even weeks in between open hours of operation. If the outlet is open every day, it is still necessary to check temperatures daily. Refrigerator and freezers must be checked for appropriate temperatures.

What temperatures are required to safely store food? “Frozen” food must be stored at or below zero degrees Fahrenheit. “Refrigerated” food must be maintained between 35 and 41 degrees Fahrenheit. Food requiring “dry” storage must be kept between 40 and 70 degrees Fahrenheit. Maintaining food within these temperatures prevents spoilage and the growth of bacteria and helps food retain its optimal flavor, quality, color, and texture. At higher temperatures some products can deteriorate or spoil. For instance, the yeast in Bakery Mix packages can activate above 70 degrees Fahrenheit, causing packages to swell or break.

What if the storage area gets warmer than 70 degrees in the summer? The site may need to increase ventilation, install air conditioning, or add fans. If the refrigerators and/or freezers are in the same room as dry storage, they may be contributing to the problem due to the large amount of heat they give off. If possible, keep refrigerators and freezers in a different room than dry storage, and make sure heat generating pipes and ducts are fully insulated.

What is FIFO? Inventory should be managed so that food received first is the first to be distributed. This is referred to in warehouse management as FIFO – First In, First Out. The best way to ensure this happens is to mark cases when they arrive with the month & year of receipt.

It also helps to rotate the oldest stock to the front where it will be used first and place recently received food above, below or to the back.

How long commodities may be kept in storage? Commodities should be distributed promptly. A two to three month supply based upon the numbers of people served is an appropriate inventory. Outlet coordinators should manage their inventory carefully so that commodities are distributed promptly. Clearly marking cases with the month and year of receipt will help ensure food is distributed in a timely manner. If the inventory is becoming too large, ask the regional EFO to reduce the volume of monthly deliveries.

What if products pass their expiration date? Cases of USDA commodities may contain an expiration date. If a product passes its expiration date, contact the regional EFO for guidance. All outlets should also carefully inspect non-USDA donated food products to make sure they are not outdated. The primary concern with expired or outdated food products is not necessarily with food safety, but rather concern that food may lose optimal flavor, color, texture or nutrition.

Keeping Food Safe in Emergency Situations

The Power is Off: Is the Food Still Safe? If the power goes out due to a winter storm or an unexpected summertime power outage, it may be difficult to determine whether the food in the refrigerator or freezer is safe to consume. It is important to inspect any food for unusual odor or appearance.

Refrigerated Foods are safe as long as the power is out for no more than a few hours. Keep the door closed; food will remain chilled for four to six hours if the door is not opened. When power is restored, check all food according to the following guidelines.

What foods will not be safe to consume? Some refrigerated food may be unsafe to consume if stored above 40°F for more than 2 hours. These foods should be discarded:

- ◆ Raw or cooked meat, poultry, seafood
- ◆ Meat-topped pizza, lunchmeat
- ◆ Casseroles, stews or soups
- ◆ Milk/cream, yogurt, soft cheese (such as feta and Brie)
- ◆ Mayonnaise, tartar sauce, or creamy dressings, gravy
- ◆ Cooked pasta, potato, rice and salads prepared from these foods
- ◆ Fresh eggs, egg substitutes
- ◆ Cookie dough, cream-filled pastries, custard, chiffon or cheese pies

What foods can be kept? The following foods can be safely stored at room temperature (above 40°F) for a few days. These foods will be safe to consume, even if the power is out for 1 to 2 days.

- ◆ Butter and margarine
- ◆ Hard cheeses (such as Cheddar, Swiss)
- ◆ Fresh fruits and vegetables
- ◆ Fruit juices*
- ◆ Dried fruits and nuts
- ◆ Fresh herbs and spices
- ◆ Opened jars of salad dressing, peanut butter, jelly, relish, barbecue sauce*
- ◆ Mustard, ketchup, and olives*
- ◆ Fruit pies*
- ◆ Bread, rolls, cakes and muffins

***Note:** These foods may spoil due to yeast and mold growth if left at room temperature.

Can I re-freeze thawed food if a freezer malfunctions? It depends on the type of food, and how long it has thawed. If in doubt, always err on the side of safety when it comes to public consumption. If the power is out for longer than 4 hours, follow the guidelines below:

Freezer section: A freezer that is half full will keep food safe for up to 24 hours. A full freezer will hold food safely for 48 hours. Do not open the freezer door if it can be avoided.

Refrigerated section: Pack milk, other dairy products, meat, fish, eggs, gravy, and spoilable leftovers into a cooler surrounded by ice. Styrofoam coolers are fine for this purpose.

What if stored food becomes damaged, spoiled, or stolen while in our possession? It's important not to distribute food that is in cans that are severely dented, has torn packaging, is damaged by water or insects, is out-of-condition, or has thawed and cannot safely be refrozen. Report any commodity loss due to damage, infestation, spoilage or theft immediately to your EFO TEFAP contact.

Do not dispose of commodities until the EFO gives approval unless there is an immediate concern for safety. In some cases, USDA will investigate commodity loss and the commodities are required for evidence. The EFO may be responsible for the commodity replacement value if the value of the loss is more than \$100 and is due to negligence. The food pantry must take and record the temperatures in all storage areas, ensure building security, make routine inspections for spoilage, and have pest control.

Where can I find more information on TEFAP and each commodity? These links at the federal government agency website provide program facts, a list of commodities and fact sheets and recipes.

Useful Links to TEFAP Internet Web Sites	
Link	Comments
http://www.fns.usda.gov/fdd/programs/tefap/tefap_rptspubs.htm	TEFAP Publications available through the USDA
http://www.fns.usda.gov/fdd/programs/tefap/cfs_tefap.htm	TEFAP Commodity Food Facts and Recipes

Where can I find additional information on food safety? The University of Wisconsin has many resources and links on food and food safety at <http://foodsafety.wisc.edu>. In addition, “**Ask Karen**” is a toll-free line staffed by Food Safety specialists 24/7 and can answer questions about safe handling, preparation and storage of meat, poultry and egg products. Call the USDA Meat and Poultry Hotline at 1-888-674-6854 or visit “**Ask Karen**” at www.fsis.usda.gov and click on “I Want to...Ask a food Safety Question”.

Record Keeping

What records must TEFAP outlets maintain? Federal and state rules require outlets to keep certain basic records to document participant eligibility and the receipt, storage and inventory of food. The following records must be kept for three years at either the outlet or the regional EFO.

- ◆ *F- 40059 Forms.* Signed forms (Eligibility Certification for TEFAP Commodities) documenting eligibility and receipt of commodities from pantries.
- ◆ *Service Statistics.* Pantries must maintain a count of the number of adults, children, and households they serve each month. Meal sites and shelters must record the number of meals served monthly. The regional EFO collects these figures each month.
- ◆ *Non-USDA food.* Pantries must track the pounds of non-USDA food they collect each month. They may report an exact weight if they weigh the food they collect and distribute or they may provide an estimate using a reasonable method. For example, weigh ten food bags or boxes packed with private food to get an average weight per package. Then multiply the number of bags or boxes of private food by the weight per container given to each customer. The regional EFO collects these figures each month.
- ◆ *Temperature, cleaning, inspection logs.* Outlets must record the temperature at the start of outlet operations. Outlets also must record the dates they clean the premises and make visual inspections for spoiled food and pests. Some outlets keep temperature, cleaning and inspection logs on a single sheet. Others post temperature logs on each unit inspected for ease of recording. Regional EFOs inspect these logs whenever they conduct site reviews of outlets.
- ◆ *Outlet reviews.* Outlets should keep a copy of any on-site reviews conducted by the regional EFO, including recommendations.

Where can I get TEFAP forms? Check with the regional EFO or they are available at the DHS TEFAP webpage: <http://dhs.wisconsin.gov/health/Nutrition/TEFAP/reports.htm>.

Scroll down to forms beginning with the letter "T" and locate the form needed. The TEFAP forms have numbers that have been assigned to the forms:

TEFAP Eligibility Certification

- F-40059 English
- F-40059H Hmong
- F-40059R Russian

F-40059S Spanish
F-40059SA Spanish Migrant
Emergency Feeding Organization (EFO) Monitoring Instrument
DPH 40070
TEFAP/CSFP Commodity Loss Report
DPH 40062
TEFAP Outlet Review Report
F-40066
TEFAP/CSFP Commodity Complaint
DPH 40063
TEFAP Commodities Inventory
DPH 40061
Transfer of TEFAP Commodities between EFOs
DPH 40064
Storage Facility Review Monitoring Report
DPH 40065

Prohibited Activities

Can outlets give participants political or religious materials during food distributions? No. TEFAP outlets may not engage in political or religious activities when distributing food. Political candidates may not make appearances at these times and campaign signs and materials may not be evident. Bags or boxes advertising candidates or political causes may not be used for food packages containing commodities. Outlets may not require or pressure participants to attend political or religious meetings or to join an organization as a condition of receiving assistance.

Can TEFAP outlets ask participants for donations? Outlets that receive federal commodities may not ask participants to donate money, materials or services in exchange for food. Outlets may not post signs requesting “voluntary” donations nor place donation containers in the area where participants are served.

Can TEFAP outlets choose to serve some people but not others? Federal and state laws prohibit discrimination on the basis of race, color, national origin, sex, age, religion, political beliefs or affiliation, disability, or association with a person with a disability or if the person is a Limited English Proficient applicant. State law prohibits discrimination on the basis of employment status. All outlets must display the poster “And Justice for All” where it can be seen by all participants. Please contact the regional EFO for additional copies. As already noted, it is reasonable to decline services to an otherwise eligible participant if they behave in a belligerent or threatening fashion or appear to be intoxicated or using illegal drugs. Pantries also may decline to serve participants who live outside their service area.

Can outlets or participants sell commodities? Commodities are intended solely for private consumption by eligible recipients. The sale, trade, exchange or other disposal of commodities or use of commodities for personal gain is strictly prohibited and subject to federal and/or state prosecution.

Can outlets repackage commodities? TEFAP commodities must be distributed only in their original packaging to ensure food safety. Repackaging in any form is strictly prohibited.

Can outlets give or trade commodities among themselves? A TEFAP outlet may only transfer commodities to another TEFAP outlet with the approval of the regional EFO. A TEFAP outlet may never transfer or trade commodities with another outlet that has not been approved to distribute TEFAP.

Civil Rights Compliance

Are TEFAP outlets required to comply with Federal and State Civil Rights Compliance Requirements? All regional EFOs and TEFAP outlets receiving federal financial assistance must comply with the most recently published Department of Workforce Development and DHS Civil Rights Compliance Plan Requirements for Profit and Non-Profit Entities. The Civil Rights Compliance Plan Requirements include Affirmative Action, Equal Opportunity and Limited English Proficiency.

All who work with Federal Nutrition Service funded programs must be trained in Civil Rights required training topics. Outlets that receive TEFAP commodities are included as federally funded programs. First line workers (including volunteers and supervisors must receive annual training. There is flexibility in how the training is provided. Please notify the local TEFAP contact person if a worker has not been trained.

The Goals of Civil Rights are equal treatment for all applicants and beneficiaries under the law, Knowledge of rights and responsibilities, elimination of illegal barriers that prevent or deter people from receiving benefits, dignity and respect for all.

Civil Rights Required Training Topics include....Knowledge of protected classes, the types of discrimination complaints that can be filed, complaint procedures and conflict resolution, customer service, language assistance/accommodations and effective public notification systems.

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Goals of Civil Rights – fairness and equality of treatment and benefit delivery

Legal Prohibitions – discrimination in the delivery of service is prohibited on the bases of race, color, national origin, age, sex and disability in special nutrition programs funded by USDA, Food and Nutrition Services. In addition, the State of Wisconsin prohibits discrimination in the delivery of service on all the above bases, as well as sexual orientation and religion.

Types of Discrimination – Disparate treatment (intentional), disparate impact (neutral rule impacts disproportionately on a group), reprisal/retaliation against complainant or his/her family, associates or others involved in complaint process or exercising Civil Rights.

Exceptions – Congress can establish a program intended for certain groups of people, and it is not discrimination to exclude those who do not meet eligibility requirements. For example, Congress can set age limits, and this is not age discrimination or disability discrimination for those who do not meet the age limits.

When do Civil Rights rules apply? – Civil Rights rules apply any time there is any federal financial assistance. Federal financial assistance is receiving anything of value from the federal government – not just cash. This can include commodities, training, equipment, and other goods and services.

Special circumstances

- Make sure people with disabilities are accommodated. Outlets should be accessible to people with all types of disabilities (e.g. mobility, sight, hearing, other) OR alternate means of service delivery should be advertised and provided, such as using a proxy to pick up food or making home deliveries.
- Provide other language assistance to persons with limited English proficiency who could not gain meaningful access to the program without other language assistance. Assistance must always be provided to LEP households, but the level or type of assistance can vary based on circumstances.

Other requirements

- Treat all people with dignity and respect.
- Display the USDA “*And Justice for All*” non-discrimination poster in a place where it can be seen by all who visit the premises.
- Include the USDA non-discrimination statement on all materials and websites that mention USDA funded programs. There is both a “long” and “short” version.
- **Use the Non Discrimination Long Statement in documents advising people of their rights:** “*In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, or disability. To file a complaint of*

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- *discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410 or call (800) 795-3272 or (202) 720-6382 (TTY). USDA is an equal opportunity provider and employer.”*
- **Use the Non Discrimination Short Statement in outreach materials or websites:**
“This institution is an Equal Opportunity Provider”.
- Conduct outreach to ensure that potentially eligible persons and households are aware of the program and have information on how to apply.
- Maintain confidentiality. It is not appropriate to talk about who is receiving benefits and to make remarks about them. Speak quietly with participants. Do not shout out names. Never share information with others regardless of an expression of good intentions. Refer all requests for information to managers.
- Failure to follow Civil Rights rules can lead to loss of Federal financial assistance.
- Sexual harassment is prohibited. Do not engage in or tolerate unwanted or unwelcome sexual behavior including jokes, touching, requests for sexual favors, etc. Report violations to management or to state or federal officials.
- Advise people who allege discrimination about how to file a complaint.
 - For discrimination complaints concerning federally protected classes, they may write to: USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410 or call (800) 7795-3272 or (202) 720-6382 (TTY). In the Midwest Region they may also write to Regional Director, Civil Rights / EEO, 77 W. Jackson Blvd., FL 20, Chicago, IL 60604-3591 or call (312) 353-3353. Almost all complaints are referred to the Chicago office for investigation and are actually investigated by staff from FNS field offices located in the state where the complaint originated.
 - For discrimination complaints concerning Wisconsin’s protected classes, they should first contact the regional TEFAP Coordinator. If the issue cannot be resolved, they should contact the TEFAP Coordinator, Wisconsin Department of Health & Family Services, Division of Public Health, 1 W. Wilson Street, PO Box 8916, Madison, WI 53708 or call (608) 267-9071.

CONFIDENTIALITY AND NON-DISCLOSURE ACKNOWLEDGEMENT - VOLUNTEER

As a volunteer of the Department of Health Services of Wisconsin/ and providing services associated with the federal emergency food assistance program (TEFAP) commodities at food pantries, soup kitchens and shelters, I understand that all information regarding the individuals and households receiving food assistance must be maintained in the strictest confidence. I have a legal and ethical responsibility to protect the confidentiality and security of all protected data and information to which I have access in carrying out my duties. Confidential information may include, but is not limited to: recipients of food assistance; household composition, names, addresses, and phone numbers. It may be from any source or in any form (oral, written or electronic). This information may be protected by state and federal laws and by policies of the Department.

I agree to keep confidential any individual and household information I may obtain either directly or indirectly during the course of my volunteer work at **locations that provide services related or directly involved with the distribution of TEFAP commodities.**

Name	SIGNATURE	Date Signed
TEFAP distribution site	Division of Public Health TEFAP Contractee Agency	