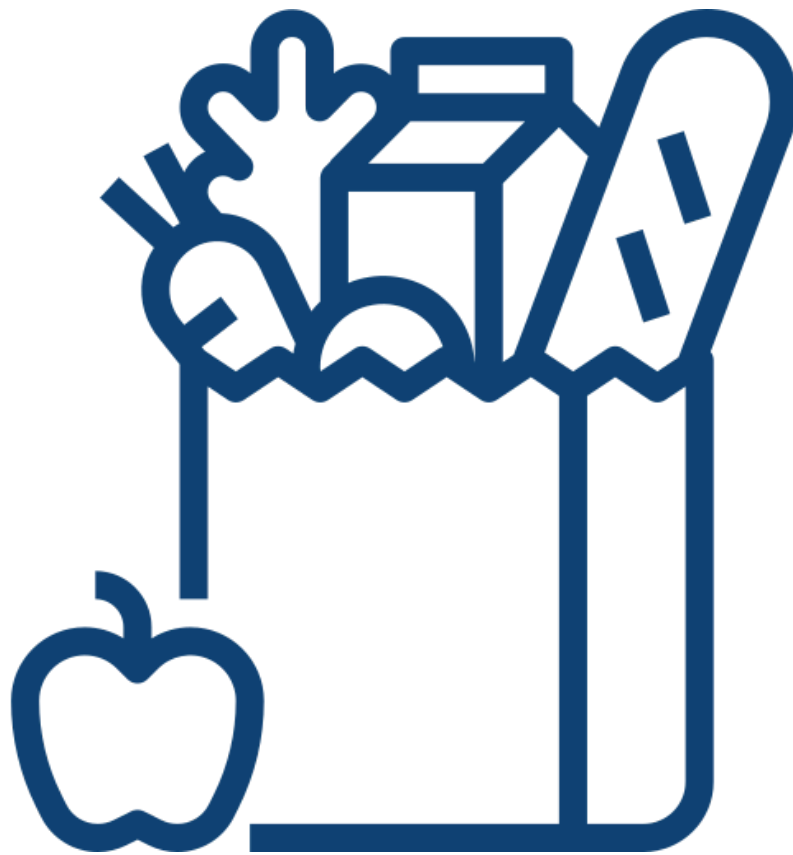


TEFAP Manual



NORTHEAST IOWA
FOOD BANK

Purpose Of This Document

This document explains The Emergency Food Assistance Program (TEFAP), USDA Foods, and Civil Rights. It is designed to support partner agencies in understanding TEFAP and Civil Rights regulations set forth by the Iowa Department of Health and Human Services (HHS). This document serves as a guide and does not replace the Memorandum of Agreement or annual trainings.

TEFAP Overview

TEFAP is a federal program that helps supplement the diets of low-income individuals and families by providing emergency food and nutrition assistance at no cost. Through TEFAP, the U.S. Department of Agriculture (USDA) purchases a variety of nutritious, high-quality USDA Foods and makes them available to state distributing agencies. States, in turn, distribute these foods to local partner agencies, such as food banks, which then provide them directly to eligible individuals or through organizations such as food pantries and community meals.

The amount of food allocated to each state is based on number of unemployed persons and the number of individuals living below the poverty level within the state. Households that meet state-defined eligibility criteria may receive food for home consumption through completion of a TEFAP form. Individuals receiving prepared meals, such as those served at community meals, are considered low-income and are not required to complete a TEFAP form.

For information on TEFAP, please visit <https://www.usda.gov>



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Site Visits Conducted by the State

HHS is responsible for monitoring the operation of TEFAP to ensure compliance with all federal and state requirements. Each fiscal year, HHS will randomly select 2-3 partner agencies of the Northeast Iowa Food Bank (NEIFB) for review.

The review may include, but is not limited to, the following areas related to the administration of USDA (TEFAP) Foods:

1. Eligibility determinations
 - a. Use of TEFAP Forms (home consumption)
2. Food ordering and storage
3. Distribution and procedures
4. Civil Rights compliance
5. Record retention
6. Previous corrective action (if applicable) from the most recent NEIFB review

Documentation Required for Review

Agencies should have the following documentation available for the previous 3 years plus the current fiscal year:

1. TEFAP Eligibility Forms for home consumption
2. Civil Rights training records for staff and volunteers
3. Temperature logs

Review Results and Corrective Actions

After all reviews have been completed, HHS will issue a site review report to NEIFB. NEIFB is responsible for notifying each agency of the review results.

If findings are identified, NEIFB will provide guidance regarding the required corrective actions needed to meet HHS standards. The agency is responsible for developing and implementing corrective actions and submitting documentation of the completed corrections to NEIFB. Agencies should provide complete and thorough documentation to avoid additional follow-up requests.

Failure to complete required corrective actions within the established timeframe may result in the suspension of the agency's ability to order or distribute USDA Foods. HHS will be notified of the agency's noncompliance until corrective actions have been completed and approved.

If no findings are identified, or if all corrective actions are successfully completed and approved, NEIFB will notify the agency that the review has been closed.

Self-Assessment

Agencies are encouraged to conduct a self-assessment prior to an HHS review. The [Partner Agency Monitoring Checklist](#) may be used as a self-assessment tool to help identify and address potential compliance concerns before the review.

TEFAP Form Administration

TEFAP forms are an official HHS form (450-5313) and are valid for the State Fiscal Year (SFY), which runs from July 1 through June 30. NEIFB will notify agencies when new forms are available via email. Agencies must follow all HHS guidelines if participating in the program to ensure both NEIFB and partner agencies remain in good standing.

TEFAP Form Use and Requirements

1. Agencies must use the current SFY TEFAP form.
 - a. NEIFB recommends using a single colored paper per SFY to help distinguish years. NEIFB will provide color guidance annually.
2. Both sides of the TEFAP form must be provided to clients at the time of signing, as the backside contains the USDA nondiscrimination statement.
3. The TEFAP form may not be modified in any way. Any additional client information must be optional, collected only after eligibility is determined, and documented separately.
 - a. No notes of any kind may be written on the form (sticky notes may be used if needed).
 - b. No age or birthdates may be recorded on the form.
 - c. No ethnicity information may be collected.
 - d. No unofficial translations may be used.

Eligibility Requirements

1. Participants must be allowed to self-attest to TEFAP eligibility.
2. Eligibility includes:
 - a. Iowa residency, and one of the following:
 - i. At or below 185% of the Federal Poverty Guidelines, or
 - ii. SNAP recipient or
 - iii. Free/reduced school lunch participant
3. Pantries may not require additional information to receive USDA Foods. If optional information is requested after eligibility is determined, it must be clearly communicated that it does not affect eligibility.
 - a. Examples include identification, proof of address, age verification, etc.

Household and Form Frequency Rules

1. Participants must complete the TEFAP form once per SFY.
 - a. Agencies must have participants sign the updated form at their first visit on or after July 1.
 - b. If a client visits multiple pantries or mobile distributions, a separate TEFAP form must be completed at each agency.
2. Household definitions and counting rules:
 - a. All individuals living at the same address are considered one household, regardless of last name or eating arrangements.
 - b. Children may only be counted once per household and may not be used to create multiple households or duplicate benefits.

Participant Eligibility and Household Rules

- c. Children who are homeless or living independently may sign their own TEFAP form unless an adult is present, in which case the adult must sign on their behalf.
 - d. Individuals or families in shelters or group homes who do not share meals as a unit may be treated as separate households.
3. Residency requirements
- a. Individuals not residing in Iowa are not eligible for Iowa USDA Foods and should not complete the TEFAP form.
 - i. Agencies may provide non-USDA foods at their discretion.
 - b. Individuals outside the designated service area must still be served USDA Foods if they self-attest to eligibility
 - i. After providing service, agencies may refer individuals to pantries and food assistance programs within their local service area for future food assistance needs and ongoing access to resources.

Documentation of Visits

1. After the initial TEFAP form is completed, agencies must document each subsequent USDA Foods distribution.
 - a. Acceptable methods include:
 - i. Signing the back of the TEFAP form
 - ii. Index cards tracking visits
 - iii. Sign-in sheets
 - iv. Electronic system (SIMC, spreadsheets, etc.)
2. If using an electronic system other than Service Insights on MealConnect (SIMC), any use of the term “TEFAP” to identify client visits must receive prior approval from HHS. Please contact your NEIFB Program Representative for guidance and approval requirements.

Meal Sites

1. Meal sites may not use the TEFAP form.
2. Sites must demonstrate annually that they serve a predominantly needy population (51% or more).
3. “Needy” is defined as individuals at or below 185% of the Federal Poverty Guidelines or receiving food assistance benefits.
4. HHS does not require a specific method for agencies to demonstrate this requirement. Acceptable methods may include:
 - a. Census or community socioeconomic data
 - b. Partner agency or school referral data
 - c. Other reasonable documentation methods approved by NEIFB

Proxy Authorization

1. Proxy documentation is required when individuals cannot pick up food in person (e.g., homebound or disabled individuals).

Records and Confidentiality

2. Requirements:

- a. Written authorization must be provided for a proxy.
- b. The participant must meet eligibility requirements and sign the TEFAP form or use the proxy signature line.
- c. One proxy authorization may be valid per SFY if it states ongoing authorization.
- d. Proxy authorization may be updated or revoked at any time.
- e. Individuals living in the same household as the participant do not require proxy authorization.

Record Retention

1. TEFAP forms must be retained for 3 years plus the current SFY.
2. NEIFB recommends organizing records by SFY using binders, folders, or other filing systems.
 - a. Access to and management of TEFAP records should be limited to authorized staff and volunteers who have received required Civil Rights training.

Confidentiality

1. Client information must remain confidential.
2. Access to TEFAP forms and participant information is limited to authorized staff, volunteers, NEIFB, HHS, and USDA for program administration or monitoring purposes.
3. For reporting purposes, only blank TEFAP forms and aggregated (non-identifying) data may be shared.
4. Requests from outside entities (including law enforcement) must not be fulfilled unless supported by a valid legal order (e.g., subpoena or court order). All such requests must be referred to NEIFB or HHS immediately.

Distribution Practices

1. Agencies may establish reasonable distribution limits; however, USDA Foods must be distributed consistently and fairly to all eligible participants.

Food Ordering Procedures

There are several ways to identify USDA Foods ordered from NEIFB.

1. When ordering online, USDA Foods can be identified by the following codes:
 - a. US
 - b. BON
 - c. ENT
2. Emailed invoices will include product reference information such as:
 - a. Donated items (example: 21126DN, 88024DN)
 - b. Purchased items (example: Hansens-P)
 - c. **USDA Foods (example: 72523BON)**

Product				---Weight---		Shared Maintenance		Purchased Cost	
Reference	Description	Storage	Quantity	Unit	Total	/Lb	Total	Unit	Total
Donated									
21126DN	Cottage Cheese (gt)	REF	51	13.00	663.00	\$0.00	0.00	0.00	0.00
21126DN	Cottage Cheese (gt)	REF	50	13.00	650.00	\$0.00	0.00	0.00	0.00
88024DN	Formula- 1-6 month (gt)	DRY	58	12.00	696.00	\$0.19	132.24	0.00	0.00
25294DN	Almond Milk-Chocolate	DRY	131	11.00	1441.00	\$0.19	273.79	0.00	0.00
MRPC-POT	MRPC - Potatoes 10-	REF	13	50.00	650.00	\$0.00	0.00	0.00	0.00
			<u>303.00</u>		<u>4100.00</u>		<u>\$406.03</u>		<u>\$0.00</u>
Purchased									
HANSENS-P	Hansens Assorted Milk	REF	4	38.00	152.00	\$0.00	0.00	5.00	20.00
HANSENS-P	Hansens Assorted Milk	REF	45	38.00	1710.00	\$0.00	0.00	5.00	225.00
			<u>49.00</u>		<u>1862.00</u>		<u>\$0.00</u>		<u>\$245.00</u>
USDA									
72523BON	Fresh Plums(BULK)-	REF	4	30.00	120.00	\$0.00	0.00	0.00	0.00
72523BON	Fresh Plums(BULK)-	REF	76	30.00	2280.00	\$0.00	0.00	0.00	0.00

Ordering Expectations

1. Agencies should only order USDA foods that they have the ability to distribute within 6 months of receipt, while the food is still in optimal condition without waste.
2. Agencies must avoid stockpiling and hoarding inventory.

Food Loss and Disposal Requirements

1. USDA foods may not be distributed beyond the expiration or Best If Used By (BIUB) date.
2. If USDA foods are lost, expired, or otherwise unusable, agencies must:
 - a. Notify NEIFB
 - b. Provide photographs of the affected items
 - c. Obtain approval prior to disposal from NEIFB on next steps
3. Reportable food losses include:
 - a. USDA foods past the BIUB date
 - b. USDA foods that are no longer fit for human consumption

Responsibility for USDA Foods

1. The partner agency is responsible for any improper distribution, misuse, or damage to USDA Foods resulting from negligence or failure to follow program requirements.

Storage and Temperature Requirements

Proper food safety regulations must be followed to ensure food quality and safe consumption. USDA Foods must be stored in safe, secure, and clearly labeled locations. Food must be monitored regularly to ensure all requirements are being met.

Storage Identification and Separation

1. USDA Foods must be stored separately from other foods and clearly marked as USDA. Examples include:
 - a. Mark products directly (ex: USDA, US, TEFAP, *)
 - b. Use magnets or stickers on shelving units
 - c. Dedicate separate shelving units
2. If USDA Foods are received from another site (agency or mobile distribution), they must also be clearly labeled or stored in a way that ensures proper identification and distribution.
3. If USDA Foods are donated back by a client, the items are no longer considered USDA Foods and may be included in general inventory and displayed with other food items.
4. USDA Foods must be stored separately from non-food items.

Temperature Requirements

1. Refrigerated foods must be stored between 35°F and 40°F.
 - a. Temperatures must not fall outside this range.
2. Frozen foods must be stored between 0°F and -10°F.
 - a. Temperatures must not fall outside this range.
3. Dry storage areas should be maintained between 50°F and 70°F.
 - a. Temperatures must not fall below 32°F and should rarely exceed 70°F to preserve food quality.

Monitoring and Storage Controls

1. All storage units, including dry storage areas, must have their own thermometer.
 - a. Sharing thermometers between units is not permitted.
2. Temperature logs must be maintained for a minimum of two (2) years.
3. Food must be stored at least:
 - a. 4 inches away from walls
 - b. 6 inches off the floor
 - c. 2 feet from the ceiling
4. Storage areas must be clean, organized, and well-maintained to prevent theft, spoilage, damage, or other loss.

Food Safety and Compliance Requirements

Food Rotation and Handling Rules

1. Agencies must follow the First Expired, First Out (FEFO) method to ensure USDA Foods are not distributed beyond their Best If Used By (BIUB) date.
2. If a BIUB date is not listed on the item, refer to your invoice for the expiration date. If the date cannot be found on either the item or the invoice, please contact NEIFB Program Representative.
3. USDA Foods may not be repackaged or broken down.
 - a. The only exception is bulk cases of whole produce, which may be divided into smaller portions following proper food safety guidelines.
4. USDA Foods may not be sold, exchanged, or otherwise improperly disposed of.

Pest Control and Training Requirements

1. A pest control system must be in place.
 - a. This may be maintained internally with a documented pest control log, or
 - b. Through a contracted pest control company.
2. At least one staff member or volunteer at each agency must complete food safety or ServSafe Manager training.
 - a. The certificate must be displayed in a location visible to clients

Program Visibility and Compliance

1. Pantries and meal sites must display operating days and hours in a visible location.
2. All printed and online materials used to promote the program must include the USDA nondiscrimination statement.
 - a. Use of the full nondiscrimination statement must be used on websites and is preferred on printed material.
 - b. If space is too limited on printed material, the following statement may be used: "This institution is an equal opportunity provider."
 - c. For more information on the nondiscrimination statement see pages 15-16.
3. If a donation jar is visible in the intake area, signage must clearly state that donations are voluntary and not required to receive food pantry services.
 - a. Staff and volunteers must be informed on this policy and trained on proper procedures for accepting and handling donations.
4. If operating days and hours change NEIFB must be notified of these changes.
5. Agencies must comply with all food safety recall requirements.
 - a. NEIFB will email recall notices from recalls@neifb.org

Program Integrity and Participant Choice

Program Integrity and Distribution Rules

1. USDA Foods must be distributed without requiring payment, donations, volunteer service, participation in activities, or any other contribution as a condition of receiving assistance.
2. Sites may offer additional programs, services, or activities during food distribution as long as:
 - a. Participation is completely voluntary.
 - b. Participants are clearly informed that the activity is separate from TEFAP and is not required to receive food assistance.
 - c. The activity does not interfere with, delay, or disrupt the distribution of USDA Foods or meal service.
3. Faith-based organizations may conduct religious activities at their facilities; however, participation in religious services, prayer, worship, or other faith-based activities must never be required as a condition of receiving USDA Foods. Individuals must have access to food assistance regardless of their decision to participate in any religious activity.

The chart below provides examples of activities and practices that are acceptable and unacceptable.

It is acceptable to...	It is unacceptable to...
Have a cross or other religious symbols hanging on a wall at the food distribution facility.	Have a cross or other religious symbols hanging on a wall at the food distribution facility.
Have a menorah or Christmas tree on display at the distribution facility during holidays.	Refuse food to beneficiaries who do not practice a particular faith.
Have a display stand at the front/back of the food distribution facility that contains faith-based pamphlets for anyone interested.	Insert faith-based pamphlets in bags or boxes when distributing food.
Have a pastor or other religious official assist with the distribution of food.	Require or encourage participants to have a religious conversation with the pastor or official prior to receiving food.
Have a prayer service on the second level of a church building while the distribution of food is happening on another level or area of the	Have a prayer service in the same room and at the same time as the distribution of food.
Invite participants to be a part of a voluntary prayer before or after, but clearly separate from, the distribution of food.	Lead participants in a prayer at the beginning of the food distribution.

Civil Rights Protected Classes and Training

The Civil Rights Act of 1964 prohibits discrimination based on race, color, national origin, disability, age, sex, gender identity, and sexual orientation. TEFAP is funded by the federal government and must comply with all applicable civil rights and non-discrimination laws.

All partner agencies are responsible for ensuring that services are provided in a non-discriminatory manner and that clients are treated fairly and respectfully at all times. TEFAP services must be provided in a manner that does not discriminate against any protected class.

The following policies prohibit discrimination based on:

Civil Rights Laws	Protected Classes
Title VI- Civil Rights Act of 1964 Civil Rights Restoration Act of 1987: Clarifies the Scope of the Civil Rights Act of 1964	✓ Race ✓ Color ✓ National Origin
Section 504 of the Rehabilitation Act of 1973 Americans with Disabilities Act (ADA) of 1990 ADA Amendments Act of 2008	✓ Disability
Title IX of the Education Amendments of 1972	✓ Sex (gender identity and sexual orientation)
Age Discrimination Act of 1975	✓ Age

Civil Rights Training Requirements

Civil Rights training ensures that all staff and volunteers understand their responsibilities in providing equitable service to all participants.

1. Civil Rights training is required annually for all staff and volunteers involved in USDA Foods administration. This includes anyone who interacts with clients or handles personal applicant information.
2. Staff and volunteers who do not interact with clients or handle personal information are not required to complete training; however, NEIFB encourages all staff and volunteers to complete Civil Rights training so they are prepared to assist if needed.
3. New staff and volunteers that join the food program must complete Civil Rights training before participating in any program activities if interacting with clients or handling personal information.

Training and Complaints of Discrimination

Training Documentation and Records

1. Documentation of completed Civil Rights training must be submitted to NEIFB by the requested deadline.
2. Training records must be maintained for 3 years plus the current fiscal year.
3. It is not necessary to resubmit Civil Rights training documentation each time staff or volunteers change; however, Civil Rights training logs must be kept on file and available for review during site visits.
4. Training logs may be accessed on the NEIFB website under Agency Resources or requested from NEIFB Programs Representative.

Everyone has the right to file a discrimination complaint. Individuals must never be discouraged from filing a complaint or expressing concerns. Complaints may be submitted verbally, in writing, or anonymously.

Agencies must have a clear process for handling complaints and ensure staff are trained on how to respond appropriately. Complaints should always be addressed at the lowest possible level when appropriate. If resolution is not possible, the complaint must be escalated to NEIFB or the appropriate State or Federal agency.

The maximum timeframe for processing a civil rights complaint is 180 days.

Complaint Requirements

Civil rights complaints may be filed based on race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or retaliation for prior civil rights activity.

Agencies must notify NEIFB immediately upon receiving any civil rights complaint. Complaints must remain confidential and should not be discussed with unauthorized individuals.

A complaint should include, when possible:

1. Name
2. Address, and
3. Telephone number or other means of contacting the person alleging the discrimination
4. Name and location of the organization or office that is accused
5. Nature of the incident or action
6. Names of individuals involved or witnesses
7. Date(s) of the incident
8. Basis of the complaint

And Justice for All Poster

The current Justice for All Poster must be prominently displayed so that all eligible clients can easily view it. The current approved version is green with a revision date of September 2019.

This poster serves as a trademark indicating the site provides a USDA program without discrimination. It includes contact information for individuals who wish to file a discrimination complaint directly with the USDA.

Agencies should not create printed copies or display previous versions of the poster. Free copies are available through NEIFB. While multiple posters are not required in a single facility, the poster must be visible to clients. NEIFB will notify agencies when updated posters become available.



USDA Nondiscrimination Statement

Websites and social media platforms must include the full USDA nondiscrimination statement or a direct link to the statement. The statement or link does not need to appear on every webpage or social media post, but it must be included on the home page or main program information page.

Link to full statement: <https://hhs.iowa.gov/assistance-programs/food-assistance/emergency-food?>

In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity.

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (e.g., Braille, large print, audiotape, American Sign Language), should contact the responsible state or local agency that administers the program or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339.

To file a program discrimination complaint, a Complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form which can be obtained online at: <https://www.usda.gov/sites/default/files/documents/ad-3027.pdf>, from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to USDA. The letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted to USDA by:

mail:

U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW Washington, D.C. 20250-9410; or

fax:

(833) 256-1665 or (202) 690-7442; or

email:

Program.Intake@usda.gov

This institution is an equal opportunity provider

Short Nondiscrimination Statement

For printed materials such as flyers, brochures, or signage, the short USDA nondiscrimination statement may be used: “This institution is an equal opportunity provider.” The short statement must appear in a font size no smaller than the main text used in the publication. However, the short statement may only be used for printed materials and cannot replace the required long nondiscrimination statement where the full statement is required.

NEIFB website example:

Northeast Iowa Food Bank is a 501(c)(3) nonprofit organization. EIN: 42-1169648. This institution is an equal opportunity provider [USDA Nondiscrimination Statement | Food and Nutrition Service](#)
©2023 | 1605 Lafayette St. Waterloo, IA, 50703 | Northeast Iowa Food Bank

[Privacy Policy](#)

TEFAP Written Notice of Beneficiary Rights

The TEFAP Written Notice of Beneficiary Rights must be displayed in a visible location accessible to all clients. NEIFB recommends placing it near the USDA “And Justice for All” poster to ensure clients can easily access both required notices.

This notice explains participant rights under federal USDA program regulations. The notice must not be altered or replaced with outdated versions. Replacement copies are available through NEIFB or on the NEIFB website under Agency Resources.

Spanish versions of the notice should be posted if your site regularly serves Spanish-speaking participants. At a minimum, agencies should have Spanish copies readily available if a Spanish-speaking client visits the site.

TEFAP Written Notice of Beneficiary Rights

Name of Organization: _____

Because The Emergency Food Assistance Program (TEFAP) is supported in whole or in part by financial assistance from the Federal Government, we are required to let you know that:

1. We may not discriminate against you on the basis of religion, a religious belief, a refusal to hold a religious belief, or a refusal to attend or participate in a religious practice;
2. We may not require you to attend or participate in any explicitly religious activities (including activities that involve overt religious content such as worship, religious instruction, or proselytization) that are offered by our organization, and any participation by you in such activities must be purely voluntary;
3. We must separate in time or location any privately funded explicitly religious activities (including activities that involve overt religious content such as worship, religious instruction, or proselytization) from activities supported with direct Federal financial assistance; and
4. You may report violations of these protections, including any denials of services or benefits by an organization, by contacting or filing a written complaint with the

U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights Executive Director
Center for Civil Rights Enforcement
1400 Independence Avenue SW
Washington, DC 20250-9410, or by email to program.intake@usda.gov

5. If you would like to seek information about whether there are any other federally funded organizations that provide these kinds of services in your area, please contact:

The USDA Hunger Hotline:

- **By Phone:** 1-866-3-HUNGRY or 1-877-8-HAMBRE to speak with a representative from 7:00 AM – 10:00 PM Eastern Time.
- **By Text:** 914-342-7744 with a question that may contain a keyword such as “food,” “summer,” “meals,” etc. to receive an automated response to resources located near an address and/or zip code.

This written notice must be given to you before you enroll in the program or receive services from the program, unless the nature of the service provided or exigent circumstances make it impracticable to provide such notice before we provide the actual service. In such an instance, this notice must be given to you at the earliest available opportunity.

07/05/2024
FND Policy Memorandum NO. FD-155

Contact Information

For further questions on TEFAP/USDA and Civil Rights regulations please contact your food bank representative. If you need current FY TEFAP forms or Civil Rights training please find these at <https://www.neifb.org/agency-resources>

For Food Pantries and Community Meals contact the following representatives:

- Jenn Diehl | Community Programs Coordinator | Jdiehl@neifb.org
- Tia Gutierrez | Community Programs Manager | Tgutierrez@neifb.org

For School Markets contact the following representative:

- Bri Sassaman | Children's Programs Manager | Bsassaman@neifb.org