

10.555 NATIONAL SCHOOL LUNCH PROGRAM (NSLP)

State Project/Program: NATIONAL SCHOOL LUNCH PROGRAM (NSLP)

United States Department of Agriculture (USDA)

Federal Authorization: 7 CFR Part 250

State Authorization:

**North Carolina Department of Agriculture and Consumer Services
Food Distribution Division**

Agency Contact Person – Program

Walter G. Beal, Director
NC Dept of Agriculture & Consumer Services
Food Distribution Division
919-964-6111
walter.beal@ncagr.gov

Address Confirmation Letters To:

Christopher Hieb
NC Dept of Agriculture & Consumer Services
1001 Mail Service Center
Raleigh, NC 27699-1001

Agency Contact Person – Financial

Teresa O'Briant
NC Dept of Agriculture & Consumer Services
Food Distribution Division
919-964-6118
teresa.obriant@ncagr.gov

The auditor should not consider the Supplement to be “safe harbor” for identifying audit procedures to apply in a particular engagement, but the auditor should be prepared to justify departures from the suggested procedures. The auditor can consider the supplement a “safe harbor” for identification of compliance requirements to be tested if the auditor performs reasonable procedures to ensure that the requirements in the Supplement are current.

The grantor agency may elect to review audit working papers to determine that audit tests are adequate.

Auditors may request documentation of monitoring visits by the State Agencies.

This compliance supplement must be used in conjunction with the OMB 2026 Compliance Supplement which will be issued in the summer. This includes “Part 3 - Compliance Requirements,” for the types that apply, “Part 6 - Internal Control,” and “Part 4 - Agency Program” requirements if the Agency issued guidance for a specific program. The OMB Compliance Supplement is Section A of the State Compliance Supplement.

I. PROGRAM OBJECTIVES

The USDA’s Food Distribution Program is a multifaceted program designed to improve the nutritional quality of the diets of program participants. Additionally, it supports agriculture through price support and surplus removal programs. The foods are made available to designated state distributing agencies for distribution to eligible outlets such as school food authorities. The North Carolina Department of Agriculture and Consumer Services – Food

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Distribution Division (NCDA&CS) is one of these distributing agencies that orders food from USDA and arranges for the receipt, storage, and distribution to school food authorities.

II. PROGRAM PROCEDURES

The Food and Nutrition Service (FNS) of the US Department of Agriculture administers the Food Distribution program. FNS enters into agreements with State distributing agencies for the distribution of USDA foods. NCDA&CS then enters into agreements with NC public and private non-profit schools.

USDA provides foods to NCDA&CS, which in turn provides those USDA foods to recipient agencies as indicated above. Schools are eligible for a certain entitlement dollar level of USDA food assistance based on the number of lunches served during the prior year, times the mandated rate of assistance.

USDA foods that are offered to school food authorities based on their entitlement dollars are considered entitlement foods. Other foods may be offered to school food authorities for which there is no charge to the school food authority's entitlement. All foods are offered or made available on a use without waste basis and must be used within a six-month period. Foods are purchased by USDA based on several factors such as market conditions, the amount, types, and cost of foods available. USDA provides NCDA&CS with a dollar level of entitlement. This entitlement is determined by multiplying the number of reimbursable lunches served by the commodity assistance rate. Items are meats, fruits, dairy, oils, grains, and vegetables. These items are purchased by the Agricultural Marketing Service (AMS) of USDA. The school systems decide how much of these items they need, and NCDA&CS place their order to FNS based on those requirements. The per lunch entitlement is provided by Federal legislation. The computation for each school food authority is based upon the number of lunches served by each said agency. The number of lunches data is provided to NCDA&CS by the NC Department of Public Instruction, Child Nutrition Section.

USDA foods generally available for the National School Lunch Program include frozen and canned meat and poultry; canned, fresh, and frozen fruits; vegetables and juices; dairy products; cereals and grains; vegetable oil and shortening; and peanut products. The foods that USDA purchases may vary from time to time, depending on what food products are available.

NC 209 Reports are available on the NCDA&CS FDD website and available 24/7 to inform them of what items have been delivered and are to be delivered. Foods that are declared "Bonus or No Charge," regardless of their prior classification, will be requested by the recipient agencies. If the school food authority does not wish to receive the food allocated, the school food authority may exercise their right to refuse.

NCDA&CS allocates USDA foods to the school food authority, generates an invoice reflecting the USDA foods, pack-size, storage code, dollar value and time/date of delivery. One copy of the invoice is sent via email to the recipient agency. When delivery is made, it is the responsibility of the receiving agency to unload products, assuring that the number cases and pack-size match the invoice, that the products are free from damage and in good condition.

The receiving agency representative should sign for the products received in good condition, with differences noted on the invoice. The receiving agency's invoice should match the driver's invoice.

USDA foods must be maintained in a clean and secure environment. Storage conditions must be such that premature deterioration of USDA foods is prevented, such as proper temperature and air circulation. USDA foods should be used on a First In, First Out method of distribution. These foods have a pack date on the case, and the items with the oldest pack dates should be used first. Where a pack date is not available, it is recommended to mark the product using month and year of receipt or a receipt date.

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Occasionally, school food authorities will experience losses of USDA foods which were received in good condition. Generally, such losses will be due to inventory adjustments or due to theft, damage, infestation, or spoilage. Losses of food, both purchased and USDA foods, are expensive and care should be taken to prevent them. When losses occur, it is the responsibility of the school food authority to demonstrate that reasonable efforts were made to safeguard foods.

III. COMPLIANCE REQUIREMENTS

Noted below in the following matrix are the types of compliance requirements (Types) for this federal program identified by either the federal or State agency with a "Y" that are subject to the audit. The auditor must determine if the Type noted by "Y" has a direct and material effect on the federal program for the auditee. If the Type is determined to be subject to audit, the auditor must use the OMB 2026 Compliance Supplement, Part 3 and Part 4 (if an OMB supplement is issued) in addition to this State supplement to perform the audit.

If the State determines that the federal requirement does not require testing at the local level or if the State modifies the federal requirements, this is discussed in the supplement under the type of compliance requirement. Auditors are not expected to test requirements that have been noted with an "N."

A	B	C	E	F	G	H	I	J	L	M	N
Activities Allowed or Unallowed	Allowable Costs/ Cost Principles	Cash Management	Eligibility	Equipment/ Real Property Management	Matching, Level of Effort, Earmarking	Period Of Performance	Procurement Suspension & Debarment	Program Income	Reporting	Subrecipient Monitoring	Special Tests and Provisions
Y	Y	Y	Y	N	N	N	Y	Y	Y	Y	Y

A. Activities Allowed or Unallowed

USDA foods may be utilized for school breakfast and school lunch. They are also allowed to be utilized for any purpose and event approved by the school board as long as:

- 1) any monies derived from the event are returned to the child nutrition section; and
- 2) the students are the benefit of the event.

Home economics classes can utilize USDA foods if permission is granted by the Child Nutrition Director of each school system.

B. Allowable Costs/Cost Principles

Administrative cost and cost principals are set forth by the NC Department of Public Instruction. NCDPI oversees the administration of each child nutrition.

C. Cash Management

Not Applicable

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- D. Reserve
Not Applicable
- E. Eligibility
Each school system receiving USDA food must be in the National School Lunch Program (NSLP) to be eligible for program participation.
- F. Equipment and Real Property Management
Not Applicable
- G. Matching, Level of Effort, Earmarking
Not Applicable
- H. Period of Performance
Not Applicable
- I. Procurement and Suspension and Debarment
Not Applicable
- J. Program Income
Not Applicable
- K. Reserve
Not Applicable
- L. Reporting
All financial, participation, and costs are reported to NCDPI.
- M. Subrecipient Monitoring
School systems receiving USDA foods are reviewed by NCDPI.
- N. Special Tests and Provisions
Not Applicable