



DATE: November 6, 2024

SUBJECT: Food Distribution Programs: Improving Access and Parity Final Rule:
Commodity Supplemental Food Program (CSFP) Implementation
Memorandum

TO: Regional Directors
Supplemental Nutrition Programs
MARO, MPRO, MWRO, NERO, SERO, SWRO, and WRO

State Directors
CSFP State Agencies and Indian Tribal Organizations (ITOs)

On October 31, 2024, FNS published the [Food Distribution Programs: Improving Access and Parity Final Rule](#) (the final rule). Through this memorandum, FNS is providing CSFP State agencies and ITOs with initial implementation guidance and implementation dates for the provisions of the final rule that pertain to CSFP.

All CSFP provisions in this final rule will take effect 60 days after publication on December 30, 2024, and when required, most must also be implemented by December 30, 2024. However, three of the CSFP provisions have a longer implementation period and must be implemented no later than 12 months after the rule's publication, by October 31, 2025. This implementation period was established in response to comments received on the proposed rule and in recognition of the fact that these provisions will require program partners to take more action or implement a larger change in program administration.

Attachment A, “CSFP Final Rule Provisions with Implementation Date of December 30, 2024” provides initial implementation guidance for those provisions that will take effect and must be implemented 60 days after publication of the final rule. **Attachment B, “CSFP Final Rule Provisions with Implementation Date of October 31, 2025”** provides initial

implementation guidance for those provisions that must be implemented no later than 12 months after the final rule's publication.

FNS will provide further guidance on specific provisions in the coming months, as needed. State agencies may direct any questions to their respective [FNS Regional Office](#).

/s/ Original Signature on File

Sara Olson

Director

Policy Division

Supplemental Nutrition and Safety Programs

ATTACHMENT A – CSFP Final Rule Provisions with Implementation Date of December 30, 2024

CSFP Income Eligibility Requirements

Regulatory Citation	Final Rule Provision	State Agency/ITO Action
<p><u>§ 247.9</u></p> <p>CSFP Income Eligibility Standards</p>	<p>The maximum CSFP income eligibility standards are raised to 150% of the U.S. Federal Poverty guidelines. State agencies/ITOs can still elect a lower level if desired.</p>	<p><i>Optional for State agency/ITO.</i></p> <p>To implement, State agencies/ITOs must submit a State Plan amendment to raise their income guidelines.</p> <p>State agencies/ITOs can implement as soon as December 30, 2024, but are not required to implement by this date.</p> <p>[Additional guidance to follow. FNS will release updated income guidelines prior to the effective date of December 30, 2024.]</p>
<p><u>§ 247.9(b)(1) and (2)</u></p> <p>CSFP Adjunctive Eligibility</p>	<p>State agencies/ITOs may choose to allow participation in specific Federal programs and State level programs with income eligibility standards at or below the CSFP requirements to demonstrate income eligibility for the program. The Federal programs allowed are the Supplemental Nutrition Assistance Program (SNAP), the Food Distribution Program on Indian Reservations (FDPIR), Supplemental Security Income (SSI), the Low Income Subsidy Program, and the Medicare Savings Programs.</p>	<p><i>Optional for State agency/ITO.</i></p> <p>To implement, State agencies/ITOs must submit a State Plan amendment to outline which Federal and/or State programs will be accepted as demonstrating income eligibility.</p> <p>State agencies may implement as soon as December 30, 2024, but are not required to implement by this date.</p> <p>[Additional guidance to follow.]</p>

Flexibility for Identity Verification

Regulatory Citation	Final Rule Provision	State Agency/ITO Action
<p>§ 247.10(b) and § 247.6(c)</p> <p>Flexibility for Identification Check at Distribution</p>	<p>Local agencies must have a process in place, in accordance with State agency/ITO requirements, to verify the identity of a participant or their proxy before distributing USDA Foods. This removes the requirement that participants must show identification when receiving a CSFP food package, but State agencies/ITOs may still require identification if desired. CSFP State Plans must include a description of this process.</p>	<p>Required for State agency/ITO.</p> <p>To implement, State agencies/ITOs must submit a State plan amendment to outline the process for local agencies to follow when verifying the identity of participants or their proxies prior to distributing USDA Foods.</p> <p>State agencies/ITOs must implement by December 30, 2024.</p> <p>[Additional guidance to follow.]</p>

Technical Edits

Regulatory Citation	Final Rule Provision	State Agency/ITO Action
<p>7 CFR Part 247</p> <p>Technical Edits</p>	<p>Technical changes were made throughout part 247, including replacing the term “commodities” with “USDA Foods,” replacing references to “elderly” with “participants,” and removing cross-citations to WIC regulations as the program is now seniors only.</p>	<p>No action required.</p> <p>As a part of routine updates, State agencies/ITOs are encouraged to replace the outdated terms within State agency materials such as websites, the State Plan, etc.</p> <p>State agencies/ITOs may implement as soon as December 30, 2024, but are not required to make these changes.</p>

ATTACHMENT B – CSFP Final Rule Provisions with Implementation Date of October 31, 2025

Public Posting of CSFP Program Information

Regulatory Citation	Final Rule Provision	State Agency/ITO Action
<p><u>§ 247.5(b)(16)</u></p> <p>Public Posting of Availability of USDA Foods</p>	<p>State agencies/ITOs must make available a list of all CSFP local agencies, which excludes agencies operating under an agreement with a local agency, on a publicly available internet web page. This includes posting the name, address, and telephone number for each local agency and updating the list annually.</p>	<p><i>Required for State agency/ITO.</i></p> <p>State agencies/ITOs must post local agency information on a public webpage no later than 12 months after the publication of the final rule, by October 31, 2025.</p> <p>[Additional guidance to follow.]</p>
<p><u>§ 247.6(a) and § 247.5(b)(17)</u></p> <p>Public Posting of State Plan</p>	<p>State agencies/ITOs must post a copy of their current State Plan on a publicly available internet web page.</p>	<p><i>Required for State agency/ITO.</i></p> <p>State agencies/ITOs must post the State Plan on a public webpage no later than 12 months after the publication of the final rule, by October 31, 2025.</p>

Referrals to the Senior Farmers' Market Nutrition Program (SFMNP)

Regulatory Citation	Final Rule Provision	State Agency/ITO Action
<p><u>§ 247.14</u></p> <p>Referral Materials for the SFMNP</p>	<p>Where applicable, local agencies must share written information and referrals to the SFMNP to expand awareness and access to the program.</p>	<p><i>Required for State agency/ITO.</i></p> <p>State agencies/ITOs must ensure that no later than 12 months after the publication of the final rule, by October 31, 2025, where applicable, local agencies have incorporated SFMNP materials into their existing CSFP applicant processes.</p> <p>[Additional guidance to follow.]</p>