



DATE: December 18, 2024

POLICY NO: FD-123: The Emergency Food Assistance Program (TEFAP)

SUBJECT: Maintenance of Lists of Eligible Recipient Agencies Participating in TEFAP (Revised)

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

State Directors
All TEFAP State Agencies

This memorandum provides guidance to TEFAP State agencies on maintaining lists of eligible recipient agencies (ERAs) that participate in TEFAP in their State or Territory, and applicable program regulations related to these lists.

Maintaining a List of All ERAs Participating in the Program

Per TEFAP regulations at 7 CFR 251.10(a)(3), State agencies are required to maintain an accurate list of ERAs in their State or Territory. This list must include both ERAs that have an agreement with the State agency and ERAs that have agreements with another ERA. The list must also include ERAs that distribute USDA Foods for home consumption and those that distribute USDA Foods via prepared meals.

Reporting the List of All ERAs to FNS

Per TEFAP regulations at 7 CFR 251.10(b)(3), TEFAP State agencies must annually report the above-mentioned list of ERAs to FNS, in a format specified by FNS. The list must specify whether each ERA has an agreement with the State agency or with another ERA, the name of the other ERA (if applicable), and the address at which the ERA distributes USDA Foods to the

public. FNS will make a form available for TEFAP State agencies to report this list of ERAs in the Food Programs Reporting System (FPRS), with the first report due on July 31, 2025.

Using the List of All ERAs for Monitoring Purposes

In accordance with 7 CFR 251.11, each State agency must monitor TEFAP operations to ensure the program is administered in accordance with Federal and State requirements. State agencies are required to annually review at least: 1) 25 percent of all ERAs with which they have an agreement, provided that each ERA that has an agreement with the State agency be reviewed no less than once every four years, and 2) one-tenth or 20, whichever is fewer, of all ERAs which receive TEFAP foods and/or administrative funds through an agreement with another ERA. State agencies should use the list of ERAs to determine which ERAs to review each fiscal year. Please see [Policy Memorandum FD-124: Determining Local Agency Reviews](#) for additional information.

Publicly Posting a List of ERAs that have an Agreement with the State Agency

Per TEFAP regulations at 7 CFR 251.4(l), each State agency must make the list of ERAs *that have an agreement with the State agency* publicly available. At a minimum, this list must be posted on a public internet webpage and must include the names, addresses, and contact telephone numbers of the ERAs. The webpage must also be updated annually. This publicly available list of ERAs is not required to include those ERAs that have agreements with other eligible recipient agencies. Additional guidance on the public posting of ERA lists will be made available ahead of the requirement taking effect on October 31, 2025.

State agencies should contact their respective FNS regional office with any questions.

/ Original signature on file /

Sara Olson, Director

Policy Division

Supplemental Nutrition and Safety Programs