Food Distribution
National Policy Memorandum

United States Department of Agriculture

Food and Nutrition Service

3101 Park Center Drive

Alexandria, VA 22302-1500

DATE: February 5, 2003

POLICY NO. FD-003: Nutrition Services Incentives Program (NSIP)

SUBJECT: Eligibility of Meals Served in the Nutrition Services Incentive Program (NSIP)

It has been brought to our attention that there may be some confusion in determining which meals served under the NSIP (formerly the Nutrition Program for the Elderly or NPE) are eligible for USDA support, as well as which organizations are eligible to serve meals that can be claimed for USDA support. To clear up any misunderstandings the criteria, which must be applied for meals and organizations, are listed below:

1. Each meal must meet one-third of the daily recommended dietary allowances established by the Food and Nutrition Board, Institute of Medicine, National Academy of Sciences as well as the Dietary Guidelines for Americans issued by the Secretaries of the Departments of Health and Human Services and Agriculture. Snacks or combinations of food that do not meet one-third RDA are not classified as meals and are not eligible for USDA support.

2. Under Title III, meals must be served to individuals age 60 or older, and their spouses, regardless of age. Meals can be provided to individuals who are under the age of 60 who are handicapped or disabled and reside in housing facilities occupied primarily by older individuals at which congregate nutrition services are provided; individuals with disabilities who reside at home with and accompany older eligible individuals to meal sites; and individuals providing volunteer services during meal hours.

Under Title VI, the NSIP for elderly Indians, Indian tribal organizations may define "older Indian" as a person younger than 60 years of age.

3. While there is no written policy that prohibits the claiming of "second" meals in the NSIP as long as each meal served meets one-third RDA, we highly discourage this practice. Although the Older Americans Act does encourage the expansion of nutrition services to include more than one meal per day, we do not believe the intent of the Act is to provide two consecutive meals at the same meal service. We fear that promoting a policy, which allows claiming of "second meals", could result in providers claiming "seconds" or portions of meals that do not meet one-third RDA.

From a management perspective, nutrition service providers should estimate as closely as possible the number of meals anticipated to be served at each meal service.

4. Meals must be served by a nutrition service provider which is under the jurisdiction, control, management and audit authority of the State agency on aging (SAA) or the area agency on aging (AAA) and federally-recognized tribes. The SAA or AAA must oversee the nutrition service operations of the provider to ensure that criteria #1 and #2 listed above are followed, as well as any other applicable regulations and policies prescribed by the Department of Health and Human Services and USDA.

5. Earned USDA reimbursement may not be used to supplant funds previously earmarked for services for older individuals.

6. USDA reimbursement cannot be provided for meals where subgrantees require recipients to pay for meals.

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Date Originally Issued: 01/27/1989 (Policy Memo. No. 2)