

MAR 1, 2002

SUBJECT: Summer Food Service Program (SFSP): USDA Sponsor Reviews

TO: Regional Directors
Special Nutrition Programs
All Regions

We have received a request to allow State agencies to substitute a USDA review of a sponsor and its sites for a State agency review of that sponsor as required by 7 CFR 225.7(d)(2).

The purpose of this memorandum is to establish that regional offices may allow State agencies to count a USDA review of an SFSP sponsor as one of their required reviews, provided that the State agency assumes all responsibilities associated with resolution of the review findings relating to the administration of the program by the sponsor, including but not limited to any and all appeals arising from the review.

Regional offices may extend this policy to State agencies as a group, or individually, as appropriate taking into account prior performance of the State agencies in administering the program. Should a State agency choose to count USDA reviews in lieu of required reviews of one or more of their sponsors, the State agency is not precluded from conducting its own review of sponsors it determines will benefit from additional assistance and oversight.

We also received a request that State agencies be allowed to extend to the sponsor the authority to treat a USDA review of its program as one of its reviews as required by 7 CFR 225.15(d)(2) and (3). While USDA and State agency reviews of sponsors are parallel in nature, i.e. to determine that sponsors have conducted the program in accordance with all applicable state and federal requirements, the same is not true of the sponsor's review of its own program operations. Therefore, sponsors may not count a USDA review of their program as one of their required reviews. However, this does not preclude a sponsor from accompanying USDA on its review and simultaneously completing its own review.

Please share this guidance with your State agencies as quickly as possible. If you have any questions regarding this waiver, please contact Melissa Rothstein, or Keith Churchill of my staff.

Original Signed

STANLEY C. GARNETT
Director
Child Nutrition Division