

**.70 7 CFR Ch. II (1–1–09 Edition)**

- (A) Description of the situation of distress;
- (B) Number of people requiring meals and congregate meal service period; and
- (C) Quantity and types of food needed.
- (ii) In addition, information on the number and location of sites providing meals shall be submitted to the distributing agency as such sites are established.
- (c) *Household distribution.*—(1) *Approval authority and duration.* In instances in which the distributing agency has determined that the distribution of donated foods to households is appropriate, the distributing agency shall submit applications requesting approval for such distributions to the appropriate FNSRO for submission to FNS for approval. FNS will determine the duration of the donations, taking into consideration the magnitude of the situation. Such determinations may be revised as developing circumstances dictate.
- (2) *Applications.* (i) Organizations wishing to receive and distribute donated foods to households shall submit applications to the distributing agency. Applications shall, to the extent possible, include the following information:
- (A) Description of the situation of distress;
- (B) Explanation as to why the distribution of commodities to households is warranted;
- (C) Identification of the specific area(s) included in the request;
- (D) Anticipated distribution period;
- (E) Number of households expected to participate;
- (F) Quantity and types of food needed for distribution;
- (G) Statement of assurance that simultaneous disaster food stamp benefits and commodity assistance will not be provided to individual households; and
- (H) Description of the system that will be implemented to prevent dual participation.
- (ii) In addition, information on the number and location of sites shall be provided to the distributing agency as such sites are established.
- (3) *Collection of household information.* In a format prescribed by the distributing agency, any entity (i.e., Federal, State, or local) distributing donated foods to households in an area where the issuance of disaster food stamp benefits has been approved shall, at a minimum, collect the information listed below. Such information shall be forwarded to the distributing agency and maintained by the distributing agency in accordance with the recordkeeping requirements contained in this part, except that such information

may, at the discretion of the distributing agency, be maintained by the organization distributing commodities if such organization is an agency of the State government.

(i) Name of household member applying for assistance;

(ii) Address;

(iii) Number of household members; and

(iv) Statement signed by the household certifying that the household:

(A) Is in need of food assistance;

(B) Understands that misrepresentation of need, and the sale or exchange of the donated food are prohibited and could result in a fine, imprisonment, or both;

(C) Is not residing in a shelter which provides food assistance; and

(D) Is not receiving disaster food stamp benefits.

(d) *Quantities and value of donated foods.* The distributing agency shall make donated foods available to eligible organizations based on the caseload factor information provided by the organizations.

(e) *Types of donated foods authorized for donation.* Organizations providing food assistance in situations of distress are eligible to receive donated foods under section 416, section 32, section 709, and section 4(a).

(f) *Summary report.* Within 45 days following termination of the assistance, the distributing agency shall provide a summary report to the appropriate FNSRO using Form FNS-292, Report of Coupon Issuance and Commodity Distribution for Disaster Relief.

(g) *Replacement.* Distributing agencies which decide to seek replacement of foods used from State and/or local