

CHAPTER 67-21-08
THE EMERGENCY FOOD ASSISTANCE PROGRAM

Section

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67-21-08-01. Purpose.

The emergency food assistance program, initiated at the federal level and in partnership with the states, authorizes the receipt and distribution of United States department of agriculture foods by state agencies to eligible local emergency feeding organizations.

History: Effective February 1, 2000; amended effective January 1, 2020.

General Authority: NDCC 15.1-35-03, 28-32-02

Law Implemented: NDCC 15.1-35-03; 7 CFR 251.1

67-21-08-02. State agency.

The department of public instruction has been designated by the United States department of agriculture as the state agency in the state of North Dakota to assist in the implementation, maintenance, and funding of the program for local agencies that wish to participate.

History: Effective February 1, 2000; amended effective January 1, 2020.

General Authority: NDCC 15.1-35-03, 28-32-02

Law Implemented: NDCC 15.1-35-03; 7 CFR 251.2

67-21-08-03. Use of federal rules and policies.

Unless otherwise specified in this chapter, eligibility to participate in the emergency food assistance program is governed by federal rules. The local program shall conform to lawfully issued rules and policies relating to the food distribution program.

History: Effective February 1, 2000.

General Authority: NDCC 15.1-35-03, 28-32-02

Law Implemented: NDCC 15.1-35-03, 15.1-35-05; 7 CFR 251

67-21-08-04. Availability of United States department of agriculture foods, storage, and distribution.

Emergency feeding organizations are eligible to receive United States department of agriculture foods that are made available under sections 202 and 214 of the Emergency Food Assistance Act of 1983. The availability and control of donated commodities must be in accordance with the federal regulations 7 CFR 251.4 availability of commodities. The department of public instruction establishes an annual allocation of food entitlement for participating emergency feeding organizations on the basis of participation.

History: Effective February 1, 2000; amended effective January 1, 2020.

General Authority: NDCC 15.1-35-03, 28-32-02

Law Implemented: NDCC 15.1-35-03, 15.1-35-05; 7 CFR 251.4, 7 CFR 251.6

67-21-08-05. Eligibility.

Local agencies and programs eligible for participation in the emergency food assistance program are public and nonprofit private organizations that have entered into an agreement with the department of public instruction to provide nutrition assistance to relieve situations of emergency and distress through the provision of food to needy persons. Emergency feeding organizations include food pantries, food banks, hunger centers, soup kitchens, and similar public or private nonprofit eligible recipient agencies.

History: Effective February 1, 2000; amended effective January 1, 2020.

General Authority: NDCC 15.1-35-03, 28-32-02

Law Implemented: NDCC 15.1-35-03, 15.1-35-05; 7 CFR 251.5

67-21-08-05.1. Monitoring.

The department of public instruction shall conduct onsite reviews of local agency and subrecipient agency program operations, as specified in the federal regulations, for the purpose of providing guidance and technical assistance to local agencies. All reviews must ensure local agencies meet program requirements and objectives.

History: Effective January 1, 2020.

General Authority: NDCC 15.1-35-03, 28-32-02

Law Implemented: NDCC 15.1-35-03; 7 CFR 251.10

67-21-08-06. Distribution plan.

Repealed effective January 1, 2020.

67-21-08-07. Administrative payments.

The department of public instruction shall provide administrative payments to emergency feeding organizations to support expenses associated with the storage and further distribution of United States department of agriculture foods. Administrative funds are allocated to participating emergency feeding organizations on the basis of individual participation.

History: Effective February 1, 2000; amended effective January 1, 2020.

General Authority: NDCC 15.1-35-03, 28-32-02

Law Implemented: NDCC 15.1-35-03, 15.1-35-05; 7 CFR 251.8