

**Alabama State Department of Education
Child Nutrition Programs
Food Distribution Programs
Commodity Supplemental Food Program
Temporary Emergency Food Assistance Program**

Misuse of Program Resources

Food banks, local agencies, and participants are responsible for ensuring the Commodity Supplemental Food Program (CSFP) and the Temporary Emergency Food Assistance Program (TEFAP) are used only for their intended purposes. This policy is intended to ensure federal dollars reach eligible individuals, maintain program integrity and public confidence, and support compliance with federal and State requirements.

Definition and Examples

1. For the purposes of this policy, the misuse of program funds includes any intentional act or omission designed to improperly obtain, use, divert, conceal, or benefit from the Program.
2. Examples of the misuse of program resources by applicants or participants include, but are not limited to:
 - a. Making false statements orally or in writing about income, residency, identity, age, household, or other eligibility documentation to obtain benefits for which the individual would otherwise be ineligible.
 - b. Receiving CSFP or TEFAP benefits while knowingly being ineligible.
 - c. Selling or exchanging CSFP or TEFAP foods.
 - d. Concealing information to obtain benefits for which the individual is not eligible.
 - e. Altering a Verification of Certification Form.
 - f. Participating at multiple CSFP or TEFAP distribution sites simultaneously (dual participation).
3. Examples of the misuse of program resources at a food bank or local agency include, but are not limited to:
 - a. Distributing USDA foods to ineligible households.
 - b. Employees taking USDA foods for personal use.
 - c. Falsifying inventory records.
 - d. Falsifying caseload or distributions records.
 - e. Diversion of administrative funds.

Reporting and Investigation

Food banks and local agencies must have written policies and procedures addressing:

1. Staff, volunteers, contractors and participants must report suspected misuse of Program resources to Program management at the local agency, sponsoring food bank, or the Alabama State Department of Education (ALSDE) Food Distribution administrator.
2. Suspected misuse of program resources may also be reported to the USDA Office of the Inspector General.

3. Individuals who report suspected misuse of program funds should not face any form of retaliation.
4. Reports of suspected misuse of program resources must be investigated promptly by the sponsoring food bank.
5. Notifying the ALSDE Food Distribution (FD) administrator when an individual is disqualified from a Program because of the misuse of Program resources.
6. Physically abusing or threatening to physically abuse program staff.

Disqualification

1. The state distributing agency (SDA) or food bank may require the local agency to disqualify applicants or participants for a period not to exceed one year when it is established that the applicant, participant, or caretaker falsely obtained Program resources or deceptively used program benefits.
2. Fair hearing information is provided to the participant at the time of disqualification.
3. If the SDA, food bank, or local agency determines that removal from CSFP or TEFAP would result in a serious health risk to a participant who is currently eligible, the disqualification may be waived. The determination is documented in the participant's record.
4. If the individual is determined to be eligible at the time of reapplication but the caseload is at full capacity, the individual is placed at the end of the waiting list.

Potential Additional Sanctions and Corrective Action

1. Recovery or repayment of improperly obtained benefits or funds
2. Referral to the appropriate law enforcement authorities.

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Appendix: Links to Resources

Program Violations (CSFP)

7 CFR 247.20

[7 CFR 247.20](#)

Fair Hearings (CSFP)

7 CFR 247.33

[7 CFR 247.33](#)

Claims Against Participants (CSFP)

7 CFR 247.30(c)

[7 CFR 247.30\(c\)](#)

Purpose and Use of Donated Foods

7 CFR 250.1

[7 CFR 250.1](#)

Eligibility Determinations (TEFAP)

7 CFR 251.5

[7 CFR 251.5](#)

USDA Office of the Inspector General Webpage for Reporting Fraud in Nutrition Programs

[USDA Office of the Inspector General](#)