

Food and  
Nutrition  
Service

1320  
Braddock  
Place  
Alexandria,  
VA  
22314

**DATE:** September 12, 2023

**POLICY NO:** FD-154: The Emergency Food Assistance Program (TEFAP), Commodity Supplemental Food Program (CSFP)

**SUBJECT:** Cancellation of Policy Memoranda FD-138 and FD-141

In order to update and streamline policy guidance for the Commodity Supplemental Food Program (CSFP) and The Emergency Food Assistance Program (TEFAP), the Food and Nutrition Service (FNS) is cancelling Policy Memoranda FD-138 and FD-141. The guidance provided by these memoranda is outdated following publication of an amended final rule in 2020, which eliminated requirements to refer beneficiaries to alternative providers upon request and to notify beneficiaries of certain protections, including protection from discrimination on the basis of religion. Please note that CSFP and TEFAP State agencies and program operators remain subject to regulations at 7 CFR 16.

The cancelled memoranda are as follows:

- Policy Memorandum FD-138 (TEFAP/CSFP), “Written Notice and Referral Requirements for Beneficiaries Receiving TEFAP and CSFP Benefits from Religious Organizations,” dated June 10, 2016.
- Policy Memorandum FD-141 (TEFAP/CSFP), “Questions and Answers Related to the 7 CFR Part 16: Equal Opportunity for Religious Organizations Final Rule,” dated November 28, 2016.

Please ensure that your State guidance is updated to reflect these cancellations. Citations must be updated to remove reference to the cancelled memoranda.

/s/ Original Signature on File  
Sara Olson  
Director  
Policy Division  
Supplemental Nutrition and Safety Programs  
USDA Food and Nutrition Service