



Georgia Dept of Early Care and Learning

BRIGHT FROM THE START

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Commissioner

MEMORANDUM

To: Institutions and Sponsors Participating in the Child and Adult Care Food Program (CACFP)

From: Tamika Boone, Nutrition Services Director (*Original Signed*)

Date: October 23, 2019

Subject: Final Rule: Delayed Implementation of Grains Ounce Equivalents in the Child and Adult Care Food Program (CACFP)

Legal Authority: Final Rule, *Delayed Implementation of Grains Ounce Equivalents in the Child and Adult Care Food Program*, September 25, 2019, (84 FR 50287); 7 CFR § 226.20; and 7 CFR § 226.23.

The purpose of this memorandum is to notify institutions and sponsors participating in the Child and Adult Care Food Program (CACFP) that the implementation date of the requirement to credit grains served in the CACFP by “ounce equivalents” has been delayed to October 1, 2021. Further, this memorandum notifies participating institutions and sponsors that FNS has corrected a technical error that appears in the free and reduced-price meals application for adult CACFP participants.

Background

In the past, meal planners at day care homes and centers in the CACFP credited grains served as part of a reimbursable meal or snack based on household measures (*e.g.*, cups or “servings” of bread and other grain-based foods). However, on April 25, 2016, FNS published the Final Rule, *Child and Adult Care Food Program: Meal Pattern Revisions Related to the Healthy, Hunger-Free Kids Act of 2010*, at 81 FR 24347, altering how grains were credited, and instead required meal planners to use “ounce equivalents” to determine the amount of creditable grains served as a part of a reimbursable meal or snack. FNS initially delayed implementation of the ounce equivalents provision until October 1, 2019. However, even with additional time, confusion among some meal planners convinced FNS that additional training and technical assistance is needed to support day care homes and centers with the tools needed to best implement this provision and assure compliance.

Therefore, On July 1, 2019, FNS published a proposed rule, *Delayed Implementation of Grains Ounce Equivalents in the Child and Adult Care Food Program*, at 84 FR 31227, allowing institutions and sponsors

additional time to fully implement the crediting of grains by ounce equivalents by October 1, 2021. This proposed two-year extension would also allow FNS to develop additional technical assistance materials and for sponsoring organizations to utilize these materials to provide training and technical assistance to support meal planners and assure compliance nationwide. Subsequent to public comment, FNS determined that the majority of respondents were in favor of the delayed implementation. Accordingly, FNS published Final Rule, *Delayed Implementation of Grains Ounce Equivalents in the Child and Adult Care Food Program*, September 25, 2019, at 84 FR 50287 which delays the implementation date of the requirement to credit grains served in the CACFP by “ounce equivalents” from October 1, 2019 until October 1, 2021.

Delay of Implementation

Effective October 1, 2019, the implementation date of the “ounce equivalents” requirement for crediting grains served in the CACFP is delayed to October 1, 2021.

Although this rule requires full implementation of ounce equivalents by October 1, 2021, sponsoring organizations are encouraged to implement ounce equivalents as soon as they are confident that day care homes and centers have the training and technical assistance they need, to successfully achieve compliance. However, during the period of early implementation, DECAL and sponsoring organizations must provide technical assistance in lieu of fiscal action when they observe violations related to the ounce equivalents requirements. To be clear, prior to October 1, 2021, a violation based solely on this requirement will **not** result in a disallowance of Federal reimbursement of meals that are otherwise eligible, an assessment of an overclaim, a declaration of serious deficiency, or any other adverse action.

FNS is working to deliver technical assistance materials and tools that will simplify the use of ounce equivalents in the CACFP, including resources that will allow providers planning and preparing meals to continue to use common household measures while meeting the new crediting requirements.

Income Eligibility Statements (IES) for Adult Participants

Worth noting, the Final Rule, *Delayed Implementation of Grains Ounce Equivalents in the Child and Adult Care Food Program*, September 25, 2019, at 84 FR 50287 also corrects a technical error that appears in the free and reduced-price meals application (IES form) for adult CACFP participants.

Specifically, under section 9(d)(1) of the Richard B. Russell National School Lunch Act,¹ only the adult household member who signs a household application for free and reduced-price lunches must provide the last four digits of his or her social security number (SSN), as a condition of eligibility. However, an error in the statement that must be included on the IES form for adult participants requires the last four digits of the SSN of *all* adult household members, including the adult day care participant.² As such, this Final Rule corrects the required statement to require the last four digits of the SSN of only the adult household member who signs the IES form.

For questions concerning this memorandum, please contact the Policy Administrator at (404) 651-8193.

¹ 42 U.S.C. 1758

² See also, 7 CFR § 226.23(e)(1)(iii)(E).