



Georgia Department of Early Care and Learning

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MEMORANDUM

To: Institutions Participating in the CACFP and the SFSP

From: Falita S. Flowers, Nutrition Services Director (*Original Signed*)

Date: January 30, 2015

Subject: Health and Safety Inspection Requirements

Legal Authority: USDA Policy Memorandum, CACFP 05-2015, SFSP 07-2015

This memorandum provides guidance and clarification on health and safety inspection requirements in the Child and Adult Care Food Program (CACFP) and the Summer Food Service Program (SFSP). Additionally, this memorandum specifically provides clarification on health and safety inspection requirements for non-traditional centers in the CACFP and SFSP sponsors. This memorandum exempts CACFP at-risk afterschool centers and SFSP sites located in schools participating in the National School Lunch Program (NSLP) or School Breakfast Program (SBP) from any additional health and safety requirements. Further guidance on the process for acquiring health and safety inspections for CACFP non-traditional centers and SFSP sponsored facilities is forthcoming in separate correspondence.

Child and Adult Care Food Program

CACFP regulations require institutions and facilities that operate as traditional child care centers or day care homes to be licensed or approved by Federal, State, or local health and safety authorities in order to be eligible for participation [7 CFR 226.6(d)]. In areas where such licensing is unavailable, institutions and facilities may obtain alternate approval by demonstrating to the CACFP State agency compliance with applicable State or local child care health and safety standards or CACFP child care standards [7 CFR 226.6(d)(3) and (4)]. Additionally, facilities must take steps related to storing, preparing, and serving food to ensure that foods are safe for children to eat [7 CFR 226.20(1)].

Non-Traditional Centers Exempt from Licensing Requirements

CACFP regulations do not require at-risk afterschool care centers, outside school hours care centers (OSHCCs), or emergency shelters to be licensed; however, they must meet State or local health and safety standards [7 CFR 226.6 (d)(1) and (2)]. CACFP regulations require adult care centers to be licensed, however, licensing is unavailable in the State of Georgia.

Health and safety standards vary significantly among States and municipalities and, in part, depend on the type of facility involved. In addition, required standards for each type of center may differ, depending on the building or location of the site, the structure of the program, and the type of meal services offered.

For example, a center that serves both a snack and a supper may be required to meet different health and safety standards than one that serves only a snack. Similarly, a center that prepares its own meals may be subjected to more stringent health and safety standards than a site that serves vended meals.

Since at-risk centers, OSHCCs, and emergency centers are license exempt, these centers are eligible to participate in CACFP provided they are in compliance with all State or local health and safety standards. For more information, see *Health and Safety Standards for Outside School Hours Care Centers and At-risk Afterschool Care Centers in the Child and Adult Care Food Program*, May 1, 2012, available at: <http://www.fns.usda.gov/sites/default/files/CACFP15-2012.pdf>. Due to the reason there is no licensing available for adult care centers, these centers are also eligible to participate in the CACFP as long as they are in compliance with State and local health and safety standards (see also DECAL Policy CACFP 07-13 – Eligibility Requirements for Adult Daycare Centers which can be found at: <http://dec.al.ga.gov/Nutrition/CACFPolicies.aspx>).

Food Service Management Companies

Food Service Management Companies (FSMCs) must have State or local health certification for the facilities in which they propose to prepare meals for use in the CACFP and must ensure that State and local health and sanitation requirements are met at all times. FSMCs also must ensure that meals are inspected periodically as required under Program regulations [7 CFR 226.6 (h)(i)(3)].

Summer Food Service Program

All SFSP sponsors are required to enter into an agreement with the State agency, which is the Georgia Department of Early Care and Learning (DECAL), and agree to ensure that their sites will maintain proper sanitation and health standards in conformance with all applicable State and local laws and regulations [7 CFR 225.6(e)(9)].

Some SFSP facilities may not be required to meet all State and local health and safety requirements; for example, those that do not prepare food onsite and/or meals are prepared through a vendor. However, SFSP State agencies may not declare SFSP sponsors exempt from State and local health and safety requirements. Only the State agency that promulgates these requirements may exempt sponsors from documenting adherence to the full requirements. This exemption should be documented in writing by the relevant State agency. However, there must be some level of health and safety standards in place to ensure that adequate facilities are available to prepare and store meals.

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DECAL is required to inspect FSMCs' facilities as part of its review of vended sponsors [7 CFR 225.7(d)(6)]. In addition, DECAL may conduct or arrange to have conducted inspections of self-preparation and vended sponsors' food preparation facilities, inspections of food service sites, and meal quality tests [7 CFR 225.7(e)]. Procedures for these inspections and tests shall be consistent with the procedures used by local health authorities.

Transitioning to/from CACFP and SFSP

In cases where the health and safety inspection standards for CACFP and SFSP sites are the same or more stringent, DECAL may accept documentation of an inspection obtained by a sponsor for SFSP. This option is available for SFSP sponsors or sites transitioning from SFSP to CACFP as well [CACFP 12-2013, SFSP 14-2013, *Transitioning from the Summer Food Service Program to Child and Adult Care Food Program At-risk Afterschool Meals*, May 31, 2013, available at http://www.fns.usda.gov/sites/default/files/CACFP12_SFSP14-2013.pdf].

Inspections for CACFP Facilities and SFSP Sites Located in Schools

Schools participating in the NSLP or SBP are required to obtain two food safety inspections annually from State or local authorities [7 CFR 210.13(b) and 7 CFR 220.7(a)(2)]. These inspections are generally in alignment with, or more stringent than the health and safety standards required of CACFP facilities and SFSP sites. Therefore, CACFP facilities and SFSP sites located in schools that participate in NSLP or SBP and that are in compliance with NSLP or SBP inspection requirements are not required to obtain an additional health and safety inspection.

Claiming Costs as an Allowable CACFP or SFSP Program Expense

CACFP does not include additional funds for health and safety inspections. However, sponsoring organizations of day care homes may use up to \$300 in administrative funds per home to enable tier I homes to meet licensing, registration, or alternate approval requirements with specific prior written approval by the CACFP State agency [7 CFR 226.16(k)]. This cost would be included in the sponsoring organization's program budget as an administrative cost. DCH sponsors would list this cost in their Program budget under the Administrative-DCH Licensing Expense line item.

Additionally, fees charged for inspections of at-risk afterschool care centers, OSHCCs, emergency shelters, adult care centers and SFSP facilities are allowable costs under the CACFP and the SFSP. The cost must be included in the Program budget as an operating expense since this expense is incurred due to the meal services. When submitting or updating their Program budget, sponsors and institutions must list health and safety inspection fees in the Operating-Other category for the CACFP, and in the Kitchen Rental/Lease Costs line item for the SFSP. All documentation to support costs must be maintained and available for review. Only licensing and fee costs are allowable. Repairs and upgrades needed for facilities to be certified or approved by the State or local health department are excluded from health and safety inspection costs.

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