



State of New Jersey

DEPARTMENT OF AGRICULTURE
HEALTH / AGRICULTURE BUILDING
PO BOX 330
TRENTON NJ 08625-0330

PHIL MURPHY
Governor
SHEILA OLIVER
Lt. Governor

DOUGLAS H. FISHER
Secretary

CHILD NUTRITION PROGRAM/SFSP NEW JERSEY STATE WAIVER REQUEST

1. State agency submitting waiver request and responsible State agency staff contact information:

New Jersey Department of Agriculture (NJDA) Division of Food and Nutrition Summer Food Service Program
PO Box 330
Trenton, NJ 08625
Director: Rose Tricario
SFSP Coordinator: Tracii Butler Proctor

2. Region:

Mid-Atlantic (MARO)

3. Eligible service providers participating in waiver and affirmation that they are in good standing:

Statewide waiver request for all approved SFSP sponsors in good standing who may be experiencing food shortages due to COVID -19.

4. Description of the challenge the State agency is seeking to solve, the goal of the waiver to improve services under the Program, and the expected outcomes if the waiver is granted. [Section 12(l)(2)(A)(iii) and 12(l)(2)(A)(iv) of the NSLA]:

In accordance with the Families First Coronavirus Response Act, NJDA is requesting a Statewide waiver to allow flexibility for SFSP sponsors in meeting meal pattern requirements on a case by case basis if problems arise with the availability of meal components during the COVID-19 pandemic.

Challenges are that sponsors operating in areas that are heavily affected by COVID-19, are or may continue to be affected by shortages of food from their food suppliers causing a continued anticipated shortage of the required meal components.

The goal and outcomes of the waiver is to continue to allow sponsors in good standing, the ability to provide nutritious meals to children who are going without food where and when areas are affected by COVID-19. This waiver will allow sponsors to use the available food resources during this emergency. NJDA is requesting approval of this waiver until September 30, 2020. Many summer sponsors will operate beyond July 31 and New Jersey schools will not open prior to September 7, 2020.

5. Specific Program requirements to be waived (include statutory and regulatory citations). [Section 12(l)(2)(A)(i) of the NSLA]:

The specific program regulations requested to be waived are 7 CFR 210.10; 7 CFR 220.8; 7 CFR 225.16; 7 CFR 226.20.

6. Detailed description of alternative procedures and anticipated impact on Program operations, including technology, State systems, and monitoring:

The anticipated impact is that the waiver would decrease the number of children that experience a lapse in food security during COVID-19. NJDA will require SFSP sponsors to acquire approval prior to serving meals that do not meet meal pattern requirements for reimbursement. If the waiver is approved, the State agency does not anticipate any impact on program operations including technology, State systems, monitoring or excess costs incurred by the Federal Government.

NJDA will ensure program integrity by monitoring processes. The State will ensure sponsors receive guidance and technical assistance on proper planning of meals and maintaining proper documentation of food usage and menus.

7. Description of any steps the State has taken to address regulatory barriers at the State level. [Section 12(l)(2)(A)(ii) of the NSLA]:

There are no regulatory State barriers.

8. Anticipated challenges State or eligible service providers may face with the waiver implementation:

The NJDA does not anticipate any challenges to either the NJDA or the SFSP sponsors. There will be challenges if the waiver is not approved which will cause reduced meals served to needy children during COVID-19.

9. Description of how the waiver will not increase the overall cost of the Program to the Federal Government. If there are anticipated increases, confirm that the costs will be paid from non-Federal funds. [Section 12(l)(1)(A)(iii) of the NSLA]:

The NJDA does not anticipate that this waiver will increase the overall cost of the Program to the Federal Government.

10. Anticipated waiver implementation date and time period:

This waiver would be implemented August 1, 2020 through September 30, 2020.

11. Proposed monitoring and review procedures:

The NJDA will approve individual request to implement the waiver. The State agency will follow standard monitoring and review procedures.

12. Proposed reporting requirements (include type of data and due date(s) to FNS):

The NJDA will report to FNS any compliance issues noted with this waiver. The State agency will request sponsor data on how this waiver has impacted meal service, children’s access to nutritious meals and the number of meals served at individual sites. Reports will be submitted within the required timelines.

13. Link to or a copy of the public notice informing the public about the proposed waiver [Section 12(l)(1)(A)(ii) of the NSLA]:

The public notice is located at https://www.nj.gov/agriculture/divisions/fn/childadult/summer_food.html

14. Signature and title of requesting official:



7.24.2020

Title: Division Director

Requesting official’s email address for transmission of response:

TO BE COMPLETED BY FNS REGIONAL OFFICE:

FNS Regional Offices are requested to ensure the questions have been adequately addressed by the State agency and formulate an opinion and justification for a response to the waiver request based on their knowledge, experience and work with the State.

Date request was received at Regional Office:

- Check this box to confirm that the State agency has provided public notice in accordance with Section 12(l)(1)(A)(ii) of the NSLA

- **Regional Office Analysis and Recommendations:**