

September  
2016

Edltion No.44  
09.30.2016

# POLICY UPDATE



## [9.2.2016 Comment Request on Direct Certification Data Collection](#)

The USDA Food and Nutrition Service (FNS) is soliciting comments on an upcoming data collection. The State Agency (NSLP/SNAP) Direct Certification Rate Data Element Report serves to collect direct certification data from SNAP State agencies and NSLP State agencies to define direct certification rates. The data collection is necessary to compute each State's direct certification performance rate to compare against benchmarks. Comments are requested regarding whether the collection of information is necessary and accurate and ways to enhance the quality of information and minimize burdens. Comments are due by October 1<sup>st</sup>, 2016 and can be submitted via email to [OIRA\\_Submission@omb.eop.gov](mailto:OIRA_Submission@omb.eop.gov) or by fax to (202)395-5806.

## **9.9.16 Community Eligibility Provision: Guidance and Updated Q&As**

This USDA [memo](#) discusses the Community Eligibility Provision (CEP) and provides new guidance and Questions and Answers (Q&As) to address changes made by the CEP Final Rule. Additionally, this memorandum provides clarification on previously issued guidance related to CEP. The attached Q&As supersede the CEP.

## **9.16.2016 Additional Guidance for the Implementation of Administrative Reviews**

This [memorandum](#) provides additional guidance to assist in implementing the Final Rule, Administrative Reviews in School Nutrition Programs, effective September 27, 2016. The guidance included is intended to assist with the completion of Administrative Reviews conducted after this effective date.

## **9.17.2016 Federal Register: Comment Request on Survey of Occurrence of Food Borne Illness**

This [proposed study](#) will span 10 years beginning 2015-2016 (to be initiated Oct 1, 2016 with target completion date of December 31, 2016). Additional data collections are planned for 2019–2020 and 2023–2024. The purpose of the study is to assist FDA with developing retail food safety initiatives and policies focused on the control of foodborne illness risk factors, identify priorities and allocate resources. Comments on this proposed study can be submitted through [regulations.gov](http://regulations.gov) and are due by November 18, 2016.

## **9.18.2016 2016 Edition: Overcoming the Unpaid Meal Challenge: Proven Strategies from Our Nation's Schools**

In follow up to the [requirement](#) that all SFA's properly communicate a complete meal charge plan by July 1, 2017, the USDA's Food and Nutrition Service (FNS) [announced](#) the release of the first edition of [Overcoming the Unpaid Meal Challenge: Proven Strategies from Our Nation's Schools](#). This guide summarizes the best practices and strategies from State and local program operators with direct experience managing unpaid meal charges. It is designed to support program operators in their efforts to find workable solutions to this challenge and ensure children continue to have access to the healthy school meals.

Additional information, policy guidance, and best practice resources may be found on the [Unpaid Meal Charges](#) page.

## **9.26.2016 CACFP Reimbursement Application and Record Keeping**

The USDA is [accepting comments](#) on established CACFP record keeping and reimbursement application requirements. Comments on whether the information collection is necessary, accurate, or burdensome can be submitted through [regulations.gov](http://regulations.gov) and are due by October 26, 2016.

**9.28.2016 Federal Register: FDA Request for Comments on Use of the term “Healthy”**

The Food and Drug Administration is soliciting comments on the use of the term “healthy” in the labeling of food products.

The public are asked to comment on the term “healthy” as a nutrient claim and on specific comments contained in [this document](#). Guidelines for submitting your comment to FDA are provided within the [notice](#) and comments are due by January 26, 2017.

**9.28.2016 Federal Register: FDA Guidance for Industry on Use of the term “Healthy”**

The Food and Drug Administration is [accepting comments](#) on a guidance issued to industry regarding the use of the term “healthy” on food products. The guidance advises food manufacturers of the FDA’s intent to exercise enforcement discretion with respect to the implied nutrient content claim “healthy” on foods that have a fat profile that does not meet the regulatory definition of low fat or contain 10 percent of the Daily Value of potassium or vitamin D. Comments on the guidance may be submitted through [regulations.gov](http://regulations.gov).

**9.28.2016 Federal Register: Regulatory Implementation of Uniform Administrative Requirements**

This [Final rule](#) amends FNS regulations to implement the Department of Agriculture final guidance of USDA-specific requirements in the Federal Agency Regulations for Grants and Agreements. Currently, references appear throughout the FNS regulations to the OMB guidance consolidated under the “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards” and the USDA implementing regulations in Title 2, of the CFR. There are over 100 references throughout 19 Parts of the FNS regulations that must be revised to accurately reference the revised OMB and USDA regulations.