



United States
Department of
Agriculture

Food and
Nutrition
Service

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DATE: January 24, 2013

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SUBJECT: Site Caps in the Summer Food Service Program

TO: Regional Directors
Special Nutrition Programs
All Regions

State Directors
Child Nutrition Programs
All States

The purpose of this memorandum is to clarify the regulatory requirements regarding the enforcement of site caps in the Summer Food Service Program (SFSP). State agencies administering the Program are required to set limits on the number of meals a site may serve to children for meal reimbursement. This limit is referred to as the 'site cap.'

Site caps are required for vended sites by Program regulations [7 CFR §225.6(d)(2)]. A sponsor may not claim reimbursement for meals served to children at any site in excess of the approved level of meal service if one has been established [7 CFR §225.9(f)]. Therefore, a sponsor may not claim reimbursement for meals served to children at any vended site in excess of the cap.

Site caps are also required for self-preparation sites by Program regulations [7 CFR §225.6(d)(1)(iii)]. When evaluating a proposed food service site, the State agency must ensure that the site is approved to serve no more than the number of children for which its facilities are adequate. This implies that a limit must be placed on a site, prior to being approved. The site cap of a self-preparation site, therefore, is based on the capacity of the site to prepare and distribute meals.

The State-sponsor agreement should indicate site caps for every site and expectations for making adjustments to the limits. The terms of the agreement would guide when to disallow meals in relation to meal claims above the approved limit and determine when meals should be disallowed. For all sites, the cap must be based on the capacity of the site to prepare, obtain, and/or distribute meals as well as the number of children for which its facilities are adequate. Once a cap is established for any site, a sponsor must not claim reimbursement for meals served to children at the site in excess of the cap.

This requirement is not meant to act as a restriction in the Program, but rather as protection for sites and sponsors. The purpose of a site cap is to ensure that a site does not purchase and/or produce meals outside the capability of the site and the need of the community,

Regional Directors

State Directors

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thereby reducing waste. However, it is sometimes difficult for a State agency to accurately assess capability and need of a site. For example, open sites, which provide meals for any children that come on site, may attract more children than originally anticipated. In such circumstances, if the site can demonstrate, to the satisfaction of the State agency, that the site cap should be increased, it may be approved by the State agency.

Please note, this requirement may also serve as a management tool for the State agency to restrict the number of meals that may be claimed at a site. State agencies may reduce site caps at any site if monitoring visits indicate that fewer children are attending the site than were originally anticipated. In such circumstances, lowering the site cap can maintain Program integrity.

FNS encourages State agencies to develop procedures for site supervisors and sponsors to request an increase in the site cap. In all cases, the State agency must approve the increase in the site cap before additional meals are served in order for the meals to be reimbursable. State agencies may initially grant this approval electronically or by telephone. However, the State-sponsor agreement should be updated as soon as possible to reflect the change.

State agencies are reminded to distribute this information to Program operators immediately. Program operators should direct any questions regarding this memorandum to the appropriate State agency. State agency contact information is available at <http://www.fns.usda.gov/cnd/Contacts/StateDirectory.htm>. State agencies should direct questions to the appropriate FNS Regional Office.

A handwritten signature in blue ink that reads "Cynthia Long". The signature is written in a cursive, flowing style.

Cynthia Long
Director
Child Nutrition Division