



**United States
Department of
Agriculture**

Food and
Nutrition
Service

3101 Park
Center Drive
Alexandria, VA
22302-1500

DATE: August 8, 2011

MEMO CODE: SP 46-2011, SFSP 19-2011

SUBJECT: Waiver of Congregate Feeding Requirement for Outdoor Feeding Sites Experiencing Extreme Heat

TO: Regional Directors
Special Nutrition Programs
All Regions

State Directors
Child Nutrition Programs
All States

This memorandum establishes a waiver of the Summer Food Service Program and Seamless Summer Option congregate feeding requirement for approved outdoor sites without temperature controlled alternative sites on days when the area is experiencing severe temperatures. This waiver will remain in effect through September 30, 2011.

The congregate feeding requirement (7 CFR §225.6(e)(15)) is waived only on days when the National Weather Service (NWS) has issued a Heat Advisory, an Excessive Heat Warning, or an Excessive Heat Watch for the area in which the outdoor site is located. Outdoor sites must comply with the congregate meal requirements on all other approved days of operation. This waiver is intended to allow summer operators to maintain service to children who would otherwise lose access to meals in circumstances when excessive heat makes operation of congregate feeding impracticable. Please note sponsors must notify States before utilizing this option.

Under this waiver, sponsors must continue to provide all required components of a reimbursable meal. Because meals will be consumed off site and possibly at a later time, sponsors should carefully consider all food safety issues and risks. In addition, sponsors must ensure that as part of any future application and as required by 7 CFR §225.6(c)(2)(D), arrangements made for food service during periods of inclement weather must be revised to address excessive heat conditions.

Restrictions on the number and type of meals that may be served each day as established by 7 CFR §225.16(b) continue to apply. Only one meal may be provided to each child present at the meal site. Meals may not be provided to adults or other children to take to children not present at the site. All meal counting, claiming, and State and sponsor monitoring and oversight requirements continue to apply.

Regional Directors
State Directors
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State agencies should direct any questions concerning this guidance to the appropriate Food and Nutrition Service Regional Office. Regional Offices with questions should contact the Child Nutrition Division.

Original Signed

Cindy Long
Director
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