National Processing Agreement (NPA)/

State Participation Agreement (SPA)

This Agreement is subject to the terms and conditions set forth in the National Processing Agreement made by and between the U.S. Department of Agriculture, Food and Nutrition Service and  (Processor).  (Processor) duly attests that no alterations have been made to the ACDA Core State Participation Agreement (SPA).

|  |  |
| --- | --- |
| State Distributing Agency: Oregon Department of Education | Processor:         |
|  | Federal EIN:        |
| Name Damasita Sanchez | Name       |
|  |  |
| Title USDA Foods Program & Procurement Manager | Title       |
|  |  |
| Address 255 Capitol ST NE | Address       |
|  |  |
| City, State, Zip Salem, OR 97301 | City, State, Zip        |
|  |  |
| Contact Damasita Sanchez | Contact       |
|  |  |
| Phone 503-881-3978 | Phone       |
|  |  |
| E-mail ode.fooddistribution@ode.state.or.us | E-mail       |
|  |  |
| Web Address [ODE USDA Foods](https://www.oregon.gov/ode/students-and-family/childnutrition/USDAFoods/Pages/default.aspx) | Web Address       |
| Signature \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date       | Signature \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Date       |

Type of Agreement:

 [ ]  Permanent Agreement [x]  Designated Period

 Effective July 1, 2023 to June 30, 2028

This agreement may be permanent or with a designated period. The SPA may be amended as necessary should any of the information change during a designated agreement period. This Agreement shall not be amended except by a written agreement signed by the parties hereto.

**Agreement Termination:** This agreement may be terminated by either party upon 30 days written notice. This agreement may be terminated immediately if the processor does not comply with the terms and conditions set forth in this agreement and the National Processing Agreement. Disposition of the USDA Foods inventory shall be in accordance with 7 CFR 250.35 (f).

**Processor Agreement(s) with Distributors:** The Processor will enter into an agreement with any and all distributors delivering processed end product to recipient agencies and will share data, reporting and crediting information of donated foods, in accordance with §250.30(i). §250.30(j) permits states to add additional requirements for processor agreements. This requirement will be monitored by third party auditors.

**Hold/Recall Contact Information:** At a minimum, the SDA and Processor must provide each other with the following hold and recall contact information:

Primary point of contact

* Name: Damasita Sanchez (USDA Foods Program & Procurement Manager)
* Telephone number: 503-881-3978
* Mobile phone number: 503-881-3978
* Email address: Damasita.Sanchez@ode.oregon.gov

A back-up contact if the primary is unavailable

* Name: Dustin Melton (CNP Director)
* Telephone number: 503-947-5888
* Mobile phone number: 503-510-6147
* Email address: Dustin.Melton@ode.oregon.gov
1. **Value Pass Through Systems**. The State Distributing Agency will indicate which value pass through systems are acceptable in their State. Processor will indicate which value pass through systems they desire to use in the State and have been approved by USDA in the NPA (National Processing Agreement).

|  |  |  |
| --- | --- | --- |
| Permitted By State | Value Pass Through System | Selected by Processor |
| x | Refund or Rebate to Recipient Agency |       |
| x | Direct Discount to DA or RA |       |
| x | Indirect Discount (NOI) to DA or RA |       |
| x | Fee for Service – Direct Ship to RA |       |
| x | Fee for Service – billed by distributor |       |
|       | Alternative Method Approved by FNS and DA |       |

1. **Summary End Product Data Schedules (SEPDS).** The SEPDS contains summary information from approved EPDS and a master SEPDS approved by USDA. Processor may select specific EPDS for processing in a given state. Attach SEPDS, listing end products that may be sold in the State.

Do you use a subcontractor for the production of any items covered in this agreement?

 [ ]  Yes [ ]  No

If yes, please identify the subcontractor by name, address, USDA plant number, and each item produced. Per 250.30(h), processors are prohibited from subcontracting without explicit written permission from the State agency or FNS, as appropriate.

Processor must provide written notification to the SDA of any change(s) to the SEPDS including the nature of the change(s); notification may be made electronically. Procedures for State-level SEPDS submission and approval are as follows:

1. **CN Labeling/Crediting**. Products, which contribute toward the school meal pattern requirements, may qualify for CN labeling. The SDA should check those that apply.

[x]  CN Labeling is optional. Recipient agencies may request CN labeled products.

[ ]  CN Labeling is required, if applicable, for the processed product.

[x]  Submit CN labels with SEPDS.

or

[x]  Submit Manufacturers Product Formulation Statement with SEPDS (must meet USDA criteria)

1. **Nutritional Information**. Recipient agencies need nutritional information to comply with USDA regulations. State should check those that apply:

[ ]  Processor must provide nutrition information to RA upon request.

[ ]  Processor’s nutrition information has been submitted to USDA Database.

[x]  Processor’s nutrition information is available on their web site.

(Provide the web address)

or

[x]  Processor must submit nutrition information with the SEPDS

1. **Grading.** Red Meat grading will be performed under Full Certification.
2. **By products.** If by products are produced, describe method of valuation and credit.

1. **List of Eligible Recipient Agencies.** The State will provide

a list of eligible recipient agencies to the processor upon SDA approval of the State Participation Agreement.

1. **Backhauling of USDA Foods.** If backhauling is permitted, the processor will not substitute or commingle backhauled donated foods and will provide end products processed from such donated foods only to the distributing or recipient agency from which the food was received. Processor must notify the SDA before backhauling products. Please check those that apply.

SDA permits backhauling [ ]  Yes [x]  No

Backhauling permitted from [ ]  State Warehouse [ ] Recipient Agency

SDA requires a form for requesting approval to backhaul [ ]  Yes [ ]  No

1. **Special Instructions for Delivery of End Product to Designated Delivery Locations:**

Processor must communicate with Recipient Agencies to identify the product, the quantity to produce, when and where to deliver the end product.

Invoicing Recipient Agencies for processing and delivery fees (if applicable).

1. **Electronic Receipting for USDA Foods**

Processor must register on the USDA’s Web Supply Chain Management (WBSCM) or other applicable USDA system(s). Please register immediately after receiving business partner identification number.

Processor is required to enter all shipment receipts within two calendar days of delivery, using the Web Supply Chain Management (WBSCM) Shipment Receipt Function.

1. **Additional SDA Requirements.**

The processormust provide the distributor with a list of eligible recipient agencies and either:

1. The quantities of approved end products that each recipient agency is eligible to receive; or
2. The quantity of donated food allocated to each recipient agency and the raw donated food (pounds or cases) needed per case of each approved end product.

Per the requirements of 250.36(h), please outline your mechanism for providing recipient agency information with the associatedquantities of raw donated food that is available to each recipient agency.

Monthly Performance Reports (MPR) must be sent electronically in USDA approved Excel format only to the following e-mail address: ode.fooddistribution@ode.state.or.us.

Method processor uses to create MPR:

Processor Link [ ]  K12 [ ]  Other [ ]  If other describe

Monthly Performance Report point of contact for Processor (provide updates when changes occur):

Name:

Telephone number:

Mobile phone number:

Email address:

Does the processor frontload RA pounds or allocate pounds as trucks are received?

Frontload [ ]  Allocate as trucks are received [ ]

What is the processor’s end product delivery minimum?

Pounds:

Cases:

Is the quantity pooled by delivery location (ex. multiple RA orders delivered to a distributor) to meet minimum?

Yes [ ]  No [ ]

[ ]  Complete attached hold/recall contact form

[ ]  Complete attached processor/broker contact form

[ ]  Complete attached destination verification form

Hold/Recall Contact Form

State Distributing Agency: Oregon Department of Education

PROCESSOR HOLD AND RECALL CONTACT INFORMATION

Name of Processor

|  |  |
| --- | --- |
| Primary Contact |  |
|  |  |
| Name: |       |
| Office Telephone Number: |       |
| Mobile Telephone Number:  |       |
| Email Address: |       |
|  |  |
| Back-up Contact |  |
|  |  |
| Name: |       |
| Office Telephone Number: |       |
| Mobile Telephone Number: |       |
| Email Address: |       |

PLEASE COMPLETE AND RETURN ALONG WITH THE SPA AND NOTIFY THE SDA AGENCY IMMEDIATELY AS CHANGES OCCUR

Processor Contact (used as processor contact in RA contact list)

PLEASE COMPLETE AND RETURN ALONG WITH THE SPA AND NOTIFY THE STATE AGENCY IMMEDIATELY AS CHANGES OCCUR

Please list contact information below:

|  |  |
| --- | --- |
| Processor Name |       |
| Contact Person |       |
| Phone Number |       |
| Email |       |
| Address |       |

Broker Information (firm that represents the processor in RA contact list)

Please list contact information below:

|  |  |
| --- | --- |
| Brokerage Name |       |
| Contact Person |       |
| Phone Number |       |
| Email |       |
| Address |       |

Destination Verification for the Delivery of USDA Foods

All USDA Bulk products listed on SEPDS submitted must have a delivery destination specified.

Name of State Agency:

Name of Processor:

Federal Establishment #:

USDA Foods Product Description:

USDA Foods Product Code:

USDA Foods WBSCM Delivery Location #:

Facility Name:

Facility Address:

*Example: Large Chickens, 100103, WBSCM #5001740, Chicken Warehouse, Clucks Lane, Oregon*

Contact Person:

Email:

Telephone Number (include area code):

Plant location if different from the facility listed above. If processing at more than one plant, please specify USDA commodity and end product for each plant location.

Contact Person:

Email:

Telephone Number (include area code):

*Please duplicate page for more delivery locations*