



Policy Update

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TEXAS DEPARTMENT OF AGRICULTURE
COMMISSIONER SID MILLER

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Food and Nutrition Division
Nutrition Assistance Programs



Updated 1/30/2025
www.SquareMeals.org



Onsite Monitoring Waiver for Sponsors of Day Care Homes and Unaffiliated Centers



Onsite Monitoring Waiver Overview

- Expires September 30, 2025.
- Applies to sponsors child care centers, day care homes, and adult day cares – **NOTE:** At-risk sites are not eligible for this waiver
- Sponsors must be in good standing (no outstanding corrective action or debts)
- One of the three required reviews may be conducted offsite
- A second review may be conducted offsite for sites over 100 miles or over 2 hours travel time away from one of the sponsor's offices.
- Sponsors that utilize review averaging cannot utilize this process for sites/centers that will only be visited twice a year, regardless of distance from a sponsor's office.

How to Apply for a Waiver

Sponsors must submit the Onsite Monitoring Waiver Request Form:

<https://app.smartsheet.com/b/publish?EQBCT=c98095foa2e34a6bb5fe9c29755cd2db>:

- The number and names of sites/providers the sponsoring organization intends to review offsite;
- List of providers over 100 miles from any of the sponsoring organization's offices, if intending to conduct a second offsite review;
- **Upload an offsite monitoring plan for review.**
- Attestations:
 - At least one unannounced onsite monitoring review, including meal observation, is conducted annually.
 - If utilizing review averaging, you cannot use this waiver for sites/centers that will only be visited twice a year.
 - All pre-approval visits, first four-week reviews for new sites/providers, and Serious Deficiency follow-up reviews must be conducted in-person.*
 - Timing of reviews must adhere to federal requirements as described in the CACFP Handbooks.

Offsite Monitoring Implementation Plan

- How you will determine eligibility for this waiver and verify that any site/provider receiving an offsite review is in good standing.
- How virtual monitoring reviews will be conducted via video (Zoom, Microsoft Teams, FaceTime, Google Duo, etc.);
- Methodology for identifying serious deficiencies, misuse of Federal funds, and/or alleged fraudulent activities as part of an offsite review
- How you will address providers that miss their virtual review.
- How you will track the sites/providers receiving offsite reviews and how you will develop the summary comparison of common findings for onsite and offsite monitoring reviews required for reporting purposes.

Waiver Reporting Requirements

By September 15, 2025, those using the waiver must report to TDA the following:

- Description of how the waiver impacted meal service operations and eligible participants' access to nutritious meals and snacks;*
- Description of how the waiver has facilitated your oversight abilities and responsibilities;
- A summary comparison of common findings for onsite and offsite monitoring reviews, including serious deficiencies;
- A summary of how this waiver impacted your decision to continue participating in CACFP;
- Actions taken to address any misuse of Program funds or fraudulent activities, if applicable;
- How the waiver impacted the quantity of paperwork necessary to administer the CACFP.

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Ramadan Non-Congregate Waiver



Ramadan Waiver Overview

Allows service of non-congregate meals to students fasting during Ramadan between February 28 and March 30, 2025.

- Applies only to school districts, CACFP At-Risk sites, adult day care centers, emergency shelters, and outside-school-hours care centers in good standing
- Multi-day meal bundling and parent pick-up are **not allowed**.
- Only distributed to participants who indicate verbally or in writing that they are fasting during Ramadan.
- If a participant chooses to consume a meal or snack during the day, schools or institutions may not deny a meal or snack because the participant is thought to be fasting during Ramadan.

Ramadan Waiver Overview

- Eligible CEs must submit request via online form (coming soon!) and attest to all requirements.
- Form will be available in SNP and CACFP
Download Forms in TX-UNPS

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2025 Rural Summer Non-Congregate Program



Available Flexibilities

- Grab-and-Go Unitized Meals (10-day max distribution)
- Parent/Guardian Pick-Up
- Home Delivery (5-day max distribution)
- Bulk Food Component Distribution (5-day max distribution)
- Hybrid Congregate/Non-Congregate Sites



Summary of Non-Congregate Requirements

- Site must be in rural-designated area
- 2-mile proximity required from nearest site.
- New sponsors will be evaluated based on previous CNP experience
- Sponsor must be in good standing
- Switched SFSP sites will be considered “new”



Non-Congregate Materials Coming Soon!

- New NC Request Form:
 - Only sites approved last year and new sites already approved for congregate service in 2025 will be able to submit.
 - Returning sites have option to skip uploading certain procedures if no changes.
 - Distribution times will be included as a field.
- New FAQs
 - Clarified requirements
 - New flexibilities
 - Updated application instructions
- New resources
 - Application one-pager
 - Small tweaks to NC site monitoring forms

<https://squaremeals.org/Programs/Summer-Meal-Programs/Summer-Non-Congregate-Feeding-Program>

WEBINAR ALERT!!

TDA will host a webinar on February 27 at 2 pm focused on Rural Non-Congregate Program regulations and processes.

Keep an eye on:

- SquareMeals
(<https://squaremeals.org/Programs/Summer-Meal-Programs/Summer-Non-Congregate-Feeding-Program>)
- Newsletters
- SquareMeals Policy/Handbook pages



2025 SFSP Reimbursement Rates



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2025 SFSP Reimbursement Rates Published

- <https://squaremeals.org/Programs/Summer-Meal-Programs/Reimbursement-Rates>
- 3.6% increase from 2024

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Recent Policy Memos



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Accepting Processed Product Documentation for Meal Pattern Requirements

USDA Memo SP 05-2025, CACFP 04-2025, SFSP 02-2025,
*Guidance for Accepting Processed Product Documentation
for Meal Pattern Requirements*

(<https://www.fns.usda.gov/cn/labeling/guidance-accepting-processed-product-documentation>)

- Child Nutrition (CN) Labels
- Watermarked CN Labels
- Manufacturer's Product Formulation Statement (PFS)

CN Labels and Dates

- Valid for 5 years
- Date on CN Label is original date of authorization
 - Example: If a CN Label was authorized on Feb. 15, 2024, it is initially valid until Feb. 15, 2029
- If CN Label is over 5 years old, CEs must use the CN Label Verification System to determine if the CN Label was re-approved by USDA and is still valid (<https://www.fns.usda.gov/cn/labeling/authorized-labels-manufacturers>)

Grain Requirements in the CACFP

<https://www.fns.usda.gov/cacfp/grain-requirements-qas>

- Provides updated guidance on added sugars;
- Provides updated guidance on substituting vegetables for grains in eligible settings;
- Adds two Q&As related to substituting vegetables for grains and using non-grain pasta products, respectively;
- Adopts standardized terminology such as “institutions and facilities;” and
- Reorganizes information throughout the memorandum for clarity.

Feeding Infants and Meal Pattern Requirements in the CACFP

<https://www.fns.usda.gov/cacfp/feeding-infants-meal-pattern-requirements-qas>

- Updates guidance regarding who may write medical statements to request modifications on behalf of infants with disabilities in the CACFP;
- Describes the option to substitute vegetables for grains in eligible areas;
- Updates product-based sugar limits for breakfast cereals and yogurt from total sugars to added sugars;
- Includes updated information on tofu crediting;
- Includes one new question regarding tempeh crediting;
- Adopts standardized terminology such as “institutions and facilities;” and
- Reorganizes information throughout the memorandum for clarity.

Updated Guidance on Offer Versus Serve and Family Style Meals in the CACFP

<https://www.fns.usda.gov/cacfp/offer-versus-serve-family-style-meals>

- Updates terminology from “food component” to “meal component” per CACFP regulations;
- Updates definitions listed under “Terms to Know;”
- Includes two new questions clarifying policy regarding meals for supervising adults (#13) and meal accommodations (#14);
- Includes an attachment with updated examples of OVS;
- Adopts standardized terminology such as “institutions and facilities;” and
- Reorganizes information throughout the memorandum for clarity.

Updated Guidance on Fluid Milk and Fluid Milk Substitutions in the CACFP

<https://www.fns.usda.gov/cacfp/nutrition-requirements-fluid-milk-qas>

- Clarifies who may sign medical statements, including State-licensed healthcare professionals and registered dietitians (per Meal Patterns Consistent with the 2020-2025 Dietary Guidelines for Americans Final Rule);
- Provides technical updates on units of measurement for vitamins A and D in fluid milk substitutes;
- Includes a table of the nutrition requirements for fluid milk substitutes;
- Provides information related to temporary and ongoing unavailability of fluid milk;
- Adopts standardized terminology such as “institutions and facilities;” and
- Reorganizes information throughout the memorandum for clarity.



High-Protein Yogurt Crediting – Public Comment Period Open



High-Protein Yogurt Crediting – Public Comment Period Open

- Currently there is consistent crediting for all yogurt in the Child Nutrition Programs
 - USDA now seeks input to determine if any new information warrants a change to crediting (for example, availability of new, high protein varieties)
 - More information: <https://www.fns.usda.gov/cn/fr-122624>
 - Comment submittal:
<https://www.federalregister.gov/public-inspection/2024-30710/request-for-information-grain-based-desserts-and-high-protein-yogurt-crediting-in-child-nutrition>
 - Comments due March 26, 2025

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Coming Soon! School Data Report – Area Eligibility



School Data Report for Area Eligibility

- Will be posted by February 15
- Lists all schools with 50% F/R claiming percentages and CEP schools with 31.25 ISP
- Based on October 2024 data