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CACFP 15-03

Memorandum

To: Institutions Participating in the Child and Adult Care Food Program

From: Arnette Cowan, Head 
Special Nutrition Programs

Subject: Health and Safety Inspection Requirements

This memorandum provides guidance and clarification on health and safety inspection requirements in the Child and Adult Care Food Program (CACFP). This memorandum specifically provides clarification on health and safety inspection requirements for non-traditional centers in the CACFP. Additionally, this memorandum exempts CACFP at-risk afterschool centers located in schools participating in the National School Lunch Program (NSLP) or School Breakfast Program (SBP) from any additional health and safety requirements.

Child and Adult Care Food Program

CACFP regulations require institutions and facilities that operate as traditional child care centers or day care homes to be licensed or approved by Federal, State, or local health and safety authorities in order to be eligible for participation [7 CFR 226.6(d)]. In areas where such licensing is unavailable, institutions and facilities may obtain alternate approval by demonstrating to the CACFP State agency compliance with applicable State or local child care health and safety standards or CACFP child care standards [7 CFR 226.6(d)(3) and (4)]. Additionally, facilities must take steps related to storing, preparing, and serving food to ensure that foods are safe for children to eat [7 CFR 226.20(l)].

Non-Traditional Centers Exempt from Licensing Requirements

CACFP regulations do not require at-risk afterschool care centers, outside school hours care centers (OSHCCs), or emergency shelters to be licensed; however, they must meet State or local health and safety standards [7 CFR 226.6 (d)(1)]. Health and safety standards vary significantly among States and municipalities and, in part, depend on the type of facility involved. In addition,

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required standards for each type of center may differ, depending on the building or location of the site, the structure of the program, and the type of meal services offered.

For example, a center that serves both a snack and a supper may be required to meet different health and safety standards than one that serves only a snack. Similarly, a center that prepares its own meals may be subjected to more stringent health and safety standards than a site that serves vended meals. Food and Nutrition Service (FNS) continues to encourage CACFP State agencies to work closely with State and local health and safety authorities to determine the specific required standards for each type of facility.

If the appropriate licensing body determines that an at-risk center or OSHCC is license exempt, that center is eligible to participate in CACFP provided it is in compliance with all State or local health and safety standards. For more information, see *Health and Safety Standards for Outside School Hours Care Centers and At-risk Afterschool Care Centers in the Child and Adult Care Food Program*, May 1, 2012, available at: <http://www.fns.usda.gov/sites/default/files/CACFP15-2012.pdf>.

Funding Health and Safety Inspections in CACFP

CACFP does not include additional funds for health and safety inspections. However, sponsoring organizations of day care homes may use up to \$300 in administrative funds per home to enable tier I homes to meet licensing, registration, or alternate approval requirements with specific prior written approval by the CACFP State agency [7 CFR 226.16(k)]. Additionally, fees charged for inspections of at-risk afterschool care centers and OSHCCs are allowable costs under the CACFP [FNS Instruction 796-2, Financial Management – Child and Adult Care Food Program].

Transitioning to/from CACFP and SFSP

In cases where the health and safety inspection standards for CACFP and SFSP sites are the same or more stringent, CACFP State agencies may accept documentation of an inspection obtained by a sponsor for SFSP. This option is available for SFSP sponsors or sites transitioning from SFSP to CACFP as well [CACFP 12-2013, SFSP 14-2013, *Transitioning from the Summer Food Service Program to Child and Adult Care Food Program At-risk Afterschool Meals*, May 31, 2013, available at http://www.fns.usda.gov/sites/default/files/CACFP12_SFSP14-2013.pdf].

Inspections for CACFP Facilities Located in Schools

Schools participating in the NSLP or SBP are required to obtain two food safety inspections annually from State or local authorities [7 CFR 210.13(b) and 7 CFR 220.7(a)(2)]. These inspections are generally in alignment with, or more stringent than the health and safety standards required of CACFP facilities. Therefore, CACFP facilities located in schools that participate in NSLP or SBP and that are in compliance with NSLP or SBP inspection requirements are not required to obtain an additional health and safety inspection.

The Nutrition Services Branch will be sending out further guidance regarding health and safety inspection requirements for non-traditional centers exempt from licensing requirements.

If you have questions, please contact your regional consultant.

c: SNP Staff