

SMFB food may only be used for purposes and programs approved by your Agency Services Representative. This document details those specific limitations. Please contact your Agency Services Representative if you have any questions or concerns.

## Agency and Client Rights

- If a client chooses to visit a pantry, respect that they have self-declared need.
- If a client visits more than one pantry, we must assume that they need more than what one pantry can provide.
- Partners may not engage in activities which may reasonably be expected to undermine or harm another partner, Member, or the Feeding America Network.
- You may refuse service if a client poses a safety threat or if you have documented abuse.<sup>1</sup> If this occurs, document the incident in a Complaint Log and speak to your Agency Services Representative about next steps.

## Separation of Religious and Political Messages

Religious and political messages must remain separate from any food clients receive.<sup>2</sup>

- Do not distribute religious or political materials directly with SMFB product. Instead, place materials on a table so the client may freely pick them up.<sup>3</sup>
- Do not require clients to pray or attend church prior to receiving food.<sup>4</sup> You may have prayer partners available for clients to seek prayer if they wish to do so on their own free will.
- Do not require clients to make a statement of faith or pledge membership to any organization in order to receive assistance.
- Restriction on political activities and messages: "Under the Internal Revenue Code, all section 501(c)(3) organizations are absolutely prohibited from directly or indirectly participating in, or intervening in, any political campaign on behalf of (or in opposition to) any candidate for elective public office. Contributions to political campaign funds or public statements of position (verbal or written) made on behalf of the organization in favor of or in opposition to any candidate for public office clearly violate the prohibition against political campaign activity.

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<sup>1</sup> CHRP Manual (2022), page 28

<sup>2</sup> CHRP Manual (2022), pages 29-30

<sup>3</sup> CHRP Manual (2022), pages 29-30

<sup>4</sup> CHRP Manual (2022), pages 29-30

Violating this prohibition may result in denial or revocation of tax-exempt status and the imposition of certain excise taxes.”<sup>5</sup>

- This applies to agencies regardless of 501(c)3 status.

### Use of Product for Fundraising or Events

- Partner organizations may not require or make a client feel obligated to make a donation or other payment in exchange for food.<sup>6</sup> For example, donation jars should only be placed at the *end* of the line, not at the entry.
- Items may not be used for any business meeting or where any type of fundraising is being conducted.
- Food distributions may only be paired with unrelated activities if:<sup>7</sup>
  - It is clear the activities are not part of the food distribution or endorsed by SMFB or the USDA.
  - Items related to the food distribution are not placed in/printed on distribution containers.
  - It is clear other activities are not required for receipt of product.
  - Food product distribution is not disrupted.
- SMFB product may not be used for fundraising or social endeavors, as prepared food (such as a spaghetti dinner or bake sale), as "prizes", or as gifts for support.

### Repackaging

- Agencies are **not** permitted to repack items unless specifically instructed by SMFB.<sup>8</sup>
  - Agencies may occasionally receive items that are not sized for individual household use. When this occurs, please ask families if they can accept the full unit as packaged and distribute it to those who can.
- In order for an agency to be cleared to re-package items, the agency must have a Food Protection Managers Card, designated Clean Room, health department clearance, the ability to label re-packaged products, and approval from SMFB.<sup>9</sup>
- If an item arrives with damaged packaging, safely dispose of that item.

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<sup>5</sup> Internal Revenue Service (2021) “The Restriction of Political Campaign Intervention by Section 501(c)(3) Tax-Exempt Organizations.

<sup>6</sup> CHRP Manual (2022), pages 29-30

<sup>7</sup> CHRP Manual (2022), pages 29-30

<sup>8</sup> FA Member Contract. Appendix D, pages 41-51

<sup>9</sup> FA Member Contract. Appendix D, page 41-51

## Redistribution of Product

Products obtained from SMFB may **not** be shared with, given to, or used by anyone outside of the designated agency partner and their clients. The purpose of this regulation is to protect the end consumer. When food is redistributed to other locations the chain of custody may be lost and it may not be possible to ensure food safety or to notify those affected in the event of a product recall.

Redistribution (continued):

If your agency receives too much food please let your Agency Services Representative know. We understand that your and your guests' circumstances may change and we will continue to adjust to accommodate.

- Agencies may not transfer product or store it at locations that have not been approved by SMFB. This includes product that is intended for specific clients, as well as leftover or unwanted items.
- Adjust your delivery or Shopping quantity to match the number of households you expect to serve, so that you minimize leftovers.
- During distribution, adjust the amount of product provided to each household so that you will not have items leftover if you are unable to store them.
- If you have extenuating circumstances and cannot store or use all product, please contact your Agency Services Representative.

## Serving Volunteers Who Are Also Clients

Partner organizations may not offer special privileges or special products to volunteers. Take care to avoid any perception that volunteering is rewarded or compensated with food.

If volunteers receive food, ensure that:

- The volunteer receives the same items and quantities as other clients that day.
- Volunteers do not receive any preferential treatment. All volunteers must stand in line and complete the intake process to receive food. If volunteers receive a meal, they should eat alongside clients.<sup>10</sup>
- Volunteers are prohibited from setting aside items for themselves.

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<sup>10</sup> FA Member Contract. Appendix E, page 59-60