SUBJECT: LA – Waiver to Allow the Purchase of Hot Foods with SNAP Benefits

TO: Bill Ludwig
Regional Administrator
USDA, Food and Nutrition Service
Southwest Regional Office

This is in response to the August 16, 2016, request by the Louisiana Department of Children and Family Services’ (DCFS), to the Food and Nutrition Service (FNS) to waive the statutory definition of “food” under Section 3(k)(1) of the Food and Nutrition Act of 2008, as amended, and companion regulations at 7 CFR 271.2 which precludes hot foods and hot foods ready for immediate consumption from being eligible for purchase with Supplemental Nutrition Assistance Program (SNAP) benefits.

The request relates to floods from the severe storms that began on August 11, 2016. The State wishes to allow SNAP recipients to have the ability to purchase hot foods and hot food products with SNAP benefits Statewide through October 17, 2016. Acadia, Ascension, East Baton Rouge, East Feliciana, Iberia, Lafayette, Livingston, Pointe Coupee, St. Helena, St. Landry, Tangipahoa, and Vermilion Parishes have received individual assistance declaration from Federal Emergency Management Agency (FEMA). The State has noted that removal of this exception is necessary to avoid undue hardship for Louisiana citizens affected by the severe storms and flooding because of widespread evacuations in parishes and resulting in clients who are unable to purchase food for home preparation and consumption because they have been displaced. Many affected households are residing in shelters or temporary housing and are unable to store food or access cooking facilities.

FNS is granting this waiver approval Statewide. Areas outside the individual assistance areas have been included because the State has indicated that recipients within the immediate disaster areas have been displaced or temporarily relocated to other parts of the State and are unable to prepare meals. The State anticipates serving 422,672 households under this waiver. This waiver approval is effective immediately and will stay in effect through October 17, 2016.
This waiver of the definition of eligible foods is approved under the authority of Section 412 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, and Section 5(h)(1) of the Food and Nutrition Act of 2008.

If you have any questions regarding this waiver or its implementation, please contact the SNAP Retailer Policy and Management Division.

Sincerely,

Jessica Shahin
Associate Administrator
Supplemental Nutrition Assistance Program