

§ 227.40

(21) Other components that the States determine necessary.

(c) States eligible to receive additional funds pursuant to § 227.30(b-1) shall submit an amendment to the State plan to the Food and Nutrition Service Regional Office for prior approval.

[44 FR 28282, May 15, 1979, as amended at 45 FR 14842, Mar. 7, 1980; 48 FR 39213, Aug. 30, 1983]

Subpart D—Miscellaneous

§ 227.40 Program information.

Persons desiring information concerning the program may write to the appropriate State agency or Regional Office of FNS as indicated below:

(a) In the States of Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont: New England Regional Office, FNS, U.S. Department of Agriculture, 33 North Avenue, Burlington, Mass. 01803.

(b) In the States of Delaware, District of Columbia, Maryland, New Jersey, New York, Pennsylvania, Puerto Rico, Virginia, Virgin Islands, and West Virginia: Mid-Atlantic Regional Office, FNS, U.S. Department of Agriculture, One Vahlsing Center, Robbinsville, N.J. 08691.

(c) In the States of Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee: Southeast Regional Office, FNS, U.S. Department of Agriculture, 1100 Spring Street NW., Atlanta, Ga. 30309.

(d) In the States of Illinois, Indiana, Michigan, Minnesota, Ohio, and Wisconsin: Midwest Regional Office, FNS, U.S. Department of Agriculture, 536 South Clark Street, Chicago, Ill. 60605.

(e) In the States of Colorado, Iowa, Kansas, Missouri, Montana, Nebraska, North Dakota, South Dakota, Utah, and Wyoming: Mountain Plains Regional Office, FNS, U.S. Department of Agriculture, 2420 West 26th Avenue, Room 430D, Denver, Colo. 80211.

(f) In the States of Arkansas, Louisiana, New Mexico, Oklahoma, and Texas: Southwest Regional Office, FNS, U.S. Department of Agriculture, 1100 Commerce Street, Room 5-C-30, Dallas, Tex. 75242.

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(g) In the States of Alaska, American Samoa, Arizona, California, Guam, Hawaii, Idaho, Nevada, Oregon, Trust Territory of the Pacific Islands, the Northern Mariana Islands, and Washington: Western Regional Office, FNS, U.S. Department of Agriculture, 550 Kearny Street, Room 400, San Francisco, Calif. 94108.

§ 227.41 Recovery of funds.

(a) FNS may recover funds from a State agency under any of the following conditions:

(1) If FNS determines, through a review of the State agency's reports, program, or financial analysis, monitoring, audit or otherwise, that the State agency's performance is inadequate or that the State agency has failed to comply with this part or FNS instructions and guidelines.

(2) If FNS determines that the State agency is not expending funds at a rate commensurate with the amount of funds distributed or provided for expenditure under the program.

(3) If FNS determines that a State agency is not providing full and timely reports.

(b) FNS shall effect such recoveries of funds through adjustments in the amount of funds provided under the program.

§ 227.42 Grant closeout procedures.

The requirements of OMB Circular A-102, Attachment L, are applicable in the termination of any grant under this part.

§ 227.43 Participation of adults.

Nothing in this part shall prohibit a State or local educational agency from making available or distributing to adults education materials, resources, activities or programs authorized by this part.

§ 227.44 Management evaluations and reviews.

FNS shall establish evaluation procedures to determine whether State agencies carry out the purpose and provisions of this part, the State agency plan and FNS guidelines and instructions. To the maximum extent possible

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the State's performance shall be reviewed and evaluated by FNS on a regular basis including the use of public hearings.

APPENDIX TO PART 227—APPORTIONMENT OF FUNDS FOR NUTRITION EDUCATION AND TRAINING

Pursuant to sections 19(j) of the Child Nutrition Act of 1966, as amended (42 U.S.C. 1788), funds available for the fiscal year ending September 30, 1980, are apportioned among the States as follows:

[See footnotes at the end of Table.]

State	Public schools ¹	Private schools ²	Residential child care institutions ³	Nonresidential child care institutions ⁴	Total ⁵
Connecticut	231,069	38,488	1,260	2,866	273,683
Maine	93,406	6,538	387	808	101,139
Massachusetts	420,866	68,337	2,697	5,352	497,252
New Hampshire	67,087	7,978	331	1,160	76,556
Rhode Island	62,521	12,570	304	767	76,162
Vermont	39,419	3,814	247	579	75,000
Delaware	914,368	137,725	5,226	11,532	1,099,792
District of Columbia	43,210	7,277	107	1,339	75,000
Maryland	44,309	7,511	447	2,458	75,000
New Jersey	315,196	51,992	1,292	5,234	373,714
New York	520,438	117,060	3,930	8,588	650,016
Pennsylvania	1,204,026	274,593	14,068	19,756	1,512,443
Puerto Rico	796,518	182,089	9,026	7,312	994,945
Virginia	280,750	36,776	0	0	317,526
Virgin Islands	410,660	34,947	6,239	6,068	457,914
West Virginia	9,783	2,452	11	0	75,000
Alabama	154,000	4,942	770	854	160,566
Florida	3,778,890	719,639	35,890	51,609	4,692,124
Georgia ⁵	296,412	21,949	892	10,607	329,860
Kentucky	589,122	57,440	2,116	19,074	667,752
Mississippi	424,042	27,708	2,783	14,806	469,339
North Carolina	269,690	27,786	3,685	3,652	304,813
South Carolina ⁵	192,134	25,802	541	12,175	230,652
Tennessee	452,523	22,104	3,052	19,722	497,401
Illinois	243,200	19,225	1,255	6,559	270,239
Indiana	339,753	17,396	1,448	7,847	366,444
Michigan	2,806,876	219,410	15,772	94,442	3,136,500
Minnesota	793,671	160,491	5,343	15,971	975,476
Ohio	433,267	39,967	2,814	5,279	481,327
Wisconsin	747,374	85,655	3,069	7,817	843,915
Arkansas	314,333	38,994	1,245	3,135	357,707
Louisiana	818,192	110,561	5,836	10,767	945,356
New Mexico	344,962	73,707	1,922	3,579	424,170
Oklahoma	3,451,799	509,375	20,229	46,548	4,027,951
Texas	177,730	8,095	385	4,453	190,663
Colorado ⁵	317,817	64,562	1,551	6,307	390,237
Iowa	108,673	5,448	235	2,619	116,975
Kansas	229,166	3,969	1,916	8,639	243,690
Missouri	1,115,829	52,654	4,163	38,934	1,211,580
Montana	1,949,215	134,728	8,250	60,952	2,153,145
Nebraska	217,264	15,800	937	4,399	238,400
North Dakota ⁵	221,255	25,957	3,204	2,631	253,047
South Dakota	168,720	12,765	330	1,062	182,877
Utah	350,248	54,950	1,271	6,629	413,098
Wyoming	63,950	3,425	75	677	75,000
Alaska	115,891	17,629	376	1,694	135,590
Samoa	47,486	4,826	309	383	75,000
Arizona	53,792	5,760	267	390	75,000
California	126,488	1,518	541	1,325	129,872
Guam	36,709	1,206	74	497	75,000
Hawaii	1,401,803	143,836	7,384	19,687	1,652,884
Alaska	35,308	739	310	392	75,000
Samoa	3,616	778	0	0	75,000
Arizona	198,407	21,871	661	4,712	225,651
California	1,629,801	170,376	28,777	44,277	1,873,231
Guam	11,118	1,985	0	0	75,000
Hawaii	66,454	13,348	1,854	3,352	85,008

State	Public schools ¹	Private schools ²	Residential child care institutions ³	Nonresidential child care institutions ⁴	Total ⁵
Idaho	79,009	1,868	119	860	81,856
Nevada	56,927	2,179	473	1,643	75,000
Oregon	183,441	9,379	859	3,703	197,382
Trust Territory	11,590	0	0	0	75,000
Washington	299,362	17,318	2,140	5,656	324,476
N Marianas	1,945	0	0	0	75,000
	2,576,978	239,841	35,193	64,595	3,237,604
	16,879,929	2,104,554	127,944	349,365	20,000,000

¹ Sources: (1) U.S. Department of Health, Education, and Welfare, Education Division, NCES, *Statistics of Public Schools, Fall 1977*, prepublication data, Table 5 for States and areas, except (2) Northern Marianas and Trust Territory, 1975-76 data from Department of Interior, adjust to include pre-school; Puerto Rico and Guam, Fall 1976 data.

² U.S. Department of Health, Education, and Welfare, Education Division, (NCES), *Digest of Education Statistics, 1976*, Table 46, p. 47, Northern Marianas and Trust Territory 1975-76 data from Department of Interior, adjust to include pre-school.

³ U.S. Department of Agriculture, Food and Nutrition Service, *Annual Report of Meal Service in Schools (Form FNS-47)*, October 1978.

⁴ U.S. Department of Health, Education, and Welfare, *Day Care Centers In the U.S.; A National Profile 1976-77*, Volume 3 of the Final Report of the National Day Care Study, Table 63.

⁵ A portion of these funds will be withheld from the States' allocations for use by FNS in administering the Program in nonprofit private schools or institutions.

[44 FR 70451, Dec. 7, 1979]

PART 235—STATE ADMINISTRATIVE EXPENSE FUNDS

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- 235.1 General purpose and scope.
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- 235.12 Information collection/record-keeping—OMB assigned control numbers.

AUTHORITY: Secs. 7 and 10 of the Child Nutrition Act of 1966, 80 Stat. 888, 889, as amended (42 U.S.C. 1776, 1779).

SOURCE: 41 FR 32405, Aug. 3, 1976, unless otherwise noted.

§ 235.1 General purpose and scope.

This part announces the policies and prescribes the regulations necessary to carry out the provisions of section 7 of the Child Nutrition Act of 1966, as amended. It prescribes the methods for making payments of funds to State agencies for use for administrative expenses incurred in supervising and giving technical assistance in connection with activities undertaken by them under the National School Lunch Program (7 CFR part 210), the Special Milk

Program (7 CFR part 215), the School Breakfast Program (7 CFR part 220), the Child and Adult Care Food Program (7 CFR part 226) and the Food Distribution Program (7 CFR part 250).

(Sec. 7, Pub. L. 95-627, 92 Stat. 3621 (42 U.S.C. 1776))

[44 FR 51185, Aug. 31, 1979, as amended by Amdt. 17, 55 FR 1378, Jan. 16, 1990; 60 FR 15461, Mar. 24, 1995]

§ 235.2 Definitions.

For the purpose of this part, the term:

(a) *Act* means the Child Nutrition Act of 1966, as amended.

(b) *CND* means the Child Nutrition Division of the Food and Nutrition Service of the U.S. Department of Agriculture.

(c) *Department* means the U.S. Department of Agriculture.

(d) *Distributing agency* means a State agency which enters into an agreement with the Department for the distribution of donated foods pursuant to part 250 of this title.

(e) [Reserved]

(f) *FNS* means the Food and Nutrition Service of the U.S. Department of Agriculture.

(g) *FNSRO* means the appropriate Food and Nutrition Service Regional Office of the Food and Nutrition Service of the U.S. Department of Agriculture.