



FURTHER PROCESSING OF DONATED COMMODITY (EPDS) WAIVER REQUESTS

Policy

This instruction defines the waiver requests of further processed donated bulk commodity.

Procedure

I. Production Issues

Under the National Processor Agreement Program all waiver request must be submitted to the National Office for review. Once the National Poultry Supervisor has been informed of the request, it is plant management's responsibility for contacting the recipient agency and obtaining approval. The product must be shipped under grading supervision at the processor expense. If provisions of the EPDS or contractual attachments are waived frequently, or over an extended period of time, the grader shall notify the supervisor who, through the Regional Director, will notify the National Office. The grader will be notified of disposition of the product.

II. Grading Supervision

Regarding requests or approvals to waive AMS grading supervision, there are only three limited circumstances in which such waivers may be granted. According to FNS regulations, (Part 250.30, Section g) exceptions in the use of acceptance service grading will be authorized on the basis of each order, provided the processor can demonstrate the following:

- A. That even with ample notification time, the processor cannot secure the services of a grader;
- B. That the cost of a grader would be unduly excessive relative to the value of foods being processed and that production runs cannot be combined or scheduled to enable prorating of the costs of services among the purchasers of end products; or
- C. The documented urgency of the recipient agency's need for the end product precludes the use of acceptance services.

If such waivers for coverage are granted and do not appear to meet the above referenced criteria, graders shall contact the supervisor for follow-up. These requirements do not apply to routine waivers requested by processors when product does not comply with the verification criteria contained in this section.

Richard H. Lawson, National Poultry Supervisor
Quality Assessment Division
Livestock and Poultry Program