



Food and
Nutrition
Service

Date: April 27, 2023

Memo Code: SP15-2023

Braddock
Metro Center

Subject: State Agency Food Safety Inspections Report for SY 2022-2023

1320
Braddock
Place
Alexandria
VA 22314

To: Regional Directors
Special Nutrition Programs
All Regions

State Directors
Child Nutrition Programs
All States

This memorandum provides guidance regarding continuation of the food safety inspections reporting requirement under the National School Lunch and School Breakfast Programs for fiscal year (FY) 2023. The Consolidated Appropriations Act, 2023, (P.L. 117-328) contains language that amended section 9(h)(3) of the Richard B. Russell National School Lunch Act (NSLA), 42 USC 1758(h)(3), to require the State agency's food safety inspections reporting requirement for FY 2023. State agencies must report to the Food and Nutrition Service (FNS) the number of annual food safety inspections obtained by schools under their jurisdiction for school year 2022-2023. Please submit the report by November 15, 2023 to: SM.FN.NSLPFoodSafetyIns@usda.gov.

As required in section 9(h) of the NSLA, 42 U.S.C. 1758(h), at least twice during each school year, schools must obtain a food safety inspection conducted by a State or local government agency responsible for such inspections. State agencies must collect information on the total number of inspections conducted in food preparation and/or service areas in schools under the jurisdiction of the State agency. The inspection report should state the total number of schools that obtained zero inspections, one inspection, two inspections, and three or more inspections. State agencies are encouraged to use the attached prototype form, which is also available on PartnerWeb in the Food Safety folder in the Resources and Guidance document library of the CND Policy and Memoranda Community, <https://www.partnerweb.usda.gov>.

As a reminder, the food safety inspections requirement applies to all food preparation-service sites and service-only sites. The scope of the food safety inspections may vary according to the type of food service operation and is determined by the agency responsible for inspections. If reports include zero or one inspection, a brief explanation of the reasons for failure to meet the inspections requirement must be included in the body of the response e-mail. For accuracy, do not report the same schools under more than one category. For example, if a school obtained two inspections, it should be reported only under, "Schools with two inspections."

Regional Directors

State Directors

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State agencies should ensure that school food authorities/schools that are not able to obtain the required inspections through no fault of their own follow proper food safety practices and have a Hazard Analysis Critical Control Point (HACCP)-based food safety plan to protect the safety of school meals. Technical assistance materials and other resources are available at: <http://www.fns.usda.gov/food-safety/food-safety-resources>. State agencies are also encouraged to continue to communicate with State and local public health authorities to facilitate progress in obtaining the two required inspections each year.

Thank you for your continued cooperation. Please direct questions to the appropriate FNS Regional Office.

**JESSICA
SARACINO**

Digitally signed by
JESSICA SARACINO
Date: 2023.04.27
16:43:46 -04'00'

Jessica Saracino

Director

Program Monitoring and Operational Support Division

Child Nutrition Programs

Attachment: FSIR Prototype Form SP15-2023a