



United States  
Department of  
Agriculture

Food and  
Nutrition  
Service

3101 Park  
Center Drive  
Alexandria, VA  
22302-1500

**DATE:** June 11, 2010

**MEMO CODE:** SP 28-2010; CACFP 14-2010; SFSP 13-2010

**SUBJECT:** Update on the Continuing Delay of Publication of Updated Poverty Guidelines

**TO:** Regional Directors  
Child Nutrition Programs  
All Regions

State Directors  
Child Nutrition Programs  
All States

The purpose of this memorandum is to provide an update on the status of eligibility determinations for the Child Nutrition Programs in light of the continued delay in the publication of the updated poverty guidelines issued by the Department of Health and Human Services (DHHS).

As you are aware, in order to expedite printing of applications for free and reduced price meals, we authorized a waiver of the statutory requirement to include the reduced price Income Eligibility Guidelines (IEGs) by family size on any materials related to applications for free and reduced price meals. The policy memo instituting this waiver, entitled "Waiver on Providing Income Limits on Applications, SP 26 -2010; CACFP 12-2010; SFSP 11-2010", was published on May 5, 2010.

The continued delay of the publication of the poverty guidelines will also impact the ability of schools and other institutions participating in the Child Nutrition Programs to make eligibility determinations after June 30, 2010, when the current IEGs usually expire. In making eligibility determinations, schools and institutions should utilize the current 2009-2010 IEGs to make such determinations until further notice. Such determinations shall be effective for the certification period set forth in the applicable program's regulations (e.g., for school programs, from the date of approval through the remainder of the current school year and up to 30 operating days of the following school year).

**Original Signed**

Cindy Long  
Director  
Child Nutrition Division