

food aid commitments, shall be made available by the Secretary of Agriculture (hereinafter in this chapter referred to as the ‘Secretary’) without charge or credit in such fiscal year for use by eligible recipient agencies. Upon request, commodities provided by the CCC shall be provided in a form suitable for individual household or institutional use.”

Subsec. (b). Pub. L. 98-92, §2(4), substituted “may be used” for “shall be used” and directed the substitution of “October 1, 1985” for “December 1, 1983”, which was executed by making the substitution for “December 31, 1983” to reflect the probable intent of Congress.

EFFECTIVE DATE OF 1988 AMENDMENT

Amendment by Pub. L. 100-435 to be effective and implemented on Sept. 19, 1988, see section 701(b)(1) of Pub. L. 100-435, set out as a note under section 2012 of this title.

EFFECTIVE DATE OF 1983 AMENDMENT

Pub. L. 98-92, §2, Sept. 2, 1983, 97 Stat. 608, provided in part that the amendment made by section 2 is effective Oct. 1, 1983.

§ 7503. State plan

(a) Plans

(1) In general

To receive commodities under this chapter, a State shall submit to the Secretary an operation and administration plan for the provision of benefits under this chapter.

(2) Updates

A State shall submit to the Secretary for approval any amendment to a plan submitted under paragraph (1) in any case in which the State proposes to make a change to the operation or administration of a program described in the plan.

(b) Requirements

Each plan shall—

(1) designate the State agency responsible for distributing the commodities received under this chapter;

(2) set forth a plan of operation and administration to expeditiously distribute commodities under this chapter;

(3) set forth the standards of eligibility for recipient agencies;

(4) set forth the standards of eligibility for individual or household recipients of commodities, which shall require—

(A) individuals or households to be comprised of needy persons; and

(B) individual or household members to be residing in the geographic location served by the distributing agency at the time of applying for assistance;

(5) at the option of the State agency, describe a plan of operation for 1 or more projects in partnership with 1 or more emergency feeding organizations located in the State to harvest, process, package, or transport donated commodities received under section 7507(d) of this title; and

(6) describe a plan, which may include the use of a State advisory board established under subsection (c), that provides emergency feeding organizations or eligible recipient agencies within the State an opportunity to provide input on the commodity preferences

and needs of the emergency feeding organization or eligible recipient agency.

(c) State advisory board

The Secretary shall encourage each State receiving commodities under this chapter to establish a State advisory board consisting of representatives of all entities in the State, both public and private, interested in the distribution of commodities received under this chapter.

(Pub. L. 98-8, title II, §202A, as added Pub. L. 100-77, title VIII, §812, July 22, 1987, 101 Stat. 537; amended Pub. L. 104-193, title VIII, §871(b), Aug. 22, 1996, 110 Stat. 2344; Pub. L. 110-234, title IV, §4201(b), May 22, 2008, 122 Stat. 1121; Pub. L. 110-246, §4(a), title IV, §4201(b), June 18, 2008, 122 Stat. 1664, 1882; Pub. L. 115-334, title IV, §4018(a), Dec. 20, 2018, 132 Stat. 4648.)

CODIFICATION

Pub. L. 110-234 and Pub. L. 110-246 made identical amendments to this section. The amendments by Pub. L. 110-234 were repealed by section 4(a) of Pub. L. 110-246.

AMENDMENTS

2018—Subsec. (b)(5), (6). Pub. L. 115-334 added pars. (5) and (6).

2008—Subsec. (a). Pub. L. 110-246, §4201(b), added subsec. (a) and struck out former subsec. (a). Prior to amendment, text read as follows: “To receive commodities under this chapter, a State shall submit a plan of operation and administration every 4 years to the Secretary for approval. The plan may be amended at any time, with the approval of the Secretary.”

1996—Pub. L. 104-193 amended section generally, substituting present provisions for provisions relating to availability of flour, cornmeal, and cheese acquired by the Commodity Credit Corporation.

EFFECTIVE DATE OF 2008 AMENDMENT

Amendment of this section and repeal of Pub. L. 110-234 by Pub. L. 110-246 effective May 22, 2008, the date of enactment of Pub. L. 110-234, except as otherwise provided, see section 4 of Pub. L. 110-246, set out as an Effective Date note under section 8701 of this title.

Amendment by section 4201(b) of Pub. L. 110-246 effective Oct. 1, 2008, see section 4407 of Pub. L. 110-246, set out as a note under section 1161 of Title 2, The Congress.

§ 7504. Initial processing costs

The Secretary may use funds of the Commodity Credit Corporation to pay costs of initial processing and packaging of commodities to be distributed under the program established under this chapter into forms, and in quantities, suitable, as determined by the Secretary, for use in individual households when such commodities are to be consumed by individual households or for institutional use, as applicable. The Secretary may pay such costs in the form of Corporation-owned commodities equal in value to such costs. The Secretary shall ensure that any such payments in kind will not displace commercial sales of such commodities.

(Pub. L. 98-8, title II, §203A, as added Pub. L. 98-92, §2(5), Sept. 2, 1983, 97 Stat. 609; amended Pub. L. 99-198, title XV, §1565(b), Dec. 23, 1985, 99 Stat. 1591.)

AMENDMENTS

1985—Pub. L. 99-198 struck out “, except that wheat from the Food Security Wheat Reserve may not be used to pay such costs” after “equal in value to such costs”.