



STATE OF NEW MEXICO
PUBLIC EDUCATION DEPARTMENT
300 DON GASPAR
SANTA FE, NEW MEXICO 87501-2786
Telephone (505) 827-5800
www.ped.state.nm.us

DR. VERONICA C. GARCÍA
SECRETARY OF EDUCATION

BILL RICHARDSON
Governor

June 19, 2009

Ms. Cynthia Nava, Superintendent
Gadsden Independent Schools
P.O. Drawer 70
Anthony, NM 88021

Dear Ms. Nava:

The Food, Conservation, Energy Act of 2008, also known as the Farm Bill, amended the Richard B. Russell National School Lunch Act (NSLA) by adding Section 19, the Fresh Fruit and Vegetable Program (FFVP). Under section 19 of the NSLA, beginning July 1, 2008, the FFVP became a nationwide program that will operate in selected schools in the 50 states. Section 19 of the NSLA contains significant changes from the previous program, including funding amounts, the number of schools that can participate, allocation of funds to the schools, use of funds for school selection criteria, and requirements.

The purpose of this memorandum is to provide information to selected districts regarding operations of the FFVP under Section 19 of the NSLA beginning July 1, 2009 (school year 2009-2010). The federal legislation authorized funds from July 1, 2009 to June 30, 2010 for the Fresh Fruit and Vegetable Program. A percentage of the original funds (as shown on the addendum) must be obligated by the school through September 30, 2009 and rest of the funds by June 30, 2010.

In order to budget these funds, please submit an electronic Budget Adjustment Request (BAR) utilizing the PED OBMS (Operating Budget Management System) website. The flow through BAR process is located on the PED website at www.ped.state.nm.us.

Please submit electronic Budget Adjustment Request (BAR) in the amount of \$ **32,850.00** utilizing **Fund Code 24118** and **Revenue Code: 44500**. I encourage you to work with your school district finance person for submission of the BAR after July 1, 2009.

This program is an important catalyst for change in an effort to combat childhood obesity by helping children learn healthier eating habits. The FFVP introduces school children to a variety of produce that they otherwise may not have the opportunity to sample. The program is used primarily to purchase unique fresh fruits and vegetables and must be made available at no charge to every student.

Use of Funds

Funds are to be used primarily to purchase fresh fruits and vegetables that are to be made available to students at no charge for at least three days out of the school week. A school may use up to 10% of the funds for administrative costs. Please note that labor costs associated with preparing and distributing the fruits and vegetables are not considered administrative costs and should be shown as operating costs. The costs associated with preparing fresh fruits and vegetables to be served by food service employees must be reasonable and necessary to qualify for grant reimbursement.

The program should be structured such that program benefits to students are maximized. Information is provided in the

Fresh Fruit and Vegetable Program Handbook, Appendix A and on the FFVP Partner website at: <https://www.fnspartner.usda.gov/>. The USDA's, FNS staff is currently working on updating the FFVP Handbook to reflect the changes on the permanent FFVP.

Expectations of Participating Schools

Participating schools are required to publicize the availability of free, fresh fruits and vegetables to the student body at least three days out of the week. Schools must make free, fresh fruits and vegetables available to students throughout the school day in one or more areas designated by the school. Schools must provide nutrition education related to benefits of having fresh fruits and vegetables as snacks. The following resources will assist your school with ways to implement nutrition education and activities to promote the Fresh Fruit and Vegetable Program. For your convenience, we are providing a list of resources that will assist you with identifying partners.

Program:	Contact Information:
Team Nutrition Fruits and Vegetables Galore	USDA Team Nutrition – Phone: (703) 305-1624 http://www.teamnutrition.usda.gov/
Fruit and Veggies More Matters (5- A – Day)	Tempa Tate, MS, RD Nutrition Coordinator Phone: (505) 841-5864 Tempa.Tate@state.nm.us
Ideas for Cooking and Nutrition (ICAN)	Linda Wells, BS, MA New Mexico State University Phone: (505) 646-1283 liwells@nmsu.edu
Coordinated Approach to Child Health (CATCH)	Tempa Tate, MS, RD Phone: (505) 841-5864 Tempa.Tate@state.nm.us

Please complete and return the attached Addendum with signature and contact information on or before **July 10, 2009** to the following address:

Student Nutrition Bureau
120 S. Federal Pl. Rm. 105
Santa Fe, NM 87501
Attn: FFVP

Should you have any questions, please contact Mr. Leonard Mirabal or Ms. Gloria Kozeliski of the Student Nutrition Bureau at (505) 827-1821. We congratulate you in taking part in the Fresh Fruit and Vegetable Program as another way to help your students develop lifelong, healthier eating habits.

CC: Mr. Demetrious Giovas, Food Service Director
Leonard Mirabal, Student Nutrition Bureau

Enclosures

LM:gk

Addendum

**New Mexico Public Education Department/Student Nutrition Bureau (PED/SNB)
and Local Education Agency Agreement
Fresh Fruit and Vegetable Program**

This agreement is between the Public Education Department/Student Nutrition Bureau and Local Education Agency, Gadsden Independent Schools and covers the period from July 1, 2009, to June 30, 2010.

The undersigned has the authority to enter this Agreement to participate in the Fresh Fruit and Vegetable Program as authorized under the Food, Conservation, Energy Act of 2008, also known as the Farm Bill, became law on May 22, 2008 (P.L. 110-234). Section 4304 of P.L. 110-234 amended the Richard B. Russell National School Lunch Act (NSLA) by adding Section 19, the Fresh Fruit and Vegetable Program (FFVP). It is mutually agreed between the State Agency and Local Education Agency that:

1. The Local Education Agency agrees that the funds will only be used for the Fresh Fruit and Vegetable Program as stipulated in Public Law 110-234, Section 19.
2. Participating schools are required to publicize the availability of free, fresh fruits and vegetables to the student body at least three days out of the week. The snacks will be at no cost to students.
3. Schools must make free fruits and fresh vegetables available to students throughout the school day in one or more areas designated by the school.
4. Funds are to be used primarily to purchase fresh fruits and vegetables and to be available at no charge to students at least three days out of the week.
5. The Grantee/Cooperator hereby assures and certifies that the LEA will comply with regulations, policies, guidelines and requirements as they relate to the application, acceptance and use of federal funds for this federally assisted project. OMB circulars No A-21, A-87, A-110, A-122 and A-133; 41 Circular 1-25.2 and any other USDA regulations implementing OMB Circulars, such as 7 CFR 3015, 3016, 3017, 3018, and 3019, 3021, as amended.

B. General Conditions:

1. This Agreement is non-transferable. No schools will be substituted
2. Neither the State Agency nor the Local Education Agency has an obligation to renew this agreement.
3. The LEA assures it will maintain records that track and account for the use of FFVP grant funds and will report on the specific use of those funds when necessary.

C. Amount of Funding:

The Local Education Agency agrees that the school identified below will have a Fresh Fruit and Vegetables Program.

Local Education Agencies (LEAs)	Gadsden Independent Schools
School	Berino Elementary
Amount of Allocation to be Obligated from July 1, 2009 through September 30, 2009	\$3,650.00
Amount of Allocation to be Obligated from October 1, 2009 through June 30, 2010	\$29,200.00
Total Allocation	\$32,850.00

D. Signature of State Agency official and Local Education Agency Official:

New Mexico Public Education Department	Local Education Agency
_____ Leonard Mirabal, Director Student Nutrition Bureau	_____ Print Name of Superintendent
_____ Date:	_____ Signature of Superintendent
_____ Date:	_____ Date:

Contact Information for the FFVP

Please complete the following information:

Superintendent:

Telephone Number:

E-mail:

Food Service Director:

Telephone Number:

E-mail:

School Principal:

Telephone Number:

E-mail:

Cafeteria Manager:

Telephone Number:

E-mail:
