



Food and Nutrition
Service

September 24, 2020

1320 Braddock Place
Alexandria, VA
22314

Alexis Fernandez
Chief
CalFresh and Nutrition Branch
California Department of Social Services
744 P Street
Sacramento, California 95814

Dear Ms. Fernandez:

This is in response to the September 22, 2020, request by the California Department of Social Services (DSS) to the Food and Nutrition Service (FNS) to waive the statutory definition of "food" under Section 3(k)(1) of the Food and Nutrition Act of 2008, as amended, and companion regulations at 7 CFR 271.2. The Food and Nutrition Act and regulations preclude hot foods from being eligible for purchase with SNAP benefits. Butte County received a Presidential Disaster Declaration for Individual Assistance. Additionally, because many households within the aforementioned county have been displaced or have temporarily relocated to other parts of the state, California is requesting that the waiver be extended to the bordering counties of Glenn, Plumas, Sutter, Tehama and Yuba.

This request relates to multiple wildfires caused by dry conditions, and heat wave that began on August 17, 2020. As a result of the North Complex Fire that began on September 8, 2020, many residents have evacuated to shelters, temporary housing, relocated to surrounding counties, and have no ability to store food or access cooking facilities. On August 18, 2020, Governor Gavin Newsom declared a State of Emergency in response to power outages and wildfires. DSS expects the need for food will remain critical through October 22, 2020. DSS wishes to allow SNAP households in the above counties to have the ability to purchase hot foods with SNAP benefits through October 22, 2020.

FNS is approving this waiver request for all of the requested counties. This waiver approval is effective immediately and will stay in effect through October 22, 2020. SNAP authorized retailers will be notified regarding this approval.

This waiver of the definition of eligible foods is approved under the authority of Section 412 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, and Section 5(h)(1) of the Food and Nutrition Act of 2008.

Ms. Fernandez
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If you have any questions regarding this waiver or its implementation, please contact your Western Region SNAP representatives.

Sincerely,

**JESSICA
SHAHIN**

 Digitally signed by
JESSICA SHAHIN
Date: 2020.09.24 10:50:40
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Jessica Shahin
Associate Administrator
Supplemental Nutrition Assistance Program