

October 14, 2013

ALL COUNTY WELFARE DIRECTORS LETTER

TO: ALL COUNTY WELFARE DIRECTORS  
ALL CALFRESH PROGRAM SPECIALISTS  
ALL EBT COORDINATORS

FROM: TODD R. BLAND  
Deputy Director  
Welfare to Work Division

SUBJECT: DISCLOSURE OF SUPPLEMENTAL NUTRITION ASSISTANCE  
PROGRAM (SNAP)/CALFRESH INFORMATION

The purpose of this letter is to reiterate the strict confidentiality laws applicable to SNAP/CalFresh retailer redemption information and the consequences of unauthorized disclosure. In general, store-specific retailer information, such as ownership information, sales and redemption data, is protected information. Federal rules dictate the release of confidential retailer information by a state or county government agency, including information that's stored in either the state's Electronic Benefit Transfer (EBT) system or a county's own eligibility system.

State and county governments are only authorized to disclose SNAP/CalFresh transactional data compiled from retail food stores for specified purposes associated with the administration and enforcement of the Food Stamp Act and applicable federal regulations, per the Food and Nutrition Act of 2008 at 7 USC 2018 (9) (c) and Title 7 CFR 278.1 (q).

In addition, state and county governments are prohibited from releasing protected SNAP/CalFresh data pursuant to a Public Records Act (PRA) request. Federal statutory law states protected information must be withheld under 5 USC 552 (b) (3) and (b) (4) of the Freedom of Information Act (FOIA).

However, only the Food and Nutrition Services (FNS) is authorized to determine what information may be disclosed and an individual requesting such data should be directed to the FNS or submit a request for the information to the FNS in accordance with the FOIA at [FOIA@fns.usda.gov](mailto:FOIA@fns.usda.gov).

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The consequences of an unauthorized disclosure are set forth at 7 CFR §278.1 (q) which specifically provides that:

“Any person who publishes, divulges, discloses, or makes known in any manner or to any extent not authorized by Federal law or regulations any information obtained under this paragraph shall be fined not more than \$1,000 or imprisoned not more than 1 year or both.”

When a county receives a PRA for SNAP/CalFresh and/or cash aid redemption information from a media organization, they should contact the CDSS EBT/Welfare Technology Unit prior to releasing any information.

Please note that for all benefit programs, counties must not release personal identifiable information for any client, such as name, case number, date of birth, address, or any other personal identifying or protected information.

If you have any questions regarding the disclosure of SNAP/CalFresh information, please contact Lucy Hildebrand, EBT/Welfare Technology Unit, at (916) 653-8421, [Lucy.Hildebrand@dss.ca.gov](mailto:Lucy.Hildebrand@dss.ca.gov) or Joyce Bullivant at (916) 657-3804, [Joyce.Bullivant@dss.ca.gov](mailto:Joyce.Bullivant@dss.ca.gov).