

ACTION BY: Regional Directors
Special Nutrition Programs

SOURCE CITATION: Section 225.2 (Private nonprofit)

Tax-Exempt Status for Summer Food Service Program Sites

The purpose of this instruction is to clarify our position on tax-exempt status for Summer Food Service Program sites.

Regulations do not require that sites obtain tax-exempt status from the Internal Revenue Service because numerous sites such as parks, storefronts and recreational programs would not be eligible for such status. However, the intent of the Program's authorizing statute is to provide funding for meals served by public or private, nonprofit entities that meet program eligibility requirements. Therefore, any site, especially a residential camp, which may be identified as profit-making may not participate. Further, if there is any indication that a site might not meet the nonprofit status requirement (e.g., through organizational structure), that site may not participate until nonprofit status is clearly established.



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DISTRIBUTION: 5, 6, 11, 14	MANUAL MAINTENANCE INSTRUCTIONS: Remove FNS Instruction 776-6 from Manual. Insert this Instruction.	RESPONSIBLE FOR PREPARATION AND MAINTENANCE: CND-100	2-13-87
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