

**U.S. Department of Agriculture
Food and Nutrition Service
Administrative Review Branch
Alexandria, VA 22302**

Ema Supermarket Inc. #1,

Appellant,

v.

Retailer Operations Division,

Respondent.

Case Number: C0201477

FINAL AGENCY DECISION

It is the decision of the U.S. Department of Agriculture (USDA), Food and Nutrition Service (FNS) that there is sufficient evidence to support a finding that the permanent disqualification of Ema Supermarket Inc. #1 (Ema Supermarket or Appellant) from participation as an authorized retailer in the Supplemental Nutrition Assistance Program (SNAP), as initially imposed by the Retailer Operations Division, was appropriate.

ISSUE

The issue accepted for review is whether the Retailer Operations Division took appropriate action, consistent with 7 CFR § 278.6(a), (c) and (e)(1) in its administration of the SNAP, when it assessed a permanent disqualification against Appellant.

AUTHORITY

7 USC § 2021 and the implementing regulations at 7 CFR § 279.1 provide that “A food retailer or wholesale food concern aggrieved by administrative action under § 278.1, § 278.6 or § 278.7 . . . may file a written request for review of the administrative action with FNS.”

CASE CHRONOLOGY

In a letter dated August 11, 2017, the Retailer Operations Division charged Appellant with trafficking, as defined in Section 271.2 of the SNAP regulations, based on a series of irregular SNAP transaction patterns that occurred during the months of January 2017 through June 2017. The letter noted that the penalty for trafficking is permanent disqualification as provided by

7 CFR § 278.6(e)(1). The letter also noted that Appellant could request a trafficking civil money penalty (CMP) in lieu of a permanent disqualification within ten days of receipt under the conditions specified in 7 CFR § 278.6(i).

Appellant replied to the charges by letter dated August 17, 2017. Appellant explained that the transactions were normal based on the unique circumstances of the store. After considering the evidence and the retailer's reply, the Retailer Operations Division issued a determination letter dated September 21, 2017. The determination letter informed Appellant that it was permanently disqualified from the SNAP in accordance with 7 CFR § 278.6(c) and § 278.6(e)(1). The determination letter also stated that Appellant was not eligible for a trafficking CMP because Appellant failed to submit sufficient evidence to demonstrate that the firm had established and implemented an effective compliance policy and program to prevent violations of the SNAP.

In a letter dated September 25, 2017, Appellant appealed the Retailer Operations Division's determination and requested an administrative review. The appeal was granted.

STANDARD OF REVIEW

In appeals of adverse actions, the Appellant bears the burden of proving by a clear preponderance of the evidence, that the administrative actions should be reversed. That means the Appellant has the burden of providing relevant evidence which a reasonable mind, considering the record as a whole, would accept as sufficient to support a conclusion that the matter asserted is more likely to be true than not true.

CONTROLLING LAW

The controlling statute in this matter is contained in the Food and Nutrition Act of 2008, as amended, 7 USC § 2021 and § 278 of Title 7 of the Code of Federal Regulations (CFR). Part 278.6(a), (c) and (e)(1) establish the authority upon which a permanent disqualification may be imposed against a retail food store or wholesale food concern in the event that personnel of the firm have engaged in trafficking SNAP benefits.

7 CFR § 271.2 states, in part, that, "Eligible foods means: Any food or food product intended for human consumption except alcoholic beverages, tobacco and hot food and hot food products prepared for immediate consumption."

7 CFR § 271.2 defines trafficking as: "(1) The buying, selling, stealing, or otherwise effecting an exchange of SNAP benefits issued and accessed via Electronic Benefit Transfer (EBT) cards, card numbers and personal identification numbers (PINs), or by manual voucher and signature, for cash or consideration other than eligible food, either directly, indirectly, in complicity or collusion with others, or acting alone; . . ."

7 CFR § 278.6(a) states, inter alia, that "FNS may disqualify any authorized retail food store . . . if the firm fails to comply with the Food and Nutrition Act of 2008, as amended, or this part.

Such disqualification shall result from a finding of a violation on the basis of evidence that may include facts established through on-site investigations, inconsistent redemption data, evidence obtained through a transaction report under an *electronic benefit transfer system*, . . .” (emphasis added)

7 CFR § 278.6(b)(2)(ii) states, inter alia: “Firms that request consideration of a civil money penalty in lieu of a permanent disqualification for trafficking shall have the opportunity to submit to FNS information and evidence . . . that establishes the firm’s eligibility for a civil money penalty in lieu of a permanent disqualification in accordance with the criteria included in § 278.6(i). This information and evidence shall be submitted within 10 days, as specified in § 278.6(b)(1).”

7 CFR § 278.6(e)(1) reads, in part, “FNS shall disqualify a firm permanently if personnel of the firm have trafficked as defined in § 271.2.”

7 CFR § 278.6(i) states, inter alia: “FNS may impose a civil money penalty in lieu of a permanent disqualification for trafficking . . . if the firm timely submits to FNS substantial evidence which demonstrates that the firm had established and implemented an effective compliance policy and program to prevent violations of the Program.”

SUMMARY OF THE CHARGES

Appellant was charged and determined to be trafficking based on an analysis of EBT transaction data from January 2017 through June 2017. This involved the following SNAP transaction patterns which are indicative of trafficking:

- There were an unusual number of transactions ending in a same cents value.
- There were multiple transactions made too rapidly to be credible.
- There were multiple transactions made from individual benefit accounts in unusually short time frames.
- The majority or all of individual recipient benefits were exhausted in unusually short periods of time.
- There were excessively large purchase transactions made from recipient accounts.

The issue in this review is whether, through a preponderance of evidence, it is more likely true than not true that the questionable transactions were the result of trafficking.

APPELLANT’S CONTENTIONS

In its September 25, 2017, administrative review request, Appellant, and subsequent correspondence dated October 23, 2017, Appellant provided the following summarized contentions, in relevant part:

- It is ownership’s first business and it is difficult to run a business with a few

employees.

- Ownership cannot always be present to keep an eye on the employees.
- It is part of the culture to charge an even cents value to make it easier for people to pay for items and this is done for debit and credit customers as well.
- Appellant carries fish and Halal meats which tend to be expensive.
- The Halal meat and fish is difficult to find so customers stock up on these items.
- Appellant will lose a lot of customers and its profit.
- Ownership apologizes for its mistakes and requests one last chance to run the struggling business.
- It would be beneficial to customers if Appellant is able to continue to serve the community.
- The owner is first time owner and there will be no more issues.
- This is a community with large market for Halal and fish products.
- Customers have large orders and large families.
- Meat and fish are paid for at the back of the store and, while that is being prepared, customers continue to shop and pay for those items at the front of the store.
- The store serves a community with large Bengali and West Indian populations.

In support of its contentions, Appellant provided the following documents:

- Five pages of POS receipts with even cent transaction amounts;
- Appellant's August 17, 2017, response to the Retailer Operations Division;
- Three merchant statements; and
- Four invoices of meat purchased dated after the review period.

The preceding may represent only a brief summary of the Appellant's contentions presented in this matter. However, in reaching a decision, full attention and consideration has been given to all contentions presented, including any not specifically recapitulated or specifically referenced.

ANALYSIS AND FINDINGS

Store Visit

FNS authorized Ema Supermarket as a small grocery on June 4, 2014. The case file indicates that in reaching a disqualification determination, the Retailer Operations Division considered information obtained during a December 12, 2016, store visit conducted by a FNS contractor to observe the nature and scope of the firm's operation, stock, and facilities. This information was then used to ascertain if there were justifiable explanations for the firm's irregular SNAP transactions. The store visit report and photographs documented the following store size, description, and characteristics:

- Ema Supermarket is approximately 2000 square feet, with no additional food storage outside of public view.

- There were some shopping baskets but no shopping carts for customer use.
- There was one cash register and one point-of-sale device.
- There was no scanner for the quick processing of transactions.
- The check-out counter space was small and cluttered.
- There were no meat/seafood specials or bundles that might sell for high prices.
- The only fresh meat was three chickens.
- There was frozen fish.
- There was limited fresh produce including bananas, tomatoes, tangerines, grapes, potatoes, apples, lemons, limes, and lettuce.
- Dairy included milk, yogurt, cheese, and ice cream.
- Other staple foods available for purchase were eggs, juice, cereal, rice, pasta, and canned goods.
- Much of the remaining stock consisted of accessory foods such as candy, spices, and carbonated and uncarbonated drinks.
- Ineligible items included paper goods, cleaning products, and health and beauty aids.

Given the available inventory as noted above, there is no indication from the store visit report that the store would be likely to have SNAP redemption patterns significantly different from similar-sized competitors.

Charge Letter Attachments

Each attachment furnished with the charge letter represents the questionable and unusual patterns of SNAP transactions indicative of trafficking which were conducted at the Appellant firm during the review period. As there is more than one pattern of irregular transactions, the case of trafficking becomes more convincing.

Charge Letter Attachment 1. There were an unusual number of transactions ending in a same cents value. During the review period, there were 366 transactions **5 U.S.C. § 552 (b)(6) & (b)(7)(C)**. When such patterns are unsupported by special pricing structures, they are a strong indicator of trafficking in SNAP benefits.

Appellant explains that it is part of the culture to charge an even cents value to make it easier for people to pay for items and this is done for debit and credit customers as well. If it is customary to pay for things in even dollar amounts, it would be more likely that Appellant would price its items **5 U.S.C. § 552 (b)(6) & (b)(7)(C)**. However, the store visit photographs show most prices end in 99 cents. Moreover, the Retailer Operations Division reviewed the two households that conducted the most even cent transactions on the Attachment. **5 U.S.C. § 552 (b)(6) & (b)(7)(C)**. Furthermore, these households did not have a pattern of even cent transactions at other stores, including other similar ethnic stores. Thus, the Retailer Operations Division determined that the evidence did not support that rounding down was in fact customary.

Appellant also explained that it rounded down SNAP transactions in order to keep up with the nearby competitors. However, when the Retailer Operations Division compared Appellant to nearby competitors, this pattern did not exist at the other stores reviewed.

It is possible that some of the smaller transactions are the result of purchasing one same cent item and this could explain some of the lower dollar same cent transactions. The larger transactions cited in the charge letter would most likely consist of the purchase of several relatively inexpensive items and it is unlikely that these purchases would routinely total to an amount ending in same cents. SNAP transactions consisting of multiple products are more likely to result in a random statistical spread of ending cent 5 U.S.C. § 552 (b)(6) & (b)(7)(C). Consequently, when many transactions end in a same cents amount and same dollar amount, it appears that these transaction amounts are contrived and in the absence of compelling evidence to the contrary, are suggestive of trafficking.

Appellant provided 31 Point of Service (POS) receipts that show debit and credit transactions 5 U.S.C. § 552 (b)(6) & (b)(7)(C) Thirty-one credit and debit transactions compared to 366 SNAP transactions 5 U.S.C. § 552 (b)(6) & (b)(7)(C).

Appellant failed to provide a credible explanation for the same cent transactions listed on Charge Letter Attachment #1.

Charge Letter Attachment 2. Multiple purchase transactions were made too rapidly to be credible. This attachment lists 22 sets of transactions 5 U.S.C. § 552 (b)(6) & (b)(7)(C). Appellant was rapidly processing consecutive SNAP transactions many of which were high dollar transactions. The steps required to process a legitimate SNAP purchase include the following:

1. unloading items from a cart or basket however Appellant had neither;
2. separating eligible items and ineligible items;
3. handling by the cashier of individual items and scanning items or manually entering price;
4. bagging the items for carry out;
5. handing the customer bagged items to make room for more food items the customer is bringing to the counter;
6. informing the customer of the total;
7. pressing the “SNAP transaction key” on the point-of-sale device;
8. swiping the card;
9. entering by the customer of the required PIN;
10. cashier entry of the purchase amount;
11. confirming customer has a sufficient benefit balance;
12. processing and approval of the transaction by the system;
13. printing out register and EBT receipts;
14. accepting an alternate form of payment for nonfood items and possibly handling cash change; and
15. removing products from the checkout area so the next customer in line can begin another transaction.

While such transactions may be conducted in succession, performing these actions on large transactions cannot be done rapidly. The amount of time required is generally proportional to the dollar amount of the transaction; typically, the larger the dollar amount transacted the longer the time period between transactions. Appellant has only one small checkout counter and no electronic scanner. It is therefore unlikely that these multiple large transactions 5 U.S.C. § 552 (b)(7)(E) could involve solely the sale of eligible foods.

Appellant explains sometimes if a customer has a large order and someone is waiting in line with a few items, the cashier will break up the order of the first customer, serve the customer waiting, and then finally return to the original customer with the larger order. Appellant also indicated that there was a register at the back of the store where customers paid for meat. However, on the day of the store visit and each of the two previous store visits, there was only one cash register noted. Given the size of the store and Appellant's stock of eligible food items and that Appellant only had shopping baskets, it is unlikely that customers had large enough orders of eligible food items that the cashier would routinely break up. Moreover, although this would be serving the customer waiting in a favorable way, it would be viewed as poor customer service for the customer with the large order.

Appellant did not provide any compelling justification or evidence that all the irregular transactions cited in Charge Letter Attachment 2 were for eligible food items only. It is more likely true than not true that these patterns are a result of the firm trafficking in SNAP benefits.

Charge Letter Attachment 3. Multiple transactions were made from individual benefit accounts in unusually short time frames. This attachment documents 24 sets of transactions 5 U.S.C. § 552 (b)(6) & (b)(7)(C). 5 U.S.C. § 552 (b)(6) & (b)(7)(C).

Appellant contends that meat and fish are paid for separately from the other items that customers purchase. On the day of the store visit, Appellant's only fresh meat was three chickens. The evidence does not support that Appellant sold a large volume of meat products. Thus, splitting up meat purchases from other shopping is not a credible explanation for the transactions listed on this attachment. Moreover, most of the transactions were conducted 5 U.S.C. § 552 (b)(7)(E) which cannot be explained by choosing to pay for meat separately while it is packaged.

The SNAP transactions noted in the charge letter are questionable not because they exceed any limits for use, but rather because they display characteristics of use inconsistent with the nature and extent of Appellant's stock and facilities and are therefore indicative of trafficking. Although it is not uncommon for customers to have more than one transaction per day, it is not common that such multiple transactions are for large dollar amounts. The photographs from the store visit offer no legitimate explanation as to why SNAP customers would routinely shop at Appellant multiple times during a short period or purchase such a large volume of items, there being no great variety of products, price advantage, profusion of large packages, or significant bulk items for sale. The second and third transactions in each set are too large to consist of a forgotten item or two.

Appellant also explained that some of the transactions are checking its balance. However, most of the transactions listed for the initial transaction are large transactions that are not typical of a

household checking its SNAP balance. It should also be noted that as required by SNAP regulations at 274.12 (f), the EBT card holder must be able to check their account balance using the retailer's POS terminal without making any purchases or standing in a checkout line, and they can telephone a toll-free number for that information as well. Regulations also require that EBT card holders receive a POS terminal receipt showing the dollar amount of remaining benefits so it would be unusual for this many households to not know their SNAP balances. This is not a credible explanation for these rapid transactions.

While there are legitimate reasons why a SNAP household may shop at a given store multiple times in a day, the repetitive transactions cited in Attachment 1 is not normal shopping behavior at a small grocery with no shopping baskets or carts. In the absence of any other reasonable explanation, the irregular transaction patterns are more likely than not to be a result of trafficking in SNAP benefits.

Charge Letter Attachment 4. The majority or all of individual recipient benefits were exhausted in unusually short periods of time. The charge letter attachment lists 49 transaction sets conducted by 25 different households 5 U.S.C. § 552 (b)(6) & (b)(7)(C). SNAP recipients do not normally exhaust their benefits in multiple transactions on the same day.

Appellant explains many of the transactions are when customers stock up on items for weeks or the month. The evidence from the store visit does not support that Appellant had the inventory for households to be able to purchase significant items in bulk to last for weeks or a month. Moreover, a government report on SNAP shopping patterns¹ indicates that on average SNAP households have less than one-quarter of their benefits left by the middle of the month. On the day the issuance was distributed, the average household redeemed more than a fifth of its benefit. By the first week, the average household had redeemed over half of its benefit, and by the second week, over three-quarters of it. Households redeemed about an additional 10 percent of benefits by the end of the third week (exhausting 90 percent of benefits) and ultimately redeemed 97 percent of their monthly benefits by the end of the day before receiving their next issuance. Therefore, transactions in which SNAP benefits are exhausted in one or a few transactions during a short period of time are suggestive of trafficking.

Appellant did not present any valid explanations or documentation that legitimizes these transactions.

Charge Letter Attachment 5: Excessively large purchase transactions were made from recipient accounts. This attachment lists 312 transactions, 5 U.S.C. § 552 (b)(6) & (b)(7)(C). 5 U.S.C. § 552 (b)(6) & (b)(7)(C). These large transaction amounts are not consistent with the store's inventory. Based on the store visit report, the firm does not offer food in bulk or a large volume of specialty foods that might sell for a high price. Instead, the store carries mostly inexpensive canned and packaged goods and single-serving food items. There was no limited fresh meat and fresh produce on the day of the store visit. Therefore, the substantial number of high dollar purchases calls into question the legitimacy of these transactions.

¹ Benefit Redemption Patterns in the Supplemental Nutrition Assistance Program, Mathematica Policy Research, by Laura Castner and Juliette Henke, for the U.S. Department of Agriculture, Food and Nutrition Service, Office of Research and Analysis, February 2011.

Appellant alleged that most of the customers buy whole goats, half beef, or an entire box of chicken legs or breasts. Again, on the day of the store visit, there was only three chickens. Thus, there is no evidence that Appellant carried a sufficient volume of Halal meat products to account for the large SNAP transactions.

Appellant also explained that customers will stock up on Halal meat products because these products are not found easily. The Retailer Operations Division determined that households are also shopping at other nearby ethnic stores with a superior selection of Halal products. In addition, there was very little Halal meat available for purchase on the day of the store visit. The owner further stated that most of the customers buy whole goats, half beef, or an entire box of chicken legs or breasts. Again, on the day of the store visit, the only fresh meat was three chickens. With Appellant was first authorized on June 4, 2014, there was evidence of the sale of whole goats and boxes of chicken. The evidence shows that Appellant's inventory of meat products have declined since its initial authorization. With its administrative review request, Appellant submitted invoices of meat purchased after the review period. There was no evidence to support that Appellant purchased sufficient Halal meat products to support these questionable large dollar SNAP transactions.

5 U.S.C. § 552 (b)(7)(E). Considering Appellant's eligible food stock, infrastructure, and proximity to larger, better stocked stores this is highly unlikely and likely indicative of trafficking.

The Retailer Operations Division compared Appellant to a nearby medium grocery that specialized in Halal products and has a superior selection of products. **5 U.S.C. § 552 (b)(7)(E).** Given that the larger store had a larger variety of meat and fish, the Retailer Operations Division considered this an indicator of trafficking.

Sometimes a firm may have higher than average SNAP transactions amounts due to the lack of access to other SNAP authorized stores. However, the Retailer Operations Division determined that are 100 authorized firms are located within a one-mile radius of Appellant, including 61 other small groceries, 19 medium groceries, four large groceries, 14 supermarkets, and two super stores. Several of these stores sell a variety of Halal meats. It is not plausible that the firm's customers would regularly purchase large amounts of merchandise at Appellant when larger, better stocked stores are readily available and in the vicinity of the Appellant firm.

Lastly, the Retailer Operations Division examined three households identified in the charge letter to analyze their shopping patterns at Ema Supermarket compared to their shopping patterns at other SNAP authorized stores. All of these households had access to, and shopped at supermarkets and superstores and all three households also shopped at nearby stores that sold Halal meat and similar ethnic products. However, despite this access to better stocked stores, all of the households conducted excessively large transactions at Ema Supermarket **5 U.S.C. § 552 (b)(7)(E)** of shopping at a supermarket or super store. It is highly unlikely that a small grocery, with limited staple foods and no shopping baskets or carts, would have legitimate SNAP transactions comparable to supermarkets or super stores which have a superior breadth and depth of stock at likely better prices.

In summary, Appellant's layout, business structure, and food inventory do not support a high percentage of transactions markedly exceeding the average SNAP transaction amount of similar type stores. Government analyses of stores caught in trafficking violations during on-site investigations have found that transactions involving trafficking consistently display particular characteristics or patterns. These patterns include, in part, those cited in the letter of charges. Therefore, based on this empirical data, and in the absence of evidence to legitimize such transaction patterns, a conclusion can be drawn, through a preponderance of evidence that the "unusual, irregular, and inexplicable" transactions and patterns cited in the letter of charges evidence trafficking as the most likely explanation.

Appellant Hardship

With regards to Appellant's contention that the business will not survive without SNAP, it is recognized that economic hardship is a likely consequence whenever a store is permanently disqualified from participation in SNAP. However, there is no provision in the SNAP regulations or internal agency policy directives for waiver or reduction of an administrative penalty assessment on the basis of possible economic hardship to the firm resulting from imposition of such penalty. To excuse ownership from assessed administrative penalties based on purported economic hardship to the firm would render virtually meaningless the enforcement provisions of the Food and Nutrition Act of 2008 and the enforcement efforts of the USDA.

Moreover, giving special consideration to economic hardship to the firm would forsake fairness and equity, not only to competing stores and other participating retailers who are complying fully with program regulations, but also to those retailers who have been disqualified from the program in the past for similar violations. Therefore, Appellant's contention that the firm will incur economic hardship based on the assessment of an administrative penalty does not provide any valid basis for dismissing the charges or for mitigating the penalty imposition.

Recipient Hardship

Appellant requested that it be allowed to continue to serve the community. As indicated, the Retailer Operations Division determined that there are stores that sell similar staple food products within a one-mile radius of Appellant. Moreover, where there is a hardship to SNAP households, FNS may impose a hardship CMP on a firm in lieu of a disqualification where there is a lack of authorized stores in the area. However, the regulations at 7 CFR §278.6(f)(1) clearly state that "a civil money penalty for hardship to [SNAP] households may not be imposed in lieu of a permanent disqualification." Because Retailer Operations has taken action to permanently disqualify Appellant's firm, a hardship CMP in lieu of disqualification cannot be granted.

Reconsideration

Appellant requests reconsideration of the permanent disqualification. Neither the Food and Nutrition Act of 2008, as amended, nor the regulations allow discretion in this matter nor provide for a lesser penalty or a term disqualification for violations related to trafficking of SNAP benefits. Trafficking is always considered to be the “most serious” of SNAP violations. Trafficking in SNAP benefits is an extremely serious violation and both 7 USC § 2021(b)(3)(B) and 7 CFR § 278.6(e)(1)(i) state that even a first time violation warrants a permanent disqualification.

In the absence of any reasonable explanations for such transaction patterns, a conclusion can be drawn through a preponderance of evidence that the “unusual, irregular, and inexplicable” transactions and patterns cited in the letter of charges evidence trafficking as the most likely explanation. Therefore, based on a review of all of the evidence in this case, it is more likely true than not true that program violations

CIVIL MONEY PENALTY

In the charge letter, the Retailer Operations Division informed Appellant of its right to request a trafficking CMP under 7 CFR § 278.6(i). Appellant was informed that it would need to provide both the request and supporting evidence within ten calendar days of receiving the charge letter and that no extension of time could be granted for making the request or for providing the required evidence. Appellant did not request consideration for a trafficking CMP in lieu of a permanent disqualification under 7 CFR § 278.6(i), even though it was informed of the right to do so in the charge letter.

Even if a timely request had been submitted, Appellant would likely not have been eligible for a trafficking CMP in lieu of disqualification because there is insufficient evidence to demonstrate that the firm had established and implemented an effective compliance policy to prevent SNAP violations. Therefore, the Retailer Operations Division’s decision not to impose a trafficking CMP in lieu of disqualification is sustained as appropriate pursuant to 7 CFR § 278.6(i).

CONCLUSION

The Retailer Operations Division’s analysis of Appellant’s EBT transaction record was the primary basis for its determination to permanently disqualify Appellant. This data provided substantial evidence that the questionable transactions during the review period had characteristics that are consistent with trafficking violations in SNAP benefits. Therefore, based on a review of all of the evidence in this case, it is more likely true than not true that program violations did occur as charged by the Retailer Operations Division. The determination to impose a permanent disqualification against Appellant is sustained.

The Retailer Operations Division also determined that Appellant was not eligible for a trafficking civil money penalty according to the terms of 7 CFR Section 278.6(i) of the SNAP regulations. Under review, the denial of a trafficking CMP was deemed correct and proper.

RIGHTS AND REMEDIES

Applicable rights to a judicial review of this decision are set forth in 7 USC § 2023 and 7 CFR § 279.7. If a judicial review is desired, the Complaint, naming the United States as the defendant, must be filed in the U.S. District Court for the district in which the Appellant's owner resides or is engaged in business, or in any court of record of the State having competent jurisdiction. If any Complaint is filed, it must be filed within thirty (30) days of receipt of this Decision.

Under the Freedom of Information Act, we are releasing this information in a redacted format as appropriate. FNS will protect, to the extent provided by law, personal information that could constitute an unwarranted invasion of privacy.

Mary Kate Karagiorgos
Administrative Review Officer

January 23, 2018