

For: All FFAS Offices

FFAS Procurement Guidance on Personal Items, Kitchen Appliances and Paper Goods

Approved by: Deputy Administrator, Management



1 Overview

A Background

Multiple requests have been received about clarification on purchasing certain kitchen appliances, paper products, and plastic flatware using the Government issued purchase card. After confirming that there is no written policy currently covering this topic, USDA, FSA AMD, and MSD Property and Facilities Management Branch coordinated to research and provide guidance to:

- FFAS purchase cardholders on purchasing the items in question
- supplement “The Cardholder Purchase Card Program Guide”.

B Purpose

This notice:

- provides policy that defines “personal items”
- provides guidance to ensure that purchase of:
 - specific kitchen appliances conforms to GAO decision B-302993 and FFAS policy on purchasing these items
 - the following items may be purchased with government funds if their purchase is for office sanitary purposes or for the sole purpose of serving light refreshments and/or light meals that meet the required exceptions:
 - paper products
 - plastic tableware
- authorizes using the purchase card to procure allowable items provided the cost does not exceed the cardholder’s single purchase limit (warrant limit or the micro-purchase threshold).

Note: Guidance provided in this notice applies to **all** FFAS Local Agency Program Coordinators (LAPC’s) and FFAS Agency Program Coordinators (APC’s).

Disposal Date	Distribution
August 1, 2014	All FAS, FSA, and RMA Offices; State Offices relay to County Offices

Notice AS-2258

1 Overview (Continued)

C Contacts

Contact the following for questions about this notice.

IF there are questions about...	THEN contact...
the purchase card program review process	either of the following: <ul style="list-style-type: none">• Sheryl Welch, APC, by either of the following:<ul style="list-style-type: none">• e-mail to sheryl.welch@kcc.usda.gov• telephone at 816-926-6108• LaVerne Walker, APC, by either of the following:<ul style="list-style-type: none">• e-mail to laverne.walker@wdc.usda.gov• telephone at 202-720-4044.
procurement policy	Yvonne Howerton, Acting Director, AMD , by either of the following: <ul style="list-style-type: none">• e-mail to yvonne.howerton@wdc.usda.gov• telephone at 202-690-5401.

2 Policy

A Personal Items

Items purchased with the purchase card are for “official Government use only”, therefore any items used for personal consumption (personal items) are **not** authorized, and are considered misuse and abuse. Misuse and abuse is any intentional use of a Government charge card for other than official Government business, and depending on the situation, may constitute fraud.

Potential consequences for misuse and abuse may include; reimbursement to the agency, counseling, cancellation of the card, a written warning, notation in the employee’s performance evaluation, reprimand, and/or suspension or termination.

B Kitchen Appliances

Refrigerators for kitchens or common areas – GAO decision B-302993 allows appropriated funds to be used to purchase certain appliances if not already included in the lease agreement. If a refrigerator is to be used in a shared office (more than one USDA agency), the lead agency shall assume the responsibility for procuring the shared refrigerator and the other agency(s) shall reimburse their portion of the cost. Refrigerators shall be purchased from GSA Schedule, meet Energy Star guidelines, and adhere to a target cost not to exceed \$1000. Individual States may take a more restrictive approach if deemed necessary because of budgetary restraints.

2 Policy (Continued)

B Kitchen Appliances (Continued)

Microwaves for kitchen or common areas – GAO decision B-302993 allows appropriated funds to be used to purchase certain appliances if not already included in the lease agreement. If the microwave is to be used in a shared office (more than one USDA agency), the lead agency shall assume the responsibility for procuring the shared microwave and the other agency(s) shall reimburse their portion of the cost. Microwaves shall be purchased from GSA Schedule, and currently there are no green purchasing requirements governing the purchase of this appliance. Individual Agencies and offices may take a more restrictive approach if deemed necessary because of budgetary restraints.

FAS Specific Instructions - FAS international purchases will be reviewed and approved on a case-by-case basis. Requests **must** be submitted on Exhibit 6-1 and sent to FAS, Office of Foreign Service Operations, International Services Division.

C Paper Products, Hand Soap, and Sanitizer

The following items are considered personal items and appropriated funds shall not be used for purchase:

- kleenex for individual use
- napkins for individual use.

Note: Appropriated funds may be used to purchase napkins, if the napkins are for a specific Government function and **must** meet criteria provided in the Cardholder's Purchase Card Program Guide, page 55. See subparagraph D (and references provided in subparagraph E and the Power Point flow chart (Exhibit 1), on allowable exceptions for using appropriated funds to purchase light refreshments or light meals.)

Paper towels and hand cleaner and/or soap may be purchased with appropriated funds if used for sanitation purposes, i.e. hand soap and restroom paper towels, etc. Appropriated funds are not to be used to purchase paper towels, soap, etc. if its exclusive use is to clean personal food service or storage food containers brought in from home. This applies only if not already included in a full service lease or a separate janitorial service.

Hand sanitizers and/or disinfectants (Purell, etc.) are discretionary items. These items may be considered as a sanitary precaution seasonally (**Example:** last year's flu outbreak).

D Plastic Tableware

Plastic forks, knives, spoons, serving ware, etc. are personal items. Appropriated funds will **not** be used unless it is for a specific Government function, (see references in subparagraph E and the Power Point flow chart, on allowable exceptions for using appropriated funds to purchase light refreshments or light meals), that **must** meet criteria provided in the Cardholder's Purchase Card Program Guide, page 55.

2 Policy (Continued)

D Plastic Tableware (Continued)

Following is guidance from the Cardholder Purchase Card Program Guide, page 55.

Food: Appropriated funds are not available to pay for food or refreshments, except as follows:

- (1) Sponsoring agency may serve light refreshments on breaks at Government-sponsored conferences where 51 percent of attendees are in travel status.
- (2) Sponsoring agency may serve meals at formal meetings and conferences attended by some percentage of non-Government employees.
- (3) Sponsoring agency may serve refreshments/meals at training meetings where actual training is conducted and not just discussions or open forums relating to problems and day-to-day operations of the agency.
- (4) Sponsoring agency may serve light refreshments at award ceremonies honoring individuals recognized under the Civilian Employee's Incentive Award Program.
- (5) Formal Ethics Awareness Program where food samples relating to the particular ethnicity are served as part of an education program.

E Additional References

This notice is not all encompassing. For questions or concerns about guidance provided or authorization contact LAPC and/or APC according to subparagraph 1 C.

See the following for additional information.

- GSA SmartPay "Misuse and Abuse" - <https://smartpay.gsa.gov/cardholders/card-basics/fraud/misuse-abuse>
- Cardholder Purchase Card Program Guide - http://www.dm.usda.gov/procurement/ccsc/pc_guides_ref.htm
- Appliances, GAO decision B-302993- <http://www.gao.gov/decisions/appro/302993.htm>
- Power Point Flow Chart from GAO (Exhibit 1) on whether government funds can be used to purchase light refreshments and/or light meals along with the accompanying service ware (that is, paper plates, napkins, plastic utensils, and cups.) <http://www.gao.gov/assets/600/590868.pdf>

GAO Flow Chart

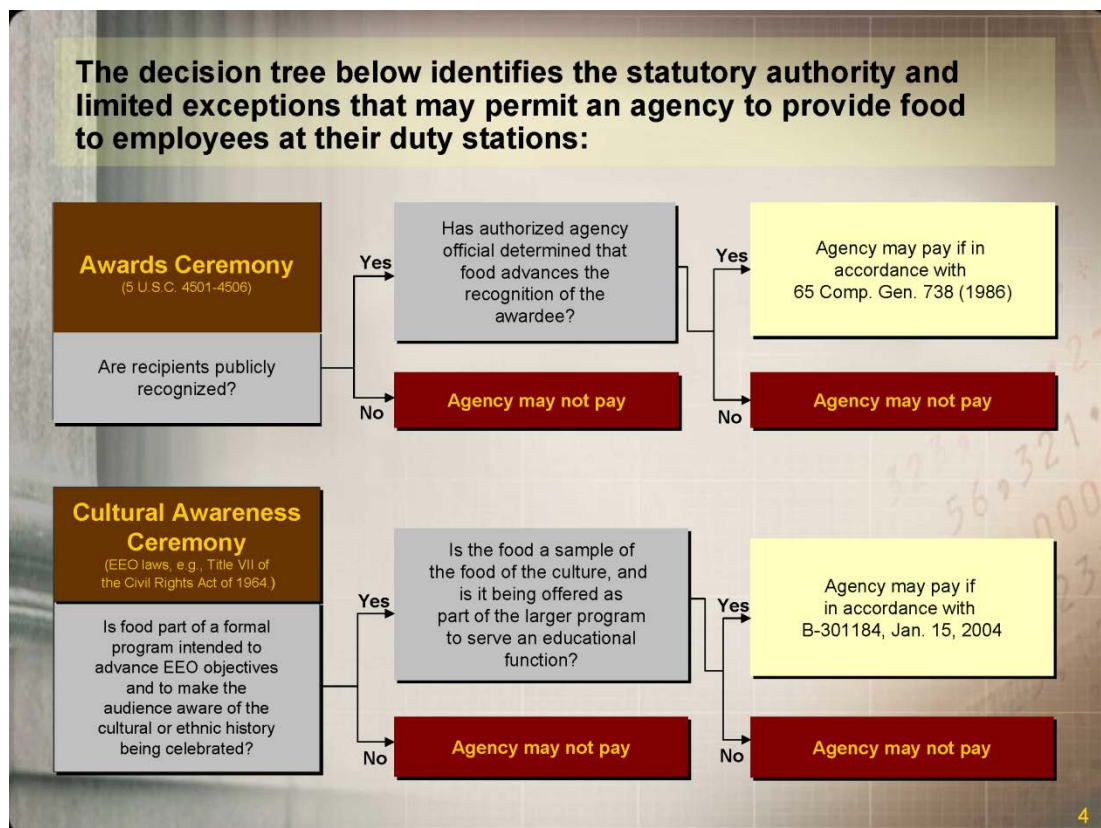
Following is the GAO Power Point flow chart on using government funds to purchase light refreshments or meals and service ware.



GAO Flow Chart (Continued)

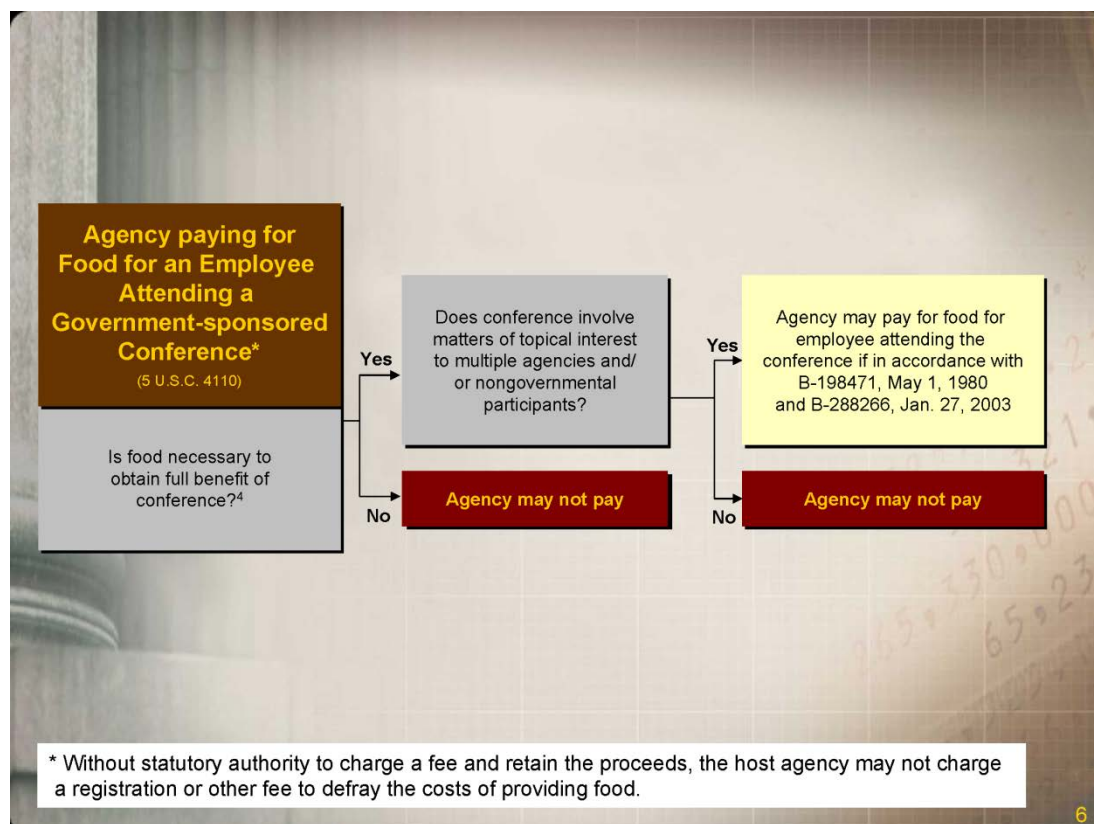
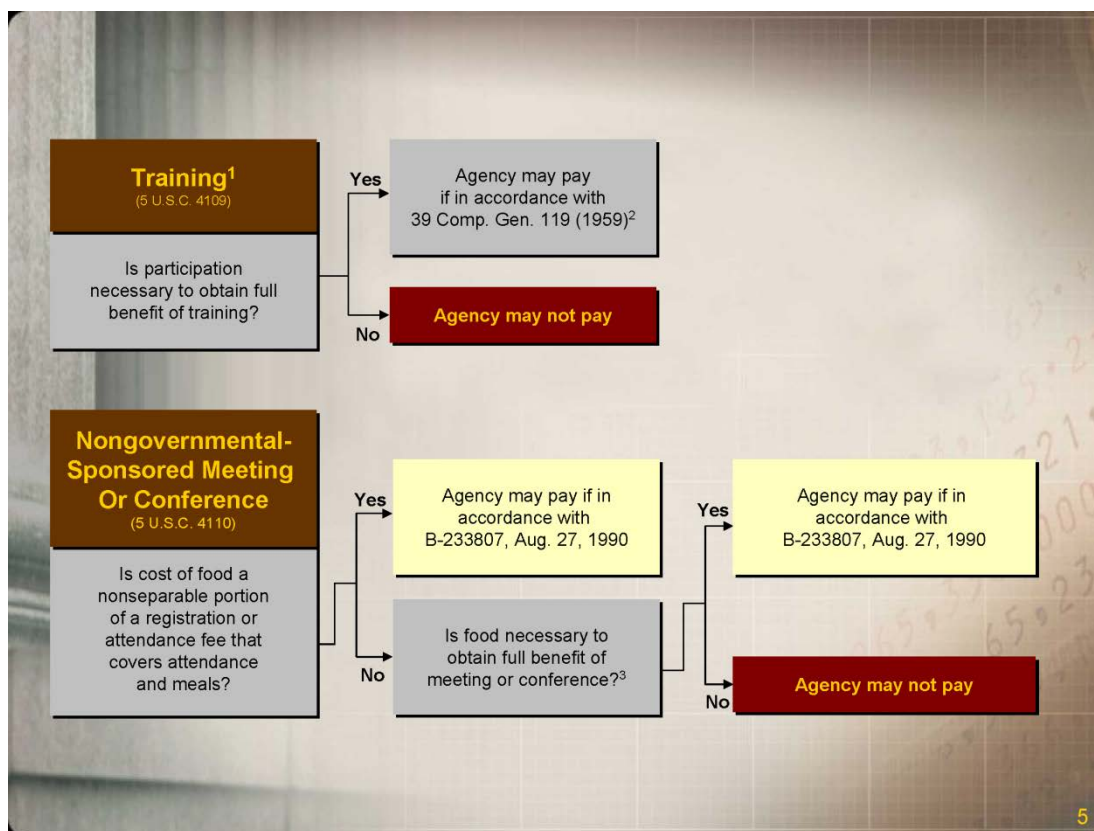
In general, an agency may not use appropriated funds to purchase items considered personal expenses, such as food, without specific authority.
B-301184, Jan. 15, 2004

3

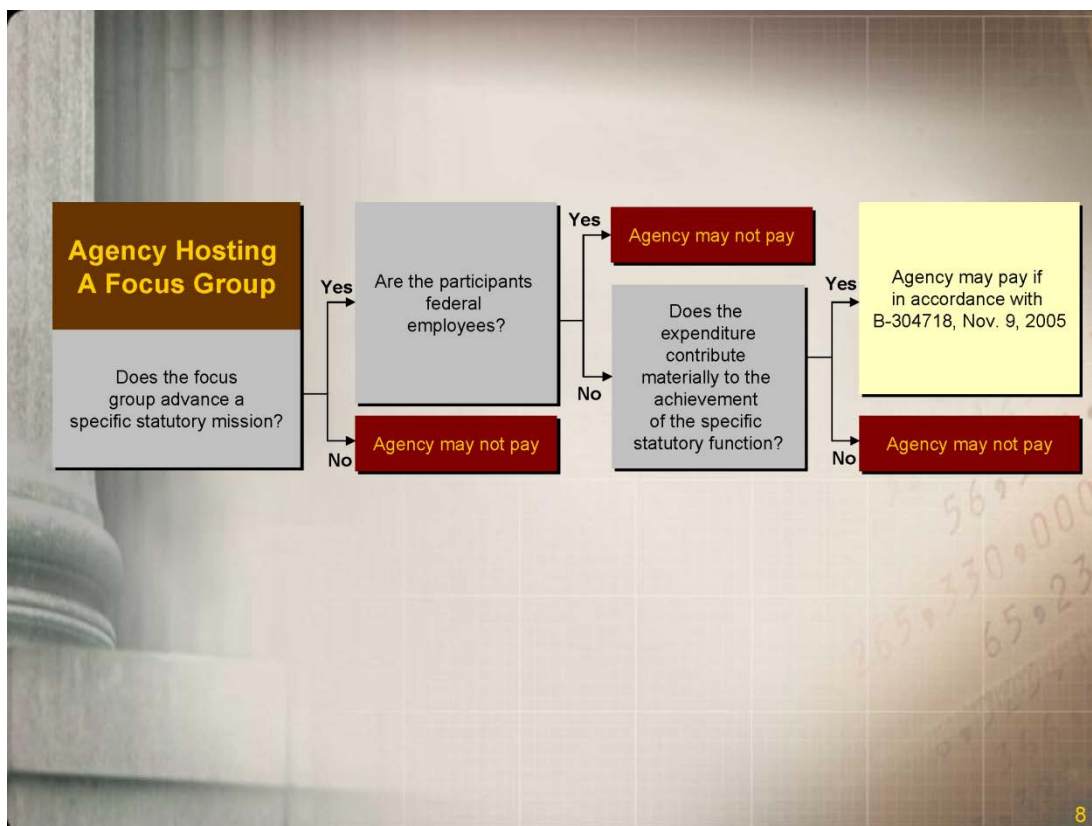
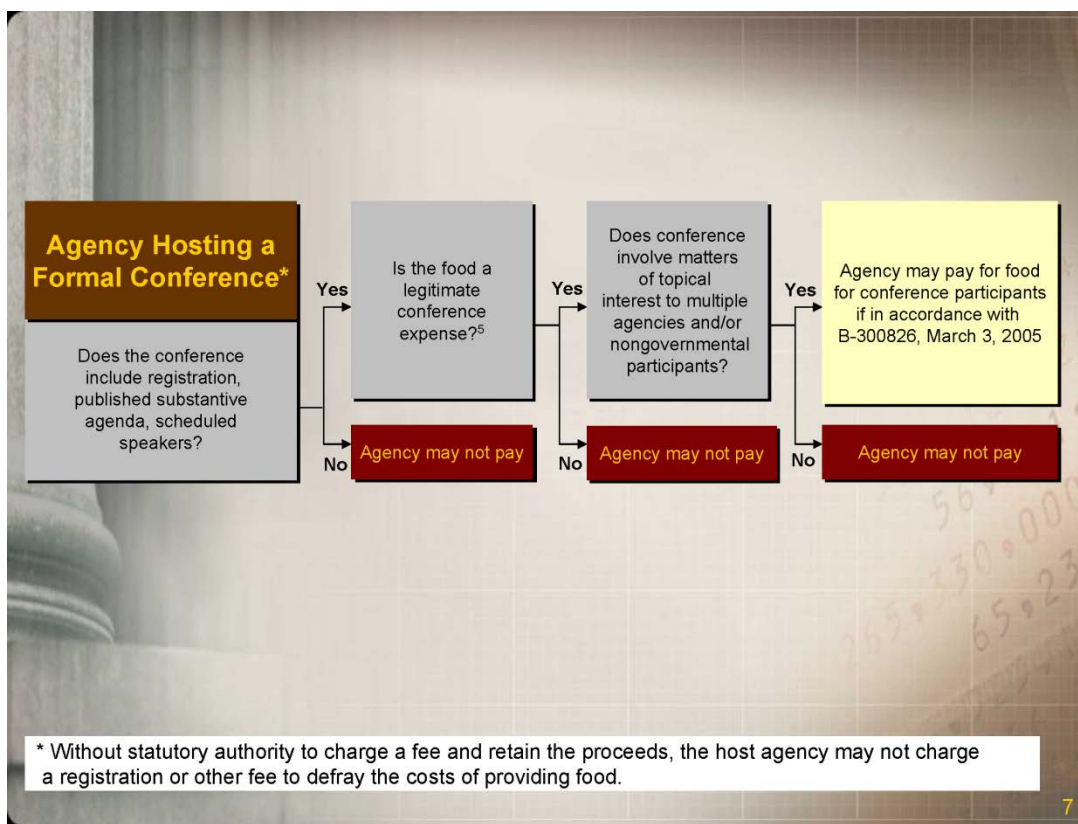


4

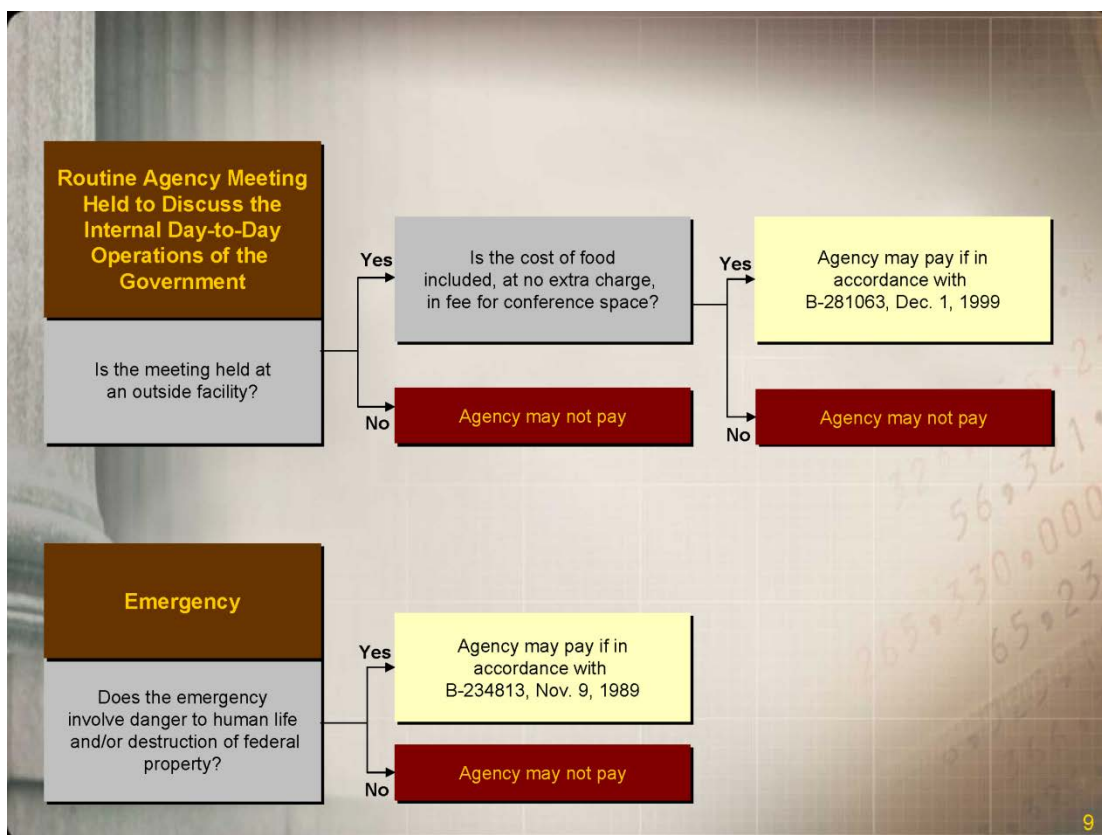
GAO Flow Chart (Continued)



GAO Flow Chart (Continued)



GAO Flow Chart (Continued)



9

Endnotes

1. All training must comply with the Government Employees Training Act definition of training in 5 U.S.C. 4101(4).
2. Food may be provided to non-federal personnel whose participation is essential to accomplish required simulation antiterrorism training and the food is necessary to ensure realism of exercise. B-317423, March 9, 2009.
3. Criteria used in determining if an agency may pay for food for an employee attending a nongovernmental meeting or conference:
 - Meals and refreshments are incidental to the meeting or conference,
 - Attendance at the meal or when refreshments are provided is important to ensure the employees' full participation in the meeting or conference, and
 - The meal and refreshments are part of a formal conference or meeting that includes not just the meal and refreshments and, discussions or speeches that may take place when the meal and refreshments are served, but also substantial functions separate from when the food is served.
4. Criteria used in determining if an agency may pay for food for an employee attending a government-sponsored meeting or conference:
 - Meals and refreshments are incidental to the meeting or conference,
 - Attendance at the meal or when refreshments are provided is important to ensure the employees' full participation in the meeting or conference, and
 - The meal and refreshments are part of a formal conference or meeting that includes not just the meal and refreshments and discussions or speeches that may take place when the meal and refreshments are served, but also substantial functions separate from when the food is served.
 - In addition, the meeting or conference may not be a routine meeting that involves the day-to-day operations of the government.
5. Criteria used in determining when an agency, as host, may pay for food at a formal conference:
 - Meals and refreshments are incidental to the formal conference,
 - Attendance at the meal or when refreshments are provided is important for the host agency to ensure attendees' full participation in essential discussions and speeches concerning the purpose of the formal conference, and
 - The meal and refreshments are part of a formal conference that includes not just the meal and refreshments and discussions or speeches that may take place when the meal and refreshments are served, but also substantial functions separate from when the food is served.

10