



Food and
Nutrition
Service

1320 Braddock Place
Alexandria, VA
22314-1649

To: Regional Directors
All Child Nutrition (CN) and Supplemental Nutrition and Safety Programs¹ (SNAS)
State Directors
CN and SNAS
All State Agencies

Subject: Revised Nondiscrimination Statement and “And Justice for All” Posters; Timelines and Guidance for Implementation

On May 5, 2022, the Food and Nutrition Service’s (FNS), Civil Rights Division, issued a memorandum on *Bostock v. Clayton County* and its application to USDA FNS Programs. The memorandum informed FNS program recipients that the prohibition of discrimination based on sex in Title IX and the Food and Nutrition Act includes gender identity and sexual orientation. The changes impact the USDA Nondiscrimination Statement (NDS) and the *And Justice for All* (AJFA) posters. Additional guidance is outlined below.

The revised USDA NDS includes updated language for all other FNS programs. New *And Justice for All* posters are in the design/printing phase and guidance on poster ordering is forthcoming. A timeline for distribution cannot be determined until printing commences.

Nondiscrimination Statement

All documents, pamphlets, websites, etc. should be updated with the 2022 NDS as follows:

1. Websites must be updated within 90 days of the date of this memorandum.
2. Documents, pamphlets, brochures, etc., using 2015 NDS language must be updated when current supply on hand is exhausted or by September 30, 2023.
3. All new printing must use the 2022 NDS.

And Justice for All Posters

Until the new posters are received, additional guidance is outlined below.

¹ All other FNS nutrition assistance programs (Child and Adult Care Food Program, Commodity Supplemental Food Program, Food Distribution Programs, National School Lunch Program, School Breakfast Program, Summer Food Service Program, Seniors Farmers' Market Nutrition Program, Special Milk Program, Special Supplemental Nutrition Program for Women, Infants, and Children (WIC), and WIC Farmers Market Nutrition Program). The Supplemental Nutrition Assistance Program and Food Distribution Program on Indian Reservations guidance is distributed in a separate memorandum.

1. State and local agencies may request the 2019 AJFA posters from their Regional Civil Rights Officer until their supply is exhausted. State agencies may distribute AJFA posters currently on hand to local agencies and subrecipients until new posters are received.
2. AJFA posters currently posted must not be removed until replaced with the new poster.
3. The 2019 AJFA poster(s) language should be updated on websites, training presentations and any pending printing of brochures, pamphlets and materials and replaced with the appropriate 2022 version.
4. State agencies must provide their poster order request using the attached Excel Spreadsheet to their Regional Civil Rights Officer by June 27, 2022. The request must include the number ordered, the poster number (AD-475A or AD-475B), contact person and telephone number, and where the posters will be delivered (street addresses only; no PO Box).

Posters will be ordered and shipped as quickly as possible. In the interim, please contact your Regional Civil Rights Officer (see regional contact list at: <https://www.fns.usdagov/fns-regional-offices>) if you have questions.

Please contact Crystal Tolar, Chief, Compliance Branch, at: Crystal.Tolar@usda.gov or your Regional Civil Rights Officer, if you have additional questions that are not addressed above or in the FAQs.

Roberto Contreras
Director
Civil Rights Division
Food and Nutrition Service

Attachments

- 1/ NDS All Other Nutrition Assistance Programs
- 2/ AJFA Poster Order Spreadsheet

cc: Associate Administrators
Deputy Administrators
Regional Administrators
Regional Civil Rights Officers