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United States  
Department of  
Agriculture

Food and  
Nutrition  
Service

3101 Park  
Center Drive

Alexandria, VA  
22302-1500

SUBJECT: Supplemental Nutrition Assistance Program (SNAP) – New Federal Trafficking Definition

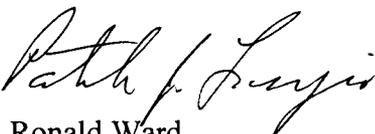
TO: All Regional Directors  
Supplemental Nutrition Assistance Program

In February, 2013, the Food and Nutrition Service (FNS) published final regulations revising the definition of trafficking. It subsequently came to our attention that some States were not clear that upon its effective date, Federal law takes precedence and States were expected to implement the new Federal trafficking definition.

On August 21, 2013, FNS published the SNAP Trafficking Controls and Fraud Investigations Final and Interim Final Rule to provide additional tools for State agencies in the ongoing effort to strengthen program integrity in SNAP. The final rule updates the existing trafficking definition to include the attempt to buy or sell SNAP benefits online and in public. States may pursue an Intentional Program Violation against individuals suspected of making such attempts. The change to the trafficking definition is effective November 21, 2013. It is the expectation of FNS that State agencies take action to update their State regulations to reflect these changes and implement them accordingly.

Further, this final rule amends SNAP regulations to allow State agencies to withhold a replacement card until contact is made with the State agency, if the request for replacement cards is determined to be excessive. The final rule changes the Electronic Benefit Transfer (EBT) card replacement timeframes to require State agencies to make replacement cards available for pick up or to place the card in the mail within two business days following notice by the household to the State agency that the card has been lost or stolen. The interim final rule will require State agencies to monitor card replacement requests and issue an Excessive Replacement Card Notice to clients who have requested four or more card replacements in a 12-month period

If you or your staff has any questions, please contact Debra Utting of the State Administration Branch by phone at (703) 305-2439, or email at [Debra.Utting@fns.usda.gov](mailto:Debra.Utting@fns.usda.gov).

  
for Ronald Ward  
Director

Program Accountability and Administration Division