

# Notices

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This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

## DEPARTMENT OF AGRICULTURE

### Food and Nutrition Service

#### Agency Information Collection Activities: Proposed Collection; Comment Request—Child Nutrition Labeling Program

**AGENCY:** Food and Nutrition Service, USDA.

**ACTION:** Notice.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, this notice invites the general public and other public agencies to comment on the proposed information collection. The proposed collection is a revision of a currently approved collection.

The purpose of the Child Nutrition Labeling Program is to aid schools and institutions participating in Child Nutrition Programs in determining the contribution a commercial product makes toward the food-based meal pattern requirements of these programs.

**DATES:** Comments on this notice must be received by *June 9, 2008* to be assured of consideration.

**ADDRESSES:** Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility; (b) the accuracy of the Agency's

estimate of the burden of the proposed collection of information including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on those who are to respond, including use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology. Comments may be sent to: Tim Vazquez, Acting Team Leader, Technical Assistance Section, Nutrition Promotion and Training Branch, Child Nutrition Division, Room 632, Food and Nutrition Service, United States Department of Agriculture, 3101 Park Center Drive, Alexandria, VA 22302.

All responses to this notice will be summarized and included in the request for OMB approval. All comments will also be a matter of public record.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the information collection instrument and instructions should be directed to Tim Vazquez at (703) 305-2609.

**SUPPLEMENTARY INFORMATION:**

*Title:* Child Nutrition Labeling Program.

*OMB Number:* 0584-0320.

*Expiration Date:* July 31, 2008.

*Type of Request:* Revision of currently approved collection.

*Abstract:* The Child Nutrition (CN) Labeling Program is a voluntary technical assistance program to aid schools and institutions participating in the National School Lunch Program (NSLP), School Breakfast Program (SBP), Child and Adult Care Food Program (CACFP), and Summer Food Service Program (SFSP) in determining

the contribution a commercial product makes toward the food-based meal pattern requirements of these programs. (See Appendix C to 7 CFR Parts 210, 220, 225 and 226 for more information on this program). There is no Federal requirement that commercial products must have a CN label statement.

To participate in the Child Nutrition Labeling Program, a manufacturer submits product labels and formulations to the Food and Nutrition Service (FNS) that are in conformance with the Food Safety and Inspection Service (FSIS) label approval program for meat and poultry, or United States Department of Commerce (USDC) label approval program for seafood products. FNS reviews a manufacturer's product formulation to determine the contribution a serving of the product makes toward the food-based meal pattern requirements. The application form submitted to FNS is the same application form that companies submit to FSIS or USDC to receive label approval. A CN label application is also reviewed by FNS for accuracy. Participation in the CN Labeling Program is voluntary: only manufacturers who wish to place CN labels on their products must comply with CN Labeling Program requirements.

*Affected Public:* Businesses.

*Type of Respondents:* Manufacturers of food produced for school food service. The annual reporting burden:

*Estimated Number of Respondents:* 269;

*Estimated Number of Responses per Respondent:* 7.8;

*Estimated Total Annual Responses:* 2,098;

*Estimated Time per Response:* 0.75;

*Estimated Total Annual Burden:* 1,574.

### ESTIMATE OF BURDEN

Summary of burden for this collection	Number of respondents	Est. annual responses per respondent	Est. total annual responses	Est. hours per response	Est. total annual burden for this ICR
.....	269	7.8	2098.2	0.75	1573.65

Dated: March 25, 2008.  
**Roberto Salazar,**  
*Administrator, Food and Nutrition Service.*  
 [FR Doc. E8-7239 Filed 4-7-08; 8:45 am]  
**BILLING CODE 3410-30-P**

**DEPARTMENT OF AGRICULTURE**

**Food and Nutrition Service**

**Special Supplemental Nutrition Program for Women, Infants and Children (WIC): Income Eligibility Guidelines**

**AGENCY:** Food and Nutrition Service, USDA.

**ACTION:** Notice.

**SUMMARY:** The Department announces adjusted income eligibility guidelines to be used by State agencies in determining the income eligibility of persons applying to participate in the Special Supplemental Nutrition Program for Women, Infants and Children Program (WIC). These income eligibility guidelines are to be used in conjunction with the WIC Regulations.

**DATES:** July 1, 2008.

**FOR FURTHER INFORMATION CONTACT:** Debra Whitford, Branch Chief, Policy and Program Development Branch, Supplemental Food Programs Division, FNS, USDA, 3101 Park Center Drive, Alexandria, Virginia 22302, (703) 305-2746.

**SUPPLEMENTARY INFORMATION:**

**Executive Order 12866**

This notice is exempt from review by the Office of Management and Budget under Executive Order 12866.

**Regulatory Flexibility Act**

This action is not a rule as defined by the Regulatory Flexibility Act (5 U.S.C. 601-612) and thus is exempt from the provisions of this Act.

**Paperwork Reduction Act of 1995**

This notice does not contain reporting or recordkeeping requirements subject to approval by the Office of

Management and Budget in accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3507).

**Executive Order 12372**

This program is listed in the Catalog of Federal Domestic Assistance Programs under No. 10.557, and is subject to the provisions of Executive Order 12372, which requires intergovernmental consultation with State and local officials (7 CFR Part 3015, Subpart V, 48 FR 29114, June 24, 1983, and 49 FR 22676, May 31, 1984).

**Description**

Section 17(d)(2)(A) of the Child Nutrition Act of 1966 (42 U.S.C. 1786 (d)(2)(A)) requires the Secretary of Agriculture to establish income criteria to be used with nutritional risk criteria in determining a person's eligibility for participation in the WIC Program. The law provides that persons will be income eligible for the WIC Program only if they are members of families that satisfy the income standard prescribed for reduced-price school meals under section 9(b) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758(b)). Under section 9(b), the income limit for reduced-price school meals is 185 percent of the Federal poverty guidelines, as adjusted.

Section 9(b) also requires that these guidelines be revised annually to reflect changes in the Consumer Price Index. The annual revision for 2008 was published by the Department of Health and Human Services (HHS) at 73 FR 3971, January 23, 2008. The guidelines published by HHS are referred to as the poverty guidelines.

Section 246.7(d)(1) of the WIC regulations (Title 7, Code of Federal Regulations) specifies that State agencies may prescribe income guidelines either equaling the income guidelines established under section 9 of the Richard B. Russell National School Lunch Act for reduced-price school meals or identical to State or local guidelines for free or reduced-price health care. However, in

conforming WIC income guidelines to State or local health care guidelines, the State cannot establish WIC guidelines which exceed the guidelines for reduced-price school meals, or which are less than 100 percent of the Federal poverty guidelines. Consistent with the method used to compute income eligibility guidelines for reduced-price meals under the National School Lunch Program, the poverty guidelines were multiplied by 1.85 and the results rounded upward to the next whole dollar.

At this time the Department is publishing the maximum and minimum WIC income eligibility guidelines by household size for the period July 1, 2008, through June 30, 2009. Consistent with section 17(f)(17) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(f)(17)), a State agency may implement the revised WIC income eligibility guidelines concurrently with the implementation of income eligibility guidelines under the Medicaid program established under Title XIX of the Social Security Act (42 U.S.C. 1396, et seq.). State agencies may coordinate implementation with the revised Medicaid guidelines, but in no case may implementation take place later than July 1, 2008.

State agencies that do not coordinate implementation with the revised Medicaid guidelines must implement the WIC income eligibility guidelines on July 1, 2008. The first table of this notice contains the income limits by household size for the 48 contiguous States, the District of Columbia and all Territories, including Guam. Because the poverty guidelines for Alaska and Hawaii are higher than for the 48 contiguous States, separate tables for Alaska and Hawaii have been included for the convenience of the State agencies.

**Authority:** 42 U.S.C. 1786.

Dated: April 1, 2008.

**Roberto Salazar,**  
*Administrator.*

**INCOME ELIGIBILITY GUIDELINES**  
 [Effective from July 1, 2008 to June 30, 2009]

Household size	Federal poverty guidelines—100%					Reduced price meals—185%				
	Annual	Monthly	Twice-monthly	Bi-weekly	Weekly	Annual	Monthly	Twice-monthly	Bi-weekly	Weekly
<b>48 Contiguous States, DC, Guam and Territories</b>										
1 .....	\$10,400	\$867	\$434	\$400	\$200	\$19,240	\$1,604	\$802	\$740	\$370
2 .....	14,000	1,167	584	539	270	25,900	2,159	1,080	997	499
3 .....	17,600	1,467	734	677	339	32,560	2,714	1,357	1,253	627
4 .....	21,200	1,767	884	816	408	39,220	3,269	1,635	1,509	755
5 .....	24,800	2,067	1,034	954	477	45,880	3,824	1,912	1,765	883