

program, written procedures addressing: (1) The prevention throughout the entire slaughter and dressing operation of contamination of carcasses and parts by enteric pathogens (*e.g.*, *Salmonella* and *Campylobacter*) and by fecal material, including microbial test results; and (2) the prevention of carcasses and parts contaminated by visible fecal material from entering the chiller.

Each establishment operating under the New Poultry Inspection System (NPIS) is required to collect and maintain additional information concerning poultry slaughter. As part of the HACCP system, establishments operating under NPIS maintain written procedures to prevent carcasses afflicted with septicemia and toxemia from entering the chiller, as well as records that document that the products resulting from slaughter operations meet the definition of ready-to-cook poultry.

Additionally, each establishment operating under the NPIS also needs to submit on an annual basis an attestation to the management member of the local FSIS circuit safety committee stating that it maintains a program to monitor and document any work-related conditions of establishment workers.

FSIS has made the following estimates based upon an information collection assessment:

Estimate of Burden: FSIS estimates that it will take respondents an average of .125 hours to record results and maintain necessary documentation.

Respondents: Official poultry establishments.

Estimated No. of Respondents: 289.

Estimated No. of Annual Responses per Respondent: 5,291.3.

Estimated Total Annual Burden on Respondents: 19,204 hours.

Copies of this information collection assessment can be obtained from Gina Kouba, Office of Policy and Program Development, Food Safety and Inspection Service, USDA, 1400 Independence Avenue SW, Room 6065, South Building, Washington, DC 20250-3700; (202) 720-5627.

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of FSIS's functions, including whether the information will have practical utility; (b) the accuracy of FSIS's estimate of the burden of the proposed collection of information, including the validity of the method 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, including through the use of appropriate automated, electronic, mechanical, or other technological

collection techniques, or other forms of information technology. Comments may be sent to both FSIS, at the addresses provided above, and the Desk Officer for Agriculture, Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), Washington, DC 20253.

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

Additional Public Notification

Public awareness of all segments of rulemaking and policy development is important. Consequently, FSIS will announce this **Federal Register** publication on-line through the FSIS web page located at: <http://www.fsis.usda.gov/federal-register>.

FSIS will also announce and provide a link to this **Federal Register** publication through the FSIS *Constituent Update*, which is used to provide information regarding FSIS policies, procedures, regulations, **Federal Register** notices, FSIS public meetings, and other types of information that could affect or would be of interest to our constituents and stakeholders. The *Constituent Update* is available on the FSIS web page. Through the web page, FSIS can provide information to a much broader, more diverse audience. In addition, FSIS offers an email subscription service which provides automatic and customized access to selected food safety news and information. This service is available at: <http://www.fsis.usda.gov/subscribe>. Options range from recalls to export information, regulations, directives, and notices. Customers can add or delete subscriptions themselves and have the option to password protect their accounts.

USDA Non-Discrimination Statement

No agency, officer, or employee of the USDA shall, on the grounds of race, color, national origin, religion, sex, gender identity, sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, or political beliefs, exclude from participation in, deny the benefits of, or subject to discrimination any person in the United States under any program or activity conducted by the USDA.

How To File a Complaint of Discrimination

To file a complaint of discrimination, complete the USDA Program Discrimination Complaint Form, which may be accessed online at <http://www.ocio.usda.gov/sites/default/files/>

[docs/2012/Complain_combined_6_8_12.pdf](#), or write a letter signed by you or your authorized representative.

Send your completed complaint form or letter to USDA by mail, fax, or email:

Mail: U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue SW, Washington, DC 20250-9410.

Fax: (202) 690-7442.

Email: program.intake@usda.gov.

Persons with disabilities who require alternative means for communication (Braille, large print, audiotape, etc.), should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD).

Paul Kiecker,

Administrator.

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DEPARTMENT OF AGRICULTURE

Food and Nutrition Service

Request for Information: WIC National Universal Product Code Database Next Steps

AGENCY: Food and Nutrition Service (FNS), USDA.

ACTION: Notice; Reopening of Comment Period.

SUMMARY: The U.S. Department of Agriculture (USDA), Food and Nutrition Service (FNS), Special Supplemental Nutrition Program for Women, Infants and Children (WIC Program or WIC) is issuing this Request for Information to obtain input from WIC State agencies, authorized vendors, food manufacturers, technology partners, and other interested stakeholders regarding the direction of the National Universal Product Code (NUPC) database. The NUPC database can be used by WIC State agencies delivering benefits via Electronic Benefit Transfer (EBT) to develop, update and maintain their Authorized Product Lists (APLs). FNS is specifically interested in obtaining stakeholder perspectives on the role of the NUPC database to the program community, and different options for operating, maintaining, and/or enhancing the database. FNS welcomes comments from all interested stakeholders.

As a background, on January 30, 2020, FNS issued the initial Request for Information, beginning a 60-day public comment period. Public involvement opportunities including public meetings, are now being modified based on considerations for employee and public health and safety. We recognize that there is a need to reopen the

comment period to accommodate meaningful public involvement. FNS is reopening the comment period to provide additional time for interested parties to review this Request for Information.

DATES: The comment period for the Request for Information that was published on January 30, 2020 (82 FR 5368) ended March 30, 2020. To be assured of consideration, comments must be received on or before May 18, 2020.

ADDRESSES: Comments are accepted through the Federal eRulemaking Portal. Go to <http://www.regulations.gov>, and follow the online instructions for submitting comments electronically. Comments may also be submitted via email to Dana.Rasmussen@USDA.gov. Please enter "NUPC Database Public Comment" in the subject line to the email.

FOR FURTHER INFORMATION CONTACT: Dana Rasmussen, Senior Technical Advisor, Supplemental Food Programs Division, at (703) 305-1628.

SUPPLEMENTARY INFORMATION: The WIC Program, authorized under the Child Nutrition Act of 1966, as amended (P.L. 89-642), provides low-income pregnant, breastfeeding, and postpartum women, infants, and children up to age five with nutritious supplemental foods, nutrition education, including breastfeeding promotion and support, and referrals to health and social services. The program is administered by USDA FNS. FNS provides grant funds which are used by WIC State agencies to operate the WIC Program and distribute benefits through local WIC clinics. The program operates throughout the 50 States, the District of Columbia, Guam, Puerto Rico, American Samoa, the Commonwealth of the Northern Mariana Islands, the U.S. Virgin Islands, and through 33 Indian Tribal Organizations.

The Healthy, Hunger-Free Kids Act of 2010 (HHFKA, P.L. 111-296) requires all WIC State agencies to implement EBT systems by October 1, 2020, or seek an exemption. To implement EBT, some State agencies must update their management information systems to issue benefits via EBT and must ensure the necessary EBT infrastructure is in place for clinics and vendors. To date, over half of all WIC State agencies have implemented EBT statewide, with the remaining State agencies engaged in the EBT planning and implementation processes pursuant to the statutory mandate.

Section 352(e) of the HHFKA directed the Secretary of Agriculture to establish an NUPC database for use by all WIC

State agencies in implementing EBT. HHFKA provides \$1 million each fiscal year, to remain available until expended, for NUPC database development, hosting, hardware and software configuration, and database support. Program regulations at 7 CFR 246.12(cc) require WIC State agencies with EBT to use the NUPC database. The NUPC database is intended to be used by WIC State agencies with EBT as a tool to help create and manage their APLs. Only State agencies have access to the NUPC database. The database provides a source of information about WIC-authorized foods which other State agencies may use in creating their APLs.

Each WIC State agency is responsible for developing a list of food items available for WIC participants for purchase consistent with Program requirements defined in 7 CFR 246.10. WIC State agencies determine the types, brands, and physical forms of WIC-eligible foods. State agencies may also consider State-specific nutrition criteria (*e.g.*, only low sodium canned vegetables), packaging methods (*e.g.*, pouch, can, jar) and packaging sizes (*e.g.*, single container, multi-pack case).

For WIC State agencies using EBT, the State agency-approved foods are set forth on an electronic APL, which lists the WIC food item, food category, size, Universal Product Code (UPC), and other technical details. The APL is unique to each State agency. There is no Federal or national APL.

WIC State agencies update their APLs on a regular basis. Consistent with 7 CFR 246.12 and per WIC EBT operating rules, WIC-authorized vendors are required to retrieve a State agency's APL and apply it to their cash register systems at least every 48 hours, but most do so on a nightly basis.

WIC State agencies send a copy of their individual APLs to the NUPC database. After passing a screening and once additional nutritional product information is gathered, the individual products on the State agency's APL are added to the NUPC database. A State agency's raw APL file is not available for download via the NUPC database.

The NUPC database currently includes but is not limited to the following information by food item from WIC EBT State agencies, as applicable: UPC or Price Lookup Code (PLU), the latter for fresh fruits and vegetables; product category (*e.g.*, Bread/Whole Grains) and subcategory (*e.g.*, 100% Whole Wheat); nutrition information and ingredients; package images including product labels; the manufacturer name; manufacturer data sheets when needed; and the State agency authorizing the product. An

optional free form comments field is available to State agencies. For fresh fruits and vegetables, a State agency may submit PLUs or UPCs. Appendix A lists current NUPC database elements.

WIC State agencies may optionally choose to submit pricing data into the NUPC database, but this data is for individual State agency use only. Most State agencies do not enter pricing data, due to the significant effort required to enter and maintain it given pricing fluctuations, coupled with the limited benefit of use. Most prices are sensitive to local market conditions.

A WIC State agency can use the NUPC database to obtain product information helpful in developing or modifying its APL. The NUPC database reduces the need to separately gather this same information from manufacturers, food retailers, food distributors or industry food databases.

NUPC does *not*: (1) represent a complete/combined listing of all State-specific APLs, but rather contains individual APL-related data submitted by WIC EBT States (and supplemented with other nutrition-related information); (2) set forth a Federal or national WIC APL; or (3) include up-to-date pricing information.

The original intent of the NUPC database was to support statewide implementation of EBT. As more WIC State agencies achieve statewide EBT, FNS seeks input regarding the use of the NUPC database by the program community and different options for operating, maintaining, and/or enhancing the database. FNS poses the questions below to prompt stakeholder responses.

USDA FNS is seeking information from stakeholders on the following questions:

1. For WIC State agency input only, is the current NUPC database useful in its current form in creating and managing APLs and implementing EBT? Please explain.

2. Within HHFKA statutory requirements, should USDA FNS re-envision its approach to the NUPC database to the benefit of program stakeholders? Please explain.

3. Given currently available NUPC database information, what are the advantages and disadvantages of providing NUPC database access to, or sharing WIC State agency NUPC-related information with, other entities such as food manufacturers and/or WIC authorized vendors?

4. Although current statute requires USDA to operate an NUPC database for use by WIC EBT States, do WIC State agencies prefer to create and manage

their APLs without the use of the Federal NUPC database? Please explain.

FNS appreciates your thoughtful and responsive replies to all questions. Your feedback is essential to help FNS ensure administration of the WIC Program is effective and efficient as possible. Together, we can strive to improve operations and outcomes to best serve participants, stakeholders, and American taxpayers.

Pamilyn Miller,
Administrator, Food and Nutrition Service.

Appendix A:

Current NUPC Database Elements

1. National UPC Database Core Fields

The Core Fields contain information that is set on the National level and cannot be edited at the WIC State Agency level. Only FNS staff or the FNS contractor may edit these fields.

National Core Fields

UPC/PLU Number
Manufacturer Code
Manufacturer Name
[Food] Category
[Food] Subcategory
Default Filtered
Comments

2. WIC State Agency Fields, including Editable Fields

These fields are generally specific to each WIC State Agency and can only be edited by that State agency. Some of these fields (Product Size through Benefit Unit Description Type) may be adopted from a national entry or an entry by another State agency and then edited to reflect current State-specific authorized foods. These fields generally do not have any national attributes—they are specific to each State agency. The only State agency field that cannot be edited by the WIC State agency is the Product Unit of Measure (UOM). Most fields, *e.g.*, price, are optional.

WIC State Agency Fields

Product Size
Product UOM *
Product Name
Benefit Unit Description Type
Short Product Name
Benefit Unit Description
Container Size
Container Type
Price
Price Type
Broadband Flag
Agency Effective Date
Agency End Date
Package Size
Rebate Flag
Manual Voucher Indicator
Filter for State Agency Search
* Cannot be edited by State agency

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DEPARTMENT OF AGRICULTURE

Forest Service

Newspapers Used for Publication of Legal Notices by the Rocky Mountain Region, Which Includes Colorado, Kansas, Nebraska, and Parts of South Dakota and Wyoming

AGENCY: Forest Service, USDA.

ACTION: Notice.

SUMMARY: This notice lists the newspapers that will be used by the Ranger Districts, Forests, and Regional Office of the Rocky Mountain Region to publish legal notices. The intended effect of this action is to inform interested members of the public which newspapers the Forest Service will use to publish notices of proposed actions and notices of decision. This will provide the public with constructive notice of Forest Service proposals and decisions, provide information on the procedures to comment, object or appeal, and establish the date that the Forest Service will use to determine if comments or appeals/objections were timely.

DATES: Publication of legal notices in the listed newspapers will begin on the date of this publication and continue until further notice.

FOR FURTHER INFORMATION CONTACT: Lucy Maldonado, Regional Administrative Review Coordinator (Acting), Rocky Mountain Region, 1617 Cole Blvd., Bldg. 17, Lakewood, CO 80401; or by phone at (303) 275-5188 or email at lucy.g.maldonado@usda.gov.

SUPPLEMENTARY INFORMATION: The administrative procedures at 36 CFR 214, 218, and 219 require the Forest Service to publish notices in a newspaper of general circulation. The content of the notices is specified in 36 CFR 214, 218, and 219. In general, the notices will identify: The decision or project, by title or subject matter; the name and title of the official making the decision; how to obtain additional information; and where and how to file comments or appeals/objections. The date the notice is published will be used to establish the official date for the beginning of the comment or appeal/objection period. The newspapers to be used are as follows:

Regional Forester, Rocky Mountain Region

Regional Forester decisions affecting National Forests in Colorado, Kansas, Nebraska and those portions of South Dakota and Wyoming within the Rocky Mountain Region: *The Denver Post*

Arapaho and Roosevelt National Forests and Pawnee National Grassland

Forest Supervisor decisions: *Coloradoan*
Canyon Lakes District Ranger decisions: *Coloradoan*
Pawnee District Ranger decisions: *Greeley Tribune*
Boulder District Ranger decisions: *Daily Camera*
Clear Creek District Ranger decisions: *Clear Creek Courant*
Sulphur District Ranger decisions: *Middle Park Times*

Bighorn National Forest

Forest Supervisor and District Ranger decisions: *Casper Star-Tribune*

Black Hills National Forest

Forest Supervisor and District Ranger decisions: *The Rapid City Journal*

Grand Mesa, Uncompahgre, and Gunnison National Forests

Forest Supervisor decisions: *Grand Junction Daily Sentinel*
Grand Valley District Ranger decisions: *Grand Junction Daily Sentinel*
Paonia District Ranger decisions: *Delta County Independent*
Gunnison District Ranger decisions: *Gunnison Country Times*
Norwood District Ranger decisions: *Telluride Daily Planet*
Ouray District Ranger decisions: *Montrose Daily Press*

Medicine Bow-Routt National Forests and Thunder Basin National Grassland

Forest Supervisor decisions: *Laramie Daily Boomerang*
Laramie District Ranger decisions: *Laramie Daily Boomerang*
Douglas District Ranger decisions: *Casper Star-Tribune*
Brush Creek—Hayden District Ranger decisions: *Rawlins Daily-Times*
District Ranger decisions for Hahns Peak-Bears Ears and Yampa: *Steamboat Pilot*
Parks District Ranger decisions: *Jackson County Star*

Nebraska National Forest, Nebraska and South Dakota

Forest Supervisor decisions: *The Rapid City Journal*
Bessey District/Charles E. Bessey Tree Nursery District Ranger decisions: *The North Platte Telegraph*
Pine Ridge District Ranger decisions: *The Rapid City Journal*
District Ranger decisions for Samuel R. McKelvie National Forest: *The North Platte Telegraph*
District Ranger decisions for Fall River and Wall Districts, Buffalo Gap National Grassland: *The Rapid City Journal*