

year period might be greater since FDA's estimates apply to the U.S. adult population and the proposed rule on school meals will begin to have effect with those children in school at the time of implementation. Since the food-based menu planning option requires that RDA and Dietary Guideline-based calorie and nutrient levels be provided, the health benefits should be the same as those of NSMP and Assisted-NSMP.

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DEPARTMENT OF AGRICULTURE

Food and Consumer Service

7 CFR Parts 210 and 220

National School Lunch Program and School Breakfast Program; Notice of Public Meeting

AGENCY: Food and Consumer Service, USDA.

ACTION: Notice of public meeting.

SUMMARY: The Healthy Meals for Healthy Americans Act of 1994 amended the National School Lunch Act to require that meals served through the National School Lunch and School Breakfast Programs comply with the *Dietary Guidelines for Americans*

beginning no later than the commencement of the 1996-97 school year. Compliance with the Dietary Guidelines is to be achieved through a variety of meal planning approaches including "food-based menu systems." The food-based menu planning concept is published elsewhere in today's Federal Register. Further, the Act requires that the Department conduct a public meeting to discuss the proposed food-based menu systems. This Notice announces the meeting.

DATES: The meeting is scheduled for Friday, February 17, 1995, from 8:30 a.m. to 1:00 p.m. Persons who cannot attend the meeting may submit written comments on the proposed regulation. To be assured of consideration, comments must be postmarked on or before March 13, 1995, and comments transmitted via E-mail must be sent no later than 5 p.m. Eastern Standard Time on that same date.

ADDRESSES: The meeting will be held in the Williamsburg Room, Room #104A, Administration Building, USDA, 12th and Jefferson Drive, SW., Washington, DC 20250. Written comments should be sent to: Mr. Robert M. Eadie, Chief, Policy and Program Development Branch, Child Nutrition Division, Food and Consumer Service (FCS), USDA, 3101 Park Center Drive, Alexandria, Virginia, 22302. Comments may be sent via E-mail to: healthykids@esusa.gov. If comments are sent electronically, commenters should designate "receipt requested" to be notified by E-mail that the message has been received by USDA. Written submissions, the meeting transcript, and comment letters may be reviewed by the public in Room 1007 in the Alexandria office of FCS listed above during regular business hours of 8:30 a.m. to 5 p.m., Monday through Friday.

FOR FURTHER INFORMATION CONTACT: William Wasserman, Food and Consumer Service, USDA, 3101 Park Center Drive, Alexandria, Virginia 22302; (703) 305-2281.

SUPPLEMENTARY INFORMATION: 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 that Act. In accordance with the Paperwork Reduction Act of 1980 (44 U.S.C. 3507), no new recordkeeping or reporting requirements have been included that are subject to approval from the Office of Management and Budget.

The National School Lunch and School Breakfast programs are listed in the Catalog of Federal Domestic Assistance under No. 10.553 and No. 10.555, respectively, and are subject to

the provisions of Executive Order 12372, which requires intergovernmental consultation with State and local officials. (See 7 CFR part 3015, subpart V, and the final rule related notice published at 48 FR 29112, June 24, 1983.)

Background

Section 112(c) of Public Law (Pub. L.) 103-448, the Healthy Meals for Healthy Americans Act of 1994, enacted on November 2, 1994, amended section 9 of the National School Lunch Act (NSLA), 42 U.S.C. 1758(f), to require that the Department develop "food-based" systems for school food authorities to use in planning and preparing meals served under the National School Lunch Program (NSLP) and School Breakfast Program (SBP). Section 106(b) of Pub. L. 103-448 also amended section 9 of the NSLA, 42 U.S.C. § 1758(f)(2)(A), to require that school meals meet the Dietary Guidelines for Americans by July 1, 1996, unless the State agency permits later implementation.

Section 112(c)(2) of Pub. L. 103-448 (42 U.S.C. § 1760(k)(2)) also requires that the Department hold a public meeting to "discuss and obtain public comments on the proposed rule" not later than 45 days after the publication of the proposed regulation. The legislation states that the meeting shall be held with, among others, representatives of affected parties, such as program administrators, school food service personnel, parents, and teachers. Further, the legislation mentions inclusion of organizations, such as public interest antihunger organizations, health and consumer groups, food manufacturers and vendors, and nutritionists.

In addition to this Notice, the Department is issuing invitations to organizations and individuals who may have an interest in this proposal. Among those specifically invited are the American School Food Service Association, National PTA, Public Voice for Food and Health Policy, American Heart Association, American Dietetic Association, Center for Science in the Public Interest, the American Academy of Pediatrics, and the National Education Association, as well as organizations representing major food manufacturers or vendors that sell food products to the school meal programs. In addition to hearing comments from invitees, one hour will be reserved at the close of the meeting for observers who, on a first-come, first-serve basis and subject to time limits, wish to present their comments. Written material will also be accepted from

participants and observers who want to provide additional information.

An official transcript plus any additional material submitted through

this public meeting will be considered in development of the final regulations on nutrition standards and menu planning approaches.

Dated: January 18, 1995.

William Ludwig,

Administrator, Food and Consumer Service.

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