

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

Agricultural Marketing Service

[S&T-98-001]

Presiding Officer Designated for Administrative Cases Involving Violations of the Pesticide Recordkeeping Requirements of the Food, Agriculture, Conservation and Trade Act of 1990

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Notice of designation.

SUMMARY: The Administrator of the Agricultural Marketing Service has designated the administrative law judges of the Office of the Administrative Law Judges, USDA, as the Presiding Officer for administrative civil penalty cases involving certified applicators of restricted use pesticides who violate the recordkeeping requirements of the Food, Agriculture, Conservation and Trade Act of 1990.

EFFECTIVE DATE: November 23, 1998.

FOR FURTHER INFORMATION CONTACT: Bonnie Poli, Chief, Pesticide Records Branch, AMS, USDA, 8700 Centreville Road, Suite 202, Manassas, VA 20110, Telephone (703) 330-7826.

SUPPLEMENTARY INFORMATION:

Background

The Secretary of Agriculture is authorized by Section 1491 of the Food, Agriculture, Conservation and Trade Act of 1990 (FACT Act) to require certified applicators of restricted use pesticides (RUPs) to maintain records of all RUP applications. The FACT Act also authorizes the Secretary to promulgate regulations implementing the recordkeeping requirements and to enforce those requirements by the imposition of civil penalties for violations. A violator's first offense is subject to a civil penalty of up to \$550

and each subsequent offense is subject to a penalty of not less than \$1,100.

The Agricultural Marketing Service (AMS) promulgated regulations implementing the recordkeeping requirements on April 9, 1993 (7 CFR part 110). The regulations include rules of practice for administrative civil penalty proceedings (7 CFR part 110.8), which provide that AMS may initiate an administrative civil penalty proceeding by filing a notice of violation with the Presiding Officer. The Presiding Officer is defined in the regulations as "any individual designated in writing by the Administrator" to preside at the proceedings (7 CFR part 110.2).

Accordingly, the Administrator of AMS hereby designates the administrative law judges of the Office of the Administrative Law Judges, USDA, to preside over administrative civil penalty cases involving violations of the pesticide recordkeeping requirements of the FACT Act and the regulations promulgated thereunder.

Dated: November 16, 1998.

Enrique E. Figueroa,

Administrator, Agricultural Marketing Service.

[FR Doc. 98-31183 Filed 11-20-98; 8:45 am]

BILLING CODE 3410-02-P

DEPARTMENT OF AGRICULTURE

Economic Research Service

Notice of Intent To Seek Approval to Collect Information

AGENCY: Economic Research Service, USDA.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13) and Office Management and Budget (OMB) regulations at 5 CFR Part 1320 (60 FR 44978, August 29, 1995), this notice announces the Economic Research Service's (ERS) intention to request approval for a new information collection from charitable organizations that provide emergency food assistance; from food banks; from food pantries; and from emergency kitchens.

DATES: Comments on this notice must be received by January 27, 1999 to be assured of consideration.

ADDITIONAL INFORMATION OR COMMENTS: Contact David M. Smallwood, Deputy Director for Food Assistance Research, Food and Rural Economics Division,

Economic Research Service, U.S. Department of Agriculture, 1800 M Street, NW, Room N-2130, Washington, DC 20036-5831, 202-694-5466.

SUPPLEMENTARY INFORMATION:

Title: Application for ERS collection of information on charitable organizations that provide emergency food assistance; food banks; food pantries, and emergency kitchens.

Type of Request: Approval to collect information on charitable organizations that provide emergency food assistance, food banks, food pantries, and emergency kitchens.

Abstract: USDA's Economic Research Service (ERS) has the responsibility to provide social and economic intelligence on consumer, food marketing, and rural issues, including food consumption determinations and trends; consumer demand for food quality, safety, and nutrition; food market competition and coordination; food security status of the poor; domestic food assistance programs; low-income assistance programs; and food safety regulation. In carrying out this overall mission, ERS seeks approval of information gathering activities that would provide key information about the capacity of the Emergency Food Assistance System (EFAS) to provide food assistance to low-income households.

USDA, through the Food and Nutrition Service, administers several food assistance programs that help low-income households obtain adequate and nutritious diets. The largest USDA food assistance program, the Food Stamp Program, is designed to provide food assistance through normal channels of trade, by providing low-income consumers with purchasing power to buy food at market prices from food retailers authorized to participate in the program. Other programs, such as the National School Lunch Program (NSLP), the School Breakfast Program (SBP), and The Emergency Food Assistance Program (TEFAP) provide food assistance outside regular marketing channels. The NSLP and SBP provide cash subsidies and commodity assistance to schools to help provide low-cost or free lunches and breakfasts to schoolchildren. The Emergency Food Assistance Program (TEFAP), distributes commodity foods to State and local agencies for distribution to low-income households for home consumption, or to