

eligibility threshold on: (1) The number of family day care homes offering meals through the CACFP in rural areas; (2) the number of family day care homes offering meals as a tier I entity, that would otherwise be defined as tier II family day care home under program regulations; (3) the geographic location of the family day care homes; (4) a description of services provided to eligible children; and (5) other factors determined by the Secretary. The evaluation will collect information from CACFP staff at the Nebraska Department of Education, from CACFP sponsor agencies in the state, from family day care providers, and from parents of children in family day care homes. Two surveys will be conducted: A survey of a random sample of family day care providers (Provider Survey); and a survey of a random sample of providers who drop out of the CACFP program after the pilot ends and reimbursement levels for some providers decrease (Exit Survey). A report of the results of the evaluation is due to Congress no later than March 31, 2008.

Affected Public: Two respondent groups are identified: (1) A random sample of all rural family day care providers in Nebraska who participate in the CACFP at the time of the planned survey (Summer 2007), and (2) a random sample of all rural family day care providers in Nebraska who exit the CACFP program after the end of the pilot.

Estimated Number of Respondents: 632. The estimated number of respondents to the Provider Survey is 582. The estimated number of respondents to the Exit Survey is uncertain because the number of exiting providers is unknown. The evaluation contractor will survey up to 50 respondents as part of the Exit Survey.

Estimated Number of Responses per Respondent: The number of responses per respondent is one for each of the two surveys. Because both surveys will contact random samples of the family day care community in rural areas of Nebraska, however, it is possible that some exiting providers who are contacted for the second survey may also have responded to the first survey. If the probability of exiting is equally distributed across the approximately 1,350 rural providers in Nebraska, and if at least 50 rural providers leave the CACFP program after the pilot ends, the a priori likelihood of a provider being sampled for both surveys is approximately 1.6 percent (i.e., about a 43 percent chance of being selected for the Provider Survey times about a 3.7 percent chance of being selected for the Exit Survey).

Estimated Total Annual Responses: 632.

Estimated Time per Response: 38.4 minutes (0.64 hours). The estimated average time to respond to the Provider Survey is 40 minutes (0.67 hours), based on a pre-test of the draft instrument in December 2006 and subsequent revisions based on pre-test results. The data collection instrument for the Exit Survey cannot be pre-tested because the pilot will not end until September 30, 2007. The Exit Survey instrument shares many questions with the Provider Survey instrument, however, and the pre-test results for the Provider Survey are used to estimate average response time for the Exit Survey, which is 20 minutes (0.33 hours).

Estimated Total Annual Burden on Respondents: 405 hours.

Dated: February 16, 2007.

Roberto Salazar,

Administrator, Food and Nutrition Service.

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DEPARTMENT OF AGRICULTURE

Food and Nutrition Service

Child Nutrition Programs—Income Eligibility Guidelines

AGENCY: Food and Nutrition Service, USDA.

ACTION: Notice.

SUMMARY: This Notice announces the Department's annual adjustments to the Income Eligibility Guidelines to be used in determining eligibility for free and reduced price meals and free milk for the period from July 1, 2007 through June 30, 2008. These guidelines are used by schools, institutions, and facilities participating in the National School Lunch Program (and Commodity School Program), School Breakfast Program, Special Milk Program for Children, Child and Adult Care Food Program and Summer Food Service Program. The annual adjustments are required by section 9 of the Richard B. Russell National School Lunch Act. The guidelines are intended to direct benefits to those children most in need and are revised annually to account for changes in the Consumer Price Index.

DATES: *Effective Date:* July 1, 2007.

FOR FURTHER INFORMATION CONTACT: Mr. Robert M. Eadie, Chief, Policy and Program Development Branch, Child Nutrition Division, FNS, USDA, Alexandria, Virginia 22302, or by phone at (703) 305-2590.

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 1995 (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.

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

These programs are listed in the Catalog of Federal Domestic Assistance under No. 10.553, No. 10.555, No. 10.556, No. 10.558 and No. 10.559 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 29114, June 24, 1983.)

Background

Pursuant to sections 9(b)(1) and 17(c)(4) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758(b)(1) and 42 U.S.C. 1766(c)(4)), and sections 3(a)(6) and 4(e)(1)(A) of the Child Nutrition Act of 1966 (42 U.S.C. 1772(a)(6) and 1773(e)(1)(A)), the Department annually issues the Income Eligibility Guidelines for free and reduced price meals for the National School Lunch Program (7 CFR Part 210), the Commodity School Program (7 CFR Part 210), School Breakfast Program (7 CFR Part 220), Summer Food Service Program (7 CFR Part 225) and Child and Adult Care Food Program (7 CFR Part 226) and the guidelines for free milk in the Special Milk Program for Children (7 CFR Part 215). These eligibility guidelines are based on the Federal income poverty guidelines and are stated by household size. The guidelines are used to determine eligibility for free and reduced price meals and free milk in accordance with applicable program rules.

Definition of Income

In accordance with the Department's policy as provided in the Food and Nutrition Service publication *Eligibility Guidance for School Meals Manual*, "income," as the term is used in this Notice, means income before any deductions such as income taxes, Social Security taxes, insurance premiums, charitable contributions and bonds. It includes the following: (1) Monetary compensation for services, including wages, salary, commissions or fees; (2) net income from nonfarm self-employment; (3) net income from farm self-employment; (4) Social Security; (5) dividends or interest on savings or

bonds or income from estates or trusts; (6) net rental income; (7) public assistance or welfare payments; (8) unemployment compensation; (9) government civilian employee or military retirement, or pensions or veterans payments; (10) private pensions or annuities; (11) alimony or child support payments; (12) regular contributions from persons not living in the household; (13) net royalties; and (14) other cash income. Other cash income would include cash amounts received or withdrawn from any source including savings, investments, trust accounts and other resources that would be available to pay the price of a child's meal.

"Income," as the term is used in this Notice, does *not* include any income or benefits received under any Federal programs that are excluded from consideration as income by any legislative prohibition. Furthermore, the value of meals or milk to children shall not be considered as income to their households for other benefit programs in accordance with the prohibitions in section 12(e) of the Richard B. Russell National School Lunch Act and section 11(b) of the Child Nutrition Act of 1966 (42 U.S.C. 1760(e) and 1780(b)).

The Income Eligibility Guidelines

The following are the Income Eligibility Guidelines to be effective from July 1, 2007 through June 30, 2008. The Department's guidelines for free meals and milk and reduced price meals were obtained by multiplying the year 2007 Federal income poverty guidelines by 1.30 and 1.85, respectively, and by rounding the result upward to the next whole dollar.

The income eligibility chart for School Year 2007–2008 continues the changes that were implemented for School Year 2004–2005. Prior to School Year 2004–2005, the Department displayed the monthly and weekly amounts for the Federal poverty guidelines in addition to the annual figures as issued by the Department of Health and Human Services. This Notice, however, only displays the annual figures because the monthly and weekly Federal poverty guidelines were not used to determine the Income Eligibility Guidelines. As detailed below, all calculations are based on the annual figures.

In addition, the chart which details the free and reduced price eligibility criteria includes columns for income received twice monthly as well as

income received every two weeks. To differentiate, a person paid every two weeks is paid 26 times per year, whereas a person paid twice monthly is paid 24 times per year. Furthermore, the inclusion of information about income received twice per month as well as income received every two weeks conforms to the format used by the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) (42 U.S.C. 1786; 7 CFR Part 246).

Income calculations are made based on the following formulas: Monthly income is calculated by dividing the annual income by 12; twice monthly income is computed by dividing annual income by 24; income received every two weeks is calculated by dividing annual income by 26; and weekly income is computed by dividing annual income by 52. All numbers are rounded upward to the next whole dollar. The numbers reflected in this notice for a family of four in the 48 contiguous states, the District of Columbia, Guam and the territories represent an increase of 3.25% over last year's level for a family of the same size.

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HOUSEHOLD SIZE		FEDERAL POVERTY GUIDELINES		INCOME ELIGIBILITY GUIDELINES											
		ANNUAL		Effective from July 1, 2007 to June 30, 2008						FREE MEALS - 130 %					
		ANNUAL		REDUCED PRICE MEALS - 185 %		WEEKLY		MONTHLY		ANNUAL		MONTHLY		WEEKLY	
						TWICE PER EVERY TWO WEEKS		MONTHLY		ANNUAL		MONTHLY		WEEKLY	
						TWICE PER EVERY TWO WEEKS		MONTHLY		ANNUAL		MONTHLY		WEEKLY	
48 CONTIGUOUS STATES, DISTRICT OF COLUMBIA, GUAM, AND TERRITORIES															
1	.....	10,210	18,889	1,575	788	727	364	13,273	1,107	554	511	256		
2	.....	13,690	25,327	2,111	1,056	975	488	17,797	1,484	742	685	343		
3	.....	17,170	31,765	2,648	1,324	1,222	611	22,321	1,861	931	859	430		
4	.....	20,650	38,203	3,184	1,592	1,470	735	26,845	2,238	1,119	1,033	517		
5	.....	24,130	44,641	3,721	1,861	1,717	859	31,369	2,615	1,308	1,207	604		
6	.....	27,610	51,079	4,257	2,129	1,965	983	35,893	2,992	1,496	1,381	691		
7	.....	31,090	57,517	4,794	2,397	2,213	1,107	40,417	3,369	1,685	1,555	778		
8	.....	34,570	63,955	5,330	2,665	2,460	1,230	44,941	3,746	1,873	1,729	865		
For each add'l family member, add		3,480	6,438	537	269	248	124	4,524	377	189	174	87			
ALASKA															
1	.....	12,770	23,625	1,969	985	909	455	16,601	1,384	692	639	320		
2	.....	17,120	31,672	2,640	1,320	1,219	610	22,256	1,855	928	856	428		
3	.....	21,470	39,720	3,310	1,655	1,528	764	27,911	2,326	1,163	1,074	537		
4	.....	25,820	47,767	3,981	1,991	1,838	919	33,566	2,798	1,399	1,291	646		
5	.....	30,170	55,815	4,652	2,326	2,147	1,074	39,221	3,269	1,635	1,509	755		
6	.....	34,520	63,862	5,322	2,661	2,457	1,229	44,876	3,740	1,870	1,726	863		
7	.....	38,870	71,910	5,993	2,997	2,766	1,383	50,531	4,211	2,106	1,944	972		
8	.....	43,220	79,957	6,664	3,332	3,076	1,538	56,186	4,683	2,342	2,161	1,081		
For each add'l family member, add		4,350	8,048	671	336	310	155	5,655	472	236	218	109			
HAWAII															
1	.....	11,750	21,738	1,812	906	837	419	15,275	1,273	637	588	294		
2	.....	15,750	29,138	2,429	1,215	1,121	561	20,475	1,707	854	788	394		
3	.....	19,750	36,538	3,045	1,523	1,408	703	25,675	2,140	1,070	988	494		
4	.....	23,750	43,938	3,662	1,831	1,690	845	30,875	2,573	1,287	1,188	594		
5	.....	27,750	51,338	4,279	2,140	1,975	988	36,075	3,007	1,504	1,388	694		
6	.....	31,750	58,738	4,895	2,448	2,260	1,130	41,275	3,440	1,720	1,588	794		
7	.....	35,750	66,138	5,512	2,756	2,544	1,272	46,475	3,873	1,937	1,788	894		
8	.....	39,750	73,538	6,129	3,065	2,829	1,415	51,675	4,307	2,154	1,988	994		
For each add'l family member, add		4,000	7,400	617	309	285	143	5,200	434	217	200	100			

Authority: (42 U.S.C. 1758(b)(1))

Dated: February 16, 2007.

Roberto Salazar,

Administrator.

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DEPARTMENT OF AGRICULTURE

Food Safety and Inspection Service

[Docket No. FSIS-2007-0003]

Codex Alimentarius Commission: Meeting of the Codex Committee on Food Additives

AGENCY: Office of the Under Secretary for Food Safety, USDA.

ACTION: Notice of public meeting and request for comments.

SUMMARY: The Office of the Under Secretary for Food Safety, U.S. Department of Agriculture (USDA), and the Food and Drug Administration (FDA), U.S. Department of Health and Human Services, are sponsoring a public meeting on March 8, 2007. The objective of the public meeting is to provide information and receive public comments on agenda items and draft United States positions that will be discussed at the Thirty-ninth Session of the Codex Committee on Food Additives (CCFA) of the Codex Alimentarius Commission (Codex), which will be held in Beijing, China, on April 24-28, 2007. The Under Secretary for Food Safety and FDA recognize the importance of providing interested parties the opportunity to obtain background information on the 39th Session of CCFA and to address items on the agenda.

DATES: The public meeting is scheduled for Thursday, March 8, 2007 from 3 p.m. to 5 p.m.

ADDRESSES: The public meeting will be held in the auditorium (Room 1A003), Harvey W. Wiley Federal Building, FDA, Center for Food Safety and Applied Nutrition, 5100 Paint Branch Highway, College Park, MD 20740. Documents related to the 39th Session of CCFA are accessible via the World Wide Web at the following address: <http://www.codexalimentarius.net/current.asp>.

The U.S. Delegate to the CCFA, Dr. Dennis Keefe, invites U.S. interested parties to submit their comments electronically to the following e-mail address: ccfa@fda.hhs.gov.

Registration: Attendees may register electronically to the same e-mail address above by March 6, 2007. Early registration is encouraged because it

will expedite entry into the building and its parking area. If you require parking, please include the vehicle make and tag number, if known, when you register. Because the meeting will be held in a Federal building, you should also bring a photo identification (ID) and plan for adequate time to pass through security screening systems.

FOR FURTHER INFORMATION ABOUT THE 39TH SESSION OF THE CCFA CONTACT: Dennis Keefe, Office of Food Additive Safety (HFS-205), Center for Food Safety and Applied Nutrition, FDA, 5100 Paint Branch Parkway, College Park, MD 20740. Phone (301) 436-1284, Fax: (301) 436-2972, e-mail dennis.keefe@fda.hhs.gov.

FOR FURTHER INFORMATION ABOUT THE PUBLIC MEETING CONTACT: Ellen Matten, International Issues Analyst, U.S. Codex Office, Food Safety and Inspection Service, Room 4861, South building, 1400 Independence Ave SW., Washington, DC 20250. Phone (202) 205-7760, Fax: (202) 720-3157.

SUPPLEMENTARY INFORMATION:

Background

The Codex Alimentarius (Codex) was established in 1963 by two United Nations organizations, the Food and Agriculture Organization and the World Health Organization. Through adoption of food standards, codes of practice, and other guidelines developed by its committees, and by promoting their adoption and implementation by governments, Codex seeks to protect the health of consumers and ensure that fair practices are used in trade.

The Codex Committee on Food Additives was formed in 2006 from the division of the Codex Committee on Food Additives and Contaminants. It was established to set or endorse maximum levels for individual food additives; prepare priority lists of food additives for risk assessment by the Joint FAO/WHO Expert Committee on Food Additives (JECFA); assign functional classes to individual food additives; recommend specifications of identity and purity for food additives for adoption by the Commission; consider methods of analysis for the determination of additives in food; and consider and elaborate standards or codes for related subjects such as the labeling of food additives when sold as such. The Committee is hosted by the People's Republic of China.

Issues To Be Discussed at the Public Meeting

The following items on the Agenda for the 39th Session of CCFA will be discussed during the public meeting:

- Matters Referred to the Committee from other Codex bodies.
- Matters of Interest arising from FAO/WHO.
- Endorsement/revision of Maximum Levels for Food Additives and Processing Aids in Codex Standards.
- Inclusion of Food Additive Provisions of Commodity Standards into the Codex General Standard for Food Additives (GSFA).
- Consideration of the Codex General Standard for Food Additives.
- Proposed Draft Guidelines for the Use of Flavourings.
- Processing Aids.
- International Numbering System (INS) for Food Additives.
- Specifications for the Identity and Purity of Food Additives.
- Priority List of Food Additives Proposed for Evaluation by JECFA.

Each issue listed will be fully described in documents distributed, or to be distributed, by the Secretariat prior to the Meeting. Members of the public may access or request copies of these documents (see **FOR FURTHER INFORMATION ABOUT THE 39TH SESSION OF THE CCFA CONTACT**).

Public Meeting

At the March 8, 2007 public meeting, draft U.S. positions on the agenda items will be described and discussed, and attendees will have the opportunity to pose questions and offer comments. Written comments may be offered at the meeting or sent to the U.S. Delegate for CCFA, Dr. Dennis Keefe (see **ADDRESSES**). Written comments should state that they relate to activities of the 39th Session of CCFA.

Additional Public Notification

Public awareness of all segments of rulemaking and policy development is important. Consequently, in an effort to ensure that minorities, women, and persons with disabilities are aware of this notice, FSIS will announce it online through the FSIS Web page located at http://www.fsis.usda.gov/regulations/2007_Notices_Index/. FSIS also will make copies of this **Federal Register** publication available through the FSIS Constituent Update, which is used to provide information regarding FSIS policies, procedures, regulations, **Federal Register** notices, FSIS public meetings, recalls, and other types of information that could affect or would be of interest to constituents and stakeholders. The update is communicated via Listserv, a free electronic mail subscription service for industry, trade and farm groups, consumer interest groups, allied health professionals, and other individuals