**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Administration for Children and Families**

**Proposed Information Collection Activity; Comment Request**

**Proposed Projects:**

**Title:** TANF Quarterly Financial Report, ACF–196.

**OMB No.:** 0970–0247.

**Description:** This information collection is authorized under Section 411(a)(3) of the Social Security Act. This request is for renewal of approval to use the Administration for Children and Families’ (ACF) 196 form for periodic financial reporting under the Temporary Assistance for Needy Families (TANF) program. States participating in the TANF program are required by statute to report financial data on a quarterly basis. This form meets the legal standard and provides essential data on the use of Federal funds. Failure to collect the data would seriously compromise ACF’s ability to monitor program expenditures, estimate funding needs, and to prepare budget submissions required by Congress. Financial reporting under the TANF program is governed by 45 CFR part 265.

**Respondents:** TANF Agencies.

**Annual Burden Estimates**

<table>
<thead>
<tr>
<th>Instrument</th>
<th>Number of respondents</th>
<th>Number of responses per respondent</th>
<th>Average burden hours per response</th>
<th>Total burden hours</th>
</tr>
</thead>
<tbody>
<tr>
<td>ACF–196</td>
<td></td>
<td>51</td>
<td>4</td>
<td>10</td>
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**Estimated Total Annual Burden Hours:** 2,040.

In compliance with the requirements of Section 506(c)(2)(A) of the Paperwork Reduction Act of 1995, the Administration for Children and Families is soliciting public comment on the specific aspects of the information collection described above. Copies of the proposed collection of information can be obtained and comments may be forwarded by writing to the Administration for Children and Families, Office of Planning, Research and Evaluation, 370 L’Enfant Promenade SW., Washington, DC 20447, Attn: ACF Reports Clearance Officer. Email address: infocollection@acf.hhs.gov. All requests should be identified by the title of the information collection.

The Department specifically requests comments on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency’s estimate of the burden of the proposed collection of information; (c) the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Consideration will be given to comments and suggestions submitted within 60 days of this publication.

**Robert Sargis,**

Reports Clearance Officer.

[FR Doc. 2013–05378 Filed 3–7–13; 8:45 am]
In the context of administrative detention, FDA is not limited, as implied by the comment, to relying on analytical test results to determine whether FDA has a reason to believe a food is adulterated or misbranded. All evidence available to the Agency may be considered when making such a determination. Since then, in the Federal Register of February 5, 2013 (78 FR 7994), FDA issued a final rule adopting the IFR as final without changes. The final rule adopts without change the interim final rule’s amendments to certain regulations in 21 CFR part 1, subpart K to be consistent with amendments to the criteria for ordering administrative detention of human or animal food made by FSMA. The final rule, which adopts the interim final rule as final, is effective upon publication in the Federal Register.

The Regulatory Flexibility Act (5 U.S.C. 601–612) requires Agencies to determine whether a final rule will have a significant impact on small entities when an Agency issues a final rule “after being required * * * to publish a general notice of proposed rulemaking.” Although FDA is not required to perform a regulatory flexibility analysis because, in accordance with 5 U.S.C. 553(b)(3)(B) and 21 CFR 10.40(e)(1), the Agency found for good cause that use of prior notice and comment procedures were contrary to the public interest; FDA has nonetheless examined the economic implications of the final rule in accordance with the Regulatory Flexibility Act and determined that the final rule will not have a significant economic impact on a substantial number of small entities (78 FR 7994). Similarly because FDA is not required to perform a final regulatory flexibility analysis under 5 U.S.C. 605(b) for the final rule, FDA is not required to issue a guidance to comply with section 212 of SBREFA (Pub. L. 104–121); nevertheless, FDA has updated this guidance to state in plain language the requirements of 21 CFR part 1, subpart K.

FDA is issuing this guidance consistent with FDA’s good guidance practices regulation (21 CFR 10.115(c)(2)). This guidance represents the Agency’s current thinking on administrative detention of foods. It does not create or confer any rights for or on any person and does not operate to bind FDA or the public. An alternative approach may be used if such approach satisfies the requirements of the applicable statutes and regulations.

II. Paperwork Reduction Act of 1995

This guidance refers to collections of information found in FDA regulations. These collections of information are subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520). We conclude that the collections of information in §§ 1.381(d) and 1.402 are exempt from OMB review under 44 U.S.C. 3518(c)(1)(B)(ii) and 5 CFR 1320.4(a)(2) as collections of information obtained during the conduct of a civil action to which the United States or any official or Agency thereof is a party, or during the conduct of an administrative action, investigation, or audit involving an Agency against specific individuals or entities. The regulations in 5 CFR 1320(c) provide that the exception in 5 CFR 1320.4(a)(2) applies during the entire course of the investigation, audit, or action, but only after a case file or equivalent is opened with respect to a particular party. Such a case file would be opened as part of the decision to detain an article of food.

III. Comments

Interested persons may submit either electronic comments regarding this document to http://www.regulations.gov or written comments to the Division of Dockets Management (see ADDRESSES). It is only necessary to send one set of comments. Identify comments with the docket number found in brackets in the heading of this document. Received comments may be seen in the Division of Dockets Management between 9 a.m. and 4 p.m., Monday through Friday, and will be posted to the docket at http://www.regulations.gov.

IV. Electronic Access

Persons with access to the Internet may obtain the guidance at either http://www.fda.gov/RegulatoryInformation/Guidances/default.htm or http://www.regulations.gov. Always access an FDA guidance document by using FDA’s Web site listed previously to find the most current version of the guidance.

Dated: March 5, 2013.

Leslie Kux,
Assistant Commissioner for Policy.
[FR Doc. 2013–05470 Filed 3–7–13; 8:45 am]
BILLING CODE 4160–01–P