

essential for evaluating an applicant's ability to meet program requirements and gain approval.

Once an applicant is approved into the program, the information collection burden decreases for the continual participation process. A participant verifies intent to continue participation and its customer/business information annually, and on a periodic basis submits proficiency testing reports to evaluate analytical proficiency, and QMS documentation in response to audits by AMS. The information listed is essential to examine a participant's ability to continually meet program requirements and maintain program status.

Occasionally, a participant withdraws, is suspended, or is dismissed from a program. When a participant withdraws it submits a letter of request. When a participant requests voluntary suspension or is suspended by LAS it may request reinstatement of approval and must demonstrate its ability to meet program requirements through the continual participation process. On the rare occasion a participant fails to continually meet program requirements the participant may be notified of its danger of being dismissed. The dismissal process includes an evaluation using the continual participation process to substantiate reason for dismissal.

*Estimate of Burden:* Public reporting burden for this collection of information is estimated to average 2.24 hours per response.

*Respondents:* Laboratories.

*Estimated Number of Respondents:* 60.

*Estimated Total Annual Responses:* 538.

*Estimated Number of Responses per Respondent:* 8.97.

*Estimated Total Annual Burden on Respondents:* 1204.00.

Comments are invited on: (1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden of the proposed collection of information including completion of analyses related documentation; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

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

**Bruce Summers,**

*Administrator, Agricultural Marketing Service.*

[FR Doc. 2020-11187 Filed 5-22-20; 8:45 am]

**BILLING CODE P**

## DEPARTMENT OF AGRICULTURE

### Food and Nutrition Service

#### Special Supplemental Nutrition Program for Women, Infants, and Children (WIC): 2020/2021 Income Eligibility Guidelines

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

**ACTION:** Notice.

**SUMMARY:** The U.S. Department of Agriculture ("Department") announces adjusted income eligibility guidelines to be used by State agencies in determining the income eligibility of persons applying to participate in the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC). These income eligibility guidelines are to be used in conjunction with the WIC Regulations.

**DATES:** Implementation date July 1, 2020.

**FOR FURTHER INFORMATION CONTACT:** Sara Olson, Chief, Policy Branch, Supplemental Food Programs Division, FNS, USDA, 1320 Braddock Place, Alexandria, Virginia 22314, (703) 605-4013.

#### SUPPLEMENTARY INFORMATION:

##### Executive Order 12866

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

##### Regulatory Flexibility Act

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 this Act.

##### Paperwork Reduction Act of 1995

This notice does not contain reporting or recordkeeping requirements subject to approval by the Office of Management and Budget in accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3507).

##### Executive Order 12372

This program is listed in the Catalog of Federal Domestic Assistance Programs under No. 10.557, and is subject to the provisions of Executive

Order 12372, which requires intergovernmental consultation with State and local officials (7 CFR part 3015, subpart V, 48 FR 29100, June 24, 1983, and 49 FR 22675, May 31, 1984).

#### Description

Section 17(d)(2)(A) of the Child Nutrition Act of 1966, as amended (42 U.S.C. 1786(d)(2)(A)), requires the Secretary of Agriculture to establish income criteria to be used with nutritional risk criteria in determining a person's eligibility for participation in the WIC Program. The law provides that persons will be income-eligible for the WIC Program if they are members of families that satisfy the income standard prescribed for reduced-price school meals under section 9(b) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758(b)). Under section 9(b), the income limit for reduced-price school meals is 185 percent of the Federal poverty guidelines, as adjusted.

Section 9(b) also requires that these guidelines be revised annually to reflect changes in the Consumer Price Index. The annual revision for 2020 was published by the Department of Health and Human Services (HHS) at 85 FR 3060, January 17, 2020. The guidelines published by HHS are referred to as the "poverty guidelines."

Program Regulations at 7 CFR 246.7(d)(1) specify that State agencies may prescribe income guidelines either equaling the income guidelines established under Section 9 of the Richard B. Russell National School Lunch Act for reduced-price school meals, or identical to State or local guidelines for free or reduced-price health care. However, in conforming WIC income guidelines to State or local health care guidelines, the State cannot establish WIC guidelines which exceed the guidelines for reduced-price school meals, or which are less than 100 percent of the Federal poverty guidelines. Consistent with the method used to compute income eligibility guidelines for reduced-price meals under the National School Lunch Program, the poverty guidelines were multiplied by 1.85 and the results rounded upward to the next whole dollar.

At this time, the Department is publishing the maximum and minimum WIC income eligibility guidelines by household size for the period of July 1, 2020 through June 30, 2021. Consistent with section 17(f)(17) of the Child Nutrition Act of 1966, as amended (42 U.S.C. 1786(f)(17)), a State agency may implement the revised WIC income eligibility guidelines concurrently with the implementation of income eligibility

guidelines under the Medicaid Program established under Title XIX of the Social Security Act (42 U.S.C. 1396, *et seq.*). State agencies may coordinate implementation with the revised

Medicaid guidelines, *i.e.*, earlier in the year, but in no case may implementation take place later than July 1, 2020. State agencies that do not coordinate implementation with the

revised Medicaid guidelines must implement the WIC income eligibility guidelines on or before July 1, 2020.

**BILLING CODE 3410-30-P**

**INCOME ELIGIBILITY GUIDELINES**  
(Effective from July 1, 2020 to June 30, 2021)

Household Size	Federal Poverty Guidelines- 100%					Reduced Price Meals - 185%				
	Annual	Monthly	Twice-Monthly	Bi-Weekly	Weekly	Annual	Monthly	Twice-Monthly	Bi-Weekly	Weekly
<b>48 Contiguous States, D.C., Guam and Territories</b>										
1	\$12,760	\$1,064	\$532	\$491	\$246	\$23,606	\$1,968	\$984	\$908	\$454
2	17,240	1,437	719	664	332	31,894	2,658	1,329	1,227	614
3	21,720	1,810	905	836	418	40,182	3,349	1,675	1,546	773
4	26,200	2,184	1,092	1,008	504	48,470	4,040	2,020	1,865	933
5	30,680	2,557	1,279	1,180	590	56,758	4,730	2,365	2,183	1,092
6	35,160	2,930	1,465	1,353	677	65,046	5,421	2,711	2,502	1,251
7	39,640	3,304	1,652	1,525	763	73,334	6,112	3,056	2,821	1,411
8	44,120	3,677	1,839	1,697	849	81,622	6,802	3,401	3,140	1,570
Each add'l fam mem add	+ \$4,480	+ \$374	+ \$187	+ \$173	+ \$87	+ \$8,288	+ \$691	+ \$346	+ \$319	+ \$160
<b>Alaska</b>										
1	\$15,950	\$1,330	\$665	\$614	\$307	\$29,508	\$2,459	\$1,230	\$1,135	\$568
2	21,550	1,796	898	829	415	39,868	3,323	1,662	1,534	767
3	27,150	2,263	1,132	1,045	523	50,228	4,186	2,093	1,932	966
4	32,750	2,730	1,365	1,260	630	60,588	5,049	2,525	2,331	1,166
5	38,350	3,196	1,598	1,475	738	70,948	5,913	2,957	2,729	1,365
5	43,950	3,663	1,832	1,691	846	81,308	6,776	3,388	3,128	1,564
7	49,550	4,130	2,065	1,906	953	91,668	7,639	3,820	3,526	1,763
8	55,150	4,596	2,298	2,122	1,061	102,028	8,503	4,252	3,925	1,963
Each add'l fam mem add	+ \$5,600	+ \$467	+ \$234	+ \$216	+ \$108	+ \$10,360	+ \$864	+ \$432	+ \$399	+ \$200
<b>Hawaii</b>										
1	\$14,680	\$1,224	\$612	\$565	\$283	\$27,158	\$2,264	\$1,132	\$1,045	\$523
2	19,830	1,653	827	763	382	36,686	3,058	1,529	1,411	706
3	24,980	2,082	1,041	961	481	46,213	3,852	1,926	1,778	889
4	30,130	2,511	1,256	1,159	580	55,741	4,646	2,323	2,144	1,072
5	35,280	2,940	1,470	1,357	679	65,268	5,439	2,720	2,511	1,256
6	40,430	3,370	1,685	1,555	778	74,796	6,233	3,117	2,877	1,439
7	45,580	3,799	1,900	1,754	877	84,323	7,027	3,514	3,244	1,622
8	50,730	4,228	2,114	1,952	976	93,851	7,821	3,911	3,610	1,805
Each add'l fam mem add	+ \$5,150	+ \$430	+ \$215	+ \$199	+ \$100	+ \$9,528	+ \$794	+ \$397	+ \$367	+ \$184

**Income Eligibility Guidelines  
(Effective from July 1, 2020 to June 30, 2021)  
Household Size Larger Than 8**

Household Size	Federal Poverty Guidelines- 100%				Reduced Price Meals - 185%					
	Annual	Monthly	Twice-Monthly	Bi-Weekly	Weekly	Annual	Monthly	Twice-Monthly	Bi-Weekly	Weekly
<b>48 Contiguous States, D.C., Guam and Territories</b>										
9	\$48,600	\$4,050	\$2,025	\$1,870	\$935	\$89,910	\$7,493	\$3,747	\$3,459	\$1,730
10	53,080	4,424	2,212	2,042	1,021	98,198	8,184	4,092	3,777	1,889
11	57,560	4,797	2,399	2,214	1,107	106,486	8,874	4,437	4,096	2,048
12	62,040	5,170	2,585	2,387	1,194	114,774	9,565	4,783	4,415	2,208
13	66,520	5,544	2,772	2,559	1,280	123,062	10,256	5,128	4,734	2,367
14	71,000	5,917	2,959	2,731	1,366	131,350	10,946	5,473	5,052	2,526
15	75,480	6,290	3,145	2,904	1,452	139,638	11,637	5,819	5,371	2,686
16	79,960	6,664	3,332	3,076	1,538	147,926	12,328	6,164	5,690	2,845
Each add'l farm member add	+ \$4,480	+ \$374	+ \$187	+ \$173	+ \$87	+ \$8,288	+ \$691	+ \$346	+ \$319	+ \$160
<b>Alaska</b>										
9	\$60,750	\$5,063	\$2,532	\$2,337	\$1,169	\$112,388	\$9,366	\$4,683	\$4,323	\$2,162
10	66,350	5,530	2,765	2,552	1,276	122,748	10,229	5,115	4,722	2,361
11	71,950	5,996	2,998	2,768	1,384	133,108	11,093	5,547	5,120	2,560
12	77,550	6,463	3,232	2,983	1,492	143,468	11,956	5,978	5,518	2,759
13	83,150	6,930	3,465	3,199	1,600	153,828	12,819	6,410	5,917	2,959
14	88,750	7,396	3,698	3,414	1,707	164,188	13,683	6,842	6,315	3,158
15	94,350	7,863	3,932	3,629	1,815	174,548	14,546	7,273	6,714	3,357
16	99,950	8,330	4,165	3,845	1,923	184,908	15,409	7,705	7,112	3,556
Each add'l farm member add	+ \$5,600	+ \$467	+ \$234	+ \$216	+ \$108	+ \$10,360	+ \$864	+ \$432	+ \$399	+ \$200
<b>Hawaii</b>										
9	\$55,880	\$4,657	\$2,329	\$2,150	\$1,075	\$103,378	\$8,615	\$4,308	\$3,977	\$1,989
10	61,030	5,086	2,543	2,348	1,174	112,906	9,409	4,705	4,343	2,172
11	66,180	5,515	2,758	2,546	1,273	122,433	10,203	5,102	4,709	2,355
12	71,330	5,945	2,973	2,744	1,372	131,961	10,997	5,499	5,076	2,538
13	76,480	6,374	3,187	2,942	1,471	141,488	11,791	5,896	5,442	2,721
14	81,630	6,803	3,402	3,140	1,570	151,016	12,585	6,293	5,809	2,905
15	86,780	7,232	3,616	3,338	1,669	160,543	13,379	6,690	6,175	3,088
16	91,930	7,661	3,831	3,536	1,768	170,071	14,173	7,087	6,542	3,271
Each add'l farm member add	+ \$5,150	+ \$430	+ \$215	+ \$199	+ \$100	+ \$9,528	+ \$794	+ \$397	+ \$367	+ \$184

Territories, including Guam. Separate tables for Alaska and Hawaii have been included for the convenience of the State agencies because the poverty guidelines for Alaska and Hawaii are higher than for the 48 contiguous States.

**Authority:** 42 U.S.C. 1786.

**Pamilyn Miller,**  
*Administrator, Food and Nutrition Service.*  
 [FR Doc. 2020-11251 Filed 5-22-20; 8:45 am]  
**BILLING CODE 3410-30-P**

**DEPARTMENT OF AGRICULTURE**

**Food and Nutrition Service**

**Emergency Food Assistance Program;  
 Availability of Foods for Fiscal Year  
 2020**

**AGENCY:** Food and Nutrition Service, USDA.

**ACTION:** Notice.

**SUMMARY:** This notice announces the surplus and purchased foods that the Department expects to make available for donation to States for use in providing nutrition assistance to the needy under The Emergency Food Assistance Program (TEFAP) in Fiscal Year (FY) 2020. The foods made available under this notice must, at the discretion of the State, be distributed to eligible recipient agencies (ERAs) for use in preparing meals and/or for distribution to households for home consumption.

**FOR FURTHER INFORMATION CONTACT:** Rachel Schoenian, Policy Branch, Food Distribution Division, Food and Nutrition Service, U.S. Department of Agriculture, 1320 Braddock Place, Alexandria, Virginia 22314 or telephone (703) 305-2937.

**SUPPLEMENTARY INFORMATION:** In accordance with the provisions set forth

in the Emergency Food Assistance Act of 1983 (EFAA), 7 U.S.C. 7501, *et seq.*, and the Food and Nutrition Act of 2008, 7 U.S.C. 2036, the Department makes foods available to States for use in providing nutrition assistance to those in need through TEFAP. In accordance with section 214 of the EFAA, 7 U.S.C. 7515, 60 percent of each State's share of TEFAP foods is based on the number of people with incomes below the poverty level within the State and 40 percent on the number of unemployed persons within the State. State officials are responsible for establishing the network through which the foods will be used by ERAs in providing nutrition assistance to those in need and for allocating foods among those ERAs. States have full discretion in determining the amount of foods that will be made available to ERAs for use in preparing meals and/or for distribution to households for home consumption. The types of foods the Department expects to make available to States for distribution through TEFAP in FY 2020 are listed in the table below.

**Surplus Foods**

Surplus foods donated for distribution under TEFAP are Commodity Credit Corporation (CCC) foods purchased under the authority of section 416 of the Agricultural Act of 1949, 7 U.S.C. 1431 (section 416) and foods purchased under the surplus removal authority of section 32 of the Act of August 24, 1935, 7 U.S.C. 612c (section 32). The types of foods typically purchased under section 416 include dairy, grains, oils, and peanut products. The types of foods purchased under section 32 include meat, poultry, fish, vegetables, dry beans, juices, and fruits.

In FY 2019 and FY 2020, the Department is using CCC authority in the CCC Charter Act of 1948, 15 U.S.C. 714, to implement a Food Purchase and Distribution Program (FPDP). The FPDP

purchases surplus foods affected by trade retaliation for distribution through TEFAP and other federal nutrition programs.

Approximately \$243.58 million in surplus and \$305.15 million in FPDP foods acquired in FY 2019 are being delivered to States in FY 2020. Surplus foods include Alaska pollock, apricots, beans, cheese, cherries, chicken, eggs, orange juice, peaches, pears, plums, raisins, salmon, strawberries, and walnuts. FPDP foods include apples, beans, beef, butter, cheese, corn, grapes, hazelnuts, lentils, milk, oranges, peanut butter, pecans, pistachios, plums, pork, potatoes, raisins, and rice. Other surplus and FPDP foods may be made available to TEFAP throughout the year. The Department would like to point out that food acquisitions are based on changing agricultural market conditions; therefore, the availability of foods is subject to change.

**Purchased Foods**

In accordance with section 27 of the Food and Nutrition Act of 2008, 7 U.S.C. 2036, the Secretary is directed to purchase \$317.5 million worth of foods in FY 2020 for distribution through TEFAP. These foods are made available to States in addition to those surplus and FPDP foods which otherwise might be provided to States for distribution under TEFAP.

For FY 2020, the Department anticipates purchasing the foods listed in the following table for distribution through TEFAP. The amounts of each item purchased will depend on the prices the Department must pay, as well as the quantity of each item requested by the States. Changes in agricultural market conditions may result in the availability of additional types of foods or the non-availability of one or more types listed in the table.

**FY 2020 USDA FOODS AVAILABLE LIST FOR THE EMERGENCY FOOD ASSISTANCE PROGRAM (TEFAP)**

**FRUITS:**

- Apples, Braeburn, Fresh .....
- Apples, Empire, Fresh .....
- Apples, Fuji, Fresh .....
- Apples, Gala, Fresh .....
- Apples, Granny Smith, Fresh .....
- Apples, Red Delicious, Fresh .....
- Apples, Fresh .....
- Apple Juice, 100%, Unsweetened .....
- Apple Slices, Unsweetened, Frozen (IQF) .....
- Applesauce, Unsweetened, Canned .....
- Applesauce, Unsweetened, Cups, Shelf-Stable .....
- Apricots, Halves, Extra Light Syrup, Canned .....
- Cherry Apple Juice, 100%, Unsweetened .....
- Cranberry Apple Juice, 100%, Unsweetened .....
- Cranberries, Dried, Individual Portion .....
- Grape Juice, Concord, 100%, Unsweetened .....
- Grapefruit Juice, 100%, Unsweetened .....
- Fruit and Nut Mix, Dried .....

**VEGETABLES:**

- Beans, Green, Low-sodium, Canned.
- Carrots, Diced, No Salt Added, Frozen.
- Carrots, Sliced, Low-sodium, Canned.
- Corn, Whole Kernel, No Salt Added, Canned.
- Corn, Cream, Low sodium, Canned.
- Mixed Vegetables, 7-Way Blend, Low-sodium, Canned.
- Peas, Green, Low-sodium, Canned.
- Peas, Green, No Salt Added, Frozen.
- Potatoes, Dehydrated Flakes.
- Potatoes, Round, Fresh.
- Potatoes, Russet, Fresh.
- Potatoes, Sliced, Low-sodium, Canned.
- Pumpkin, No Salt Added, Canned.
- Spaghetti Sauce, Low-sodium, Canned.
- Spinach, Low-sodium, Canned.
- Tomato Juice, 100%, Low-sodium.
- Tomato Sauce, Low-sodium, Canned.
- Tomato Sauce, Low-sodium, Canned (K) (H).