inadequately served clients or service areas and programs addressing diverse ethnic populations.

Available Funds: Applicants should note that grants to be awarded under this program announcement are subject to the availability of funds. The size of the actual awards will vary. The Federal government may elect to fund applications in FY 2005 out of the pool of applications submitted under this announcement, subject to the availability of resources in FY 2005 and the number of acceptable applications received.

VI. Award Administration Information

1. Award Notices

Anticipated Announcement and Award Dates: Applications will be reviewed summer 2004. Grant awards will have a start date no later than September 30, 2004.

Award Notices: Successful applicants will receive a Financial Assistance Award which will set forth the amount of funds granted, the terms and conditions of the grant or cooperative agreement, the effective date of the grant, the budget period for which initial support will be given, the non-Federal share to be provided, if applicable, and the total project period for which support is contemplated. The financial Assistance Award will be signed by the Grants Officer and transmitted via postal mail.

The Commissioner will notify organizations in writing when their applications will not be funded. Every effort will be made to notify all unsuccessful applicants as soon as possible after final decisions are made.

2. Administrative and National Policy Requirements

Grantees are subject to the requirements of 45 CFR part 74 (nongovernmental) or 45 CFR part 92 (governmental).

3. Reporting

Reporting Requirements: All grantees are required to submit semi-annual program and financial reports (SF269) with a final report due 90 days after the project end date.

All required reports will be submitted in a timely manner, in recommended formats (to be provided), and the final report will also be submitted on disk or electronically using a standard word-processing program.

Within 90 days of project end date, the applicant will submit a copy of the final report, the evaluation report, and any program products to the National Adoption Information Clearinghouse, 330 C Street, SW., Washington, DC 20447. This is in addition to the standard requirement that the final program and evaluation report must also be submitted to the Grants Management Specialist and the Federal Project Officer.

VII. Agency Contacts

Program Office Contact

Geneva Ware-Rice, 330 C St, SW., Washington, DC 20447, 202–205–8354, *gware-rice@acf.hhs.gov.*

Grants Management Office Contact

William Wilson, 330 C St SW., 20447, Washington, DC, 202–205–8913, *wwilson@acf.hhs.gov.*

General

The Dixon Group, ACYF Operations Center, 118 Q Street, NE., Washington, DC 20002–2132, Telephone: (866) 796–1591.

VIII. Other Information

Additional information about this program and its purpose can be located on the following websites: *http://www.acf.hhs.gov/programs/cb/.*

Dated: May 18, 2004.

Joan E. Ohl,

Commissioner, Administration on Children, Youth and Families.

[FR Doc. 04–11645 Filed 5–21–04; 8:45 am]

BILLING CODE 4184–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. 2003P–0574]

Listeria Monocytogenes; Petition To Establish a Regulatory Limit

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing that a petition has been filed that requests that the agency establish a regulatory limit of 100 colony forming units per gram for *Listeria monocytogenes* in foods that do not support the growth of the microorganism. The agency is requesting comment on the petition. The agency is also requesting the submission of relevant data and information to assist it in evaluating and responding to the petition.

DATES: Submit written or electronic comments by August 9, 2004.

ADDRESSES: You may submit comments, identified by Docket No. 2003P–0574, by any of the following methods:

- Federal eRulemaking Portal: *http://www.regulations.gov*. Follow the instructions for submitting comments.
- Agency Web site: *http://www.fda.gov/dockets/ecomments*. Follow the instructions for submitting comments on the agency Web site.
- E-mail: *fdadockets@oc.fda.gov*. Include Docket No. 2003P–0574 in the subject line of your e-mail message.
- FAX: 301–827–6870.
- Mail/Hand delivery/Courier [For paper, disk, or CD–ROM submissions]: Division of Dockets Management, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852.

Instructions: All submissions received must include the agency name and Docket No. 2003P–0574 for this rulemaking. All comments received will be posted without change to *http://www.fda.gov/dockets/ecomments*, including any personal information provided. For detailed instructions on submitting comments and additional information on the petition, see the ''Comments'' heading of the **SUPPLEMENTARY INFORMATION** section of this document.

Docket: For access to the docket to read background documents or comments received, go to *http://www.fda.gov/dockets/ecomments* and/or the Division of Dockets Management, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852.

FOR FURTHER INFORMATION CONTACT: John Kvenberg, Office of Compliance (HFS–600), Center for Food Safety and Applied Nutrition, Food and Drug Administration, 5100 Paint Branch Pkwy., College Park, MD 20740, 301–436–2359.

SUPPLEMENTARY INFORMATION:

I. The Petition

Fifteen trade associations (the American Bakers Association, the American Frozen Food Institute, the American Meat Institute, the Grocery Manufacturers of America, the International Ice Cream Association, the Midwest Food Processors Association, the National Cheese Institute, the National Chicken Council, the National Fisheries Institute, the National Food Processors Association, the National Milk Producers Federation, the National Turkey Federation, the Northwest Food Processors Association, the Snack Food Association, and the United Fresh Fruit and Vegetable Association) (the petitioners) submitted a citizen petition on December 24, 2003, requesting that FDA amend the regulations in part 109

Unavoidable Contaminants in Food for Human Consumption and Food-Packaging Material (21 CFR part 109) to establish a regulatory limit for *L. monocytogenes* of 100 colony forming units per gram in foods that do not support growth of the microorganism.

Petitioners assert that the requested regulatory limit would establish a science-based standard for the presence of *L. monocytogenes* in such foods, noting that their request is based on new and emerging evidence that consumer protection is a function of the organism's cell numbers in food, and not its mere presence. Petitioners further assert that a regulatory limit will permit FDA and the food industry to distinguish products for which increased scrutiny is prudent from those for which greater attention will not yield a corresponding benefit to public health. Petitioners state that a risk-based approach to *L. monocytogenes* is consistent with the comprehensive risk assessment undertaken by FDA and the U.S. Department of Agriculture's Food Safety and Inspection Service, in which the agencies concluded that ''targeted initiation of new or enhanced controls may be needed to achieve further reductions in the incidence of listeriosis.'' In addition, petitioners assert that there is general scientific agreement that low levels of *L. monocytogenes* are not uncommon in the food supply and that such low levels are regularly consumed without apparent harm.

For over 15 years, FDA has been working with its Federal, State, and local food safety counterparts to reduce the incidence of foodborne illness in the United States, including illness caused by *L. monocytogenes*. The action requested in the petition directly bears on the safety of the food supply and FDA's longstanding effort. Accordingly, FDA is requesting public comment on the petition as well the submission of any relevant data or information that could assist the agency's evaluation of or its response to the petition.

II. Comments

Interested persons may submit to the Division of Dockets Management (see **ADDRESSES**) written or electronic comments regarding the petition. Submit a single copy of electronic comments or two paper copies of any mailed comments, except that individuals may submit one paper copy. Comments are to be identified with the docket number found in brackets in the heading of this document. If your comments are based on scientific data or other evidence, please submit copies of such information with your comments. The petition and received comments may be seen in the Division of Dockets Management between 9 a.m. and 4 p.m., Monday through Friday.

Dated: May 7, 2004.

Jeffrey Shuren,

Assistant Commissioner for Policy.

[FR Doc. 04–11597 Filed 5–21–04; 8:45 am]

BILLING CODE 4160–01–S

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

National Practitioner Data Bank: Change in Self-Query Fee

AGENCY: Health Resources and Services Administration, DHHS.

ACTION: Notice.

SUMMARY: The Health Resources and Services Administration (HRSA), Department of Health and Human Services (DHHS), is announcing a two-dollar decrease in the fee charged to practitioners who request information about themselves (self-query) from the National Practitioner Data Bank (NPDB). The new fee to self-query the NPDB will be $8.00. There will be no change to the $4.25 entity fee.

DATES: The fee is effective on July 1, 2004.

FOR FURTHER INFORMATION CONTACT: Darryl Gray, Acting Director, Division of Practitioner Data Banks, Bureau of Health Professions, Health Resources and Services Administration, 7519 Standish Place, Suite 300, Rockville, Maryland 20857, Tel: (301) 443–2300. E-mail: *policyanalysis@hrsa.gov.*

SUPPLEMENTARY INFORMATION: The current fee structure ($10.00 per self-query) was announced in the **Federal Register** on April 22, 2003 (68 FR 19837). All self-queries are submitted and query responses received through the NPDB's Integrated Query and Reporting Service (IQRS) and paid via credit card.

The NPDB is authorized by the Health Care Quality Improvement Act of 1986 (the Act), Title IV of Pub. L. 99–660, as amended (42 U.S.C. 11101 *et seq.*). Section 427(b)(4) of the Act authorizes the establishment of fees for the costs of processing requests for disclosure and of providing such information.

Final regulations at 45 CFR part 60 set forth the criteria and procedures for information to be reported to and disclosed by the NPDB. Section 60.3 of these regulations defines the terms used in this announcement.

In determining any changes in the amount of the user fee, the Department uses the criteria set forth in § 60.12(b) of the regulations, as well as allowable costs pursuant to Title II, Division E, Labor, Health and Human Services, and Education, and Related Agencies Appropriations 2004, Pub. L. 108–199, enacted on January 23, 2004. This Act requires that the Department recover the full costs of operating the Data Bank through user fees. Paragraph (b) of the regulations states:

''The amount of each fee will be determined based on the following criteria:

(1) Use of electronic data processing equipment to obtain information—the actual cost for the service, including computer search time, runs, printouts, and time of computer programmers and operators, or other employees, (2) Photocopying or other forms of reproduction, such as magnetic tapes-actual cost of the operator's time, plus the cost of the machine time and the materials used, (3) Postage-actual cost, and (4) Sending information by special methods requested by the applicant, such as express mail or electronic transfer—the actual cost of the special service.''

Based on analysis of the current operational costs involved with processing self-queries, the Department is reducing the self-query fee by $2.00. The cost reduction is justified based on the NPDB's transition from a paper reporting and querying process to an all electronic, web-based system, the IQRS. This move to online reporting and querying has streamlined the operational processes required to manage self-query requests. In addition, other enhancements to the IQRS, such as online filing and payment for self-queries have resulted in decreased operational expenditures. In keeping with the Act, and pursuant to the requirements of § 60.12 of the regulations, there are sufficient funds to recover the full costs of operating the Data Bank with a decrease in the self-query fee.

According to the new fee schedule, a practitioner will be charged $8.00 per self-query submitted to the NPDB. The entity fee for querying the NPDB will remain $4.25 per name. For examples, see the table below.