

7 CFR 250.30(f)(1), all regulatory and contract requirements will continue to apply, and must be met by processors participating in the demonstration project. This includes the requirement in 7 CFR 250.30(f)(1)(i) that all components of commercial foods substituted for any donated food must be of U.S. origin and identical or superior in every particular of the donated food specification.

7 CFR 250.30(g) requires that when donated meat or poultry products are processed, or when any commercial meat or poultry product is incorporated into an end product containing one or more donated foods, all of the processing must be performed in plants under continuous Federal meat or poultry inspection, or continuous State meat or poultry inspection in States certified to have programs at least equal to the Federal inspection programs. In addition to Food Safety and Inspection Service (FSIS) inspection, all donated meat and poultry processing must be performed under Agricultural Marketing Service (AMS) acceptance service grading. The following basic requirements will apply to the demonstration project:

- As with the processing of donated beef and pork into end products, AMS graders must monitor the process of substituting commercial beef and pork to ensure program integrity is maintained.

- Only bulk beef and pork delivered by USDA vendors to the processor will be eligible for substitution. No backhauled product will be eligible. (Backhauled product is typically frozen beef and pork in 10 pound chubs delivered to schools that may be sent to processors for further processing at a later time.)

- Commercial beef and pork substituted for donated beef and pork must be certified by an AMS grader as complying with the same product specifications as the donated beef and pork. USDA specifications relative to acceptable tolerance levels for specific microorganisms must be met. The age of any commercial product that is used in substitution for donated food may not exceed six months.

- Substitution of commercial beef and pork may occur in advance of the actual receipt of the donated beef and pork by the processor. Should a processor choose to use the substitution option prior to the purchase of the product by USDA, the processor must assume all risks. Any variation between the amount of commercial beef and pork substituted and the amount of donated beef and pork received by the processor will be

adjusted according to guidelines furnished by USDA.

- Any donated beef and pork not used in end products because of substitution must only be used by the processor in other commercial processed products and cannot be sold as an intact unit. However, it may be used to fulfill other USDA contracts provided all terms of the other contract are met.

- The only regulatory provision or State processing contract term affected by the demonstration project is the prohibition on substitution of beef and pork (7 CFR 250.30(f)(1) of the regulations). All other regulatory and contract requirements remain unchanged and must still be met by processors participating in the demonstration project.

Processors must submit proposals to obtain approval for participation in the demonstration project by April 30, 2006. The written proposals must describe how processors plan to carry out the substitution while complying with the above conditions. Proposals must include:

- (1) A step-by-step description of how production will be monitored; and,

- (2) A complete description of the records that will be maintained for (a) the commercial beef and pork substituted for the donated beef and pork and (b) the disposition of the donated beef and pork delivered by USDA.

All proposals will be reviewed by representatives of FNS' Food Distribution Division and AMS' Livestock Division, Commodity Procurement Branch and Grading Branch. Processors approved for participation in the demonstration project will be required to enter into an agreement with FNS and AMS that authorizes the substitution of donated beef and pork with commercial bulk beef and pork in fulfilling any current or future State processing contracts during the demonstration project period. However, participation in the demonstration project will not ensure that processors will be awarded any State processing contracts.

Dated: July 13, 2004.

**Roberto Salazar,**

*Administrator, Food and Nutrition Service.*  
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## DEPARTMENT OF AGRICULTURE

### Food and Nutrition Service

#### Food Distribution Program: Value of Donated Foods From July 1, 2004 Through June 30, 2005

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

**ACTION:** Notice.

**SUMMARY:** This notice announces the national average value of donated foods or, where applicable, cash in lieu of donated foods, to be provided in school year 2005 (July 1, 2004 through June 30, 2005) for each lunch served by schools participating in the National School Lunch Program (NSLP), and for each lunch and supper served by institutions participating in the Child and Adult Care Food Program (CACFP). It also announces the national average value of donated foods to be provided in school year 2005 for each lunch served by commodity only schools.

**EFFECTIVE DATE:** July 1, 2004.

**FOR FURTHER INFORMATION CONTACT:**

Dave Tuckwiller, Chief, Schools and Institutions Branch, Food Distribution Division, Food and Nutrition Service, U.S. Department of Agriculture, 3101 Park Center Drive, Alexandria, Virginia 22302 or telephone (703) 305-2254.

**SUPPLEMENTARY INFORMATION:** These programs are listed in the Catalog of Federal Domestic Assistance under Nos. 10.550, 10.555, and 10.558 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 final rule related notice published at 48 FR 29114, June 24, 1983.)

This notice imposes no new reporting or recordkeeping provisions that are subject to Office of Management and Budget review in accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3507). 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. This notice has been determined to be exempt under Executive Order 12866.

#### National Average Minimum Value of Donated Foods for the Period July 1, 2004 Through June 30, 2005

This notice implements mandatory provisions of sections 6(c), 14(f) and 17(h)(1)(B) of the National School Lunch Act (the Act) (42 U.S.C. 1755(c), 1762a(f), and 1766(h)(1)(B)). Section 6(c)(1)(A) of the Act establishes the national average value of donated food assistance to be given to States for each

lunch served in NSLP at 11.00 cents per meal. Pursuant to section 6(c)(1)(B), this amount is subject to annual adjustments on July 1 of each year to reflect changes in a three-month average value of the Price Index for Foods Used in Schools and Institutions for March, April, and May each year (Price Index). Section 17(h)(1)(B) of the Act provides that the same value of donated foods (or cash in lieu of donated foods) for school lunches shall also be established for lunches and suppers served in CACFP. Notice is hereby given that the national average minimum value of donated foods, or cash in lieu thereof, per lunch under NSLP (7 CFR Part 210) and per lunch and supper under CACFP (7 CFR part 226) shall be 17.25 cents for the period July 1, 2004 through June 30, 2005.

The Price Index is computed using five major food components in the Bureau of Labor Statistics Producer Price Index (cereal and bakery products; meats, poultry and fish; dairy products; processed fruits and vegetables; and fats and oils). Each component is weighted using the relative weight as determined by the Bureau of Labor Statistics. The value of food assistance is adjusted each July 1 by the annual percentage change in a three-month average value of the Price Index for March, April and May each year. The three-month average of the Price Index increased by 10 percent from 139.09 for March, April and May of 2003 to 152.98 for the same three months in 2004. When computed on the basis of unrounded data and rounded to the nearest one-quarter cent, the resulting national average for the period July 1, 2004 through June 30, 2005 will be 17.25 cents per meal. This is an increase of 1.50 cents from the school year 2004 (July 1, 2003 through June 30, 2004) rate.

Section 14(f) of the Act provides that commodity only schools shall be eligible to receive donated foods equal in value to the sum of the national average value of donated foods established under section 6(c) of the Act and the national average payment established under section 4 of the Act (42 U.S.C. 1753). Such schools are eligible to receive up to 5 cents per meal of this value in cash for processing and handling expenses related to the use of such commodities.

Commodity only schools are defined in section 12(d)(2) of the Act (42 U.S.C. 1760(d)(2)) as "schools that do not participate in the school lunch program under this Act, but which receive commodities made available by the Secretary for use by such schools in nonprofit lunch programs." For school year 2005, commodity only schools

shall be eligible to receive donated food assistance valued at 38.25 cents for each free, reduced price, and paid lunch served. This amount is based on the sum of the section 6(c) level of assistance announced in this notice and the adjusted section 4 minimum national average payment factor for school year 2005. The section 4 factor for commodity only schools does not include the two cents per lunch increase for schools where 60 percent of the lunches served in the school lunch program in the second preceding school year were served free or at reduced prices, because that increase is applicable only to schools participating in NSLP.

**Authority:** Sections 6(c)(1)(A) and (B), 6(e)(1), 14(f) and 17(h)(1)(B) of the National School Lunch Act, as amended (42 U.S.C. 1755(c)(1)(A) and (B) and 6(e)(1), 1762a(f), and 1766(h)(1)(B)).

Dated: July 13, 2004.

**Jerome A. Lindsay,**

*Associate Administrator.*

[FR Doc. 04-16331 Filed 7-16-04; 8:45 am]

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## DEPARTMENT OF COMMERCE

### Submission For OMB Review; Comment Request

DOC has submitted to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. chapter 35).

*Agency:* U.S. Census Bureau.

*Title:* 2004 National Long-Term Care Survey and Informal Caregiver's Survey.

*Form Number(s):* Screener Interview CAPI, Community Questionnaire CAPI, Institutional Questionnaire CAPI, Caregiver Questionnaire CAPI, LTC-9 (L2), LTC-9 (L3), LTC-9 (L4); LTC-4.

*Agency Approval Number:* 0607-0778.

*Type of Request:* Reinstatement, with change, of a previously approved collection.

*Burden:* 9,891 hours.

*Number of Respondents:* 19,900.

*Avg Hours Per Response:* 18 minutes.

*Needs and Uses:* Duke University has contracted with the U.S. Census Bureau to conduct the sampling, data collection, and estimation operations for the 2004 National Long-Term Care Survey (NLTC) and the Informal Caregivers Survey (ICS). The 2004 NLTC is a continuation of the NLTC surveys that the Census Bureau conducted for the Health Care Financing Administration (HCFA) in 1982 and

1984 and for Duke University in 1989, 1994, and 1999. The Census Bureau conducted the ICS as part of the 1989 and 1999 NLTC surveys. We are requesting approval for the 2004 NLTC and the ICS.

The 2004 NLTC consists of a screening interview and two detailed interviews, the community detailed interview, and the institutional detailed interview. The ICS is conducted after the community detailed interview with people who help or assist the NLTC sample person because of a health problem or disability.

The proposed research assesses changes in the functional and health characteristics of an elderly (65+ years old) and oldest-old (85+ years old) nationally representative sample of people followed from 1982 to 2004.

*Affected Public:* Individuals or households; Business or other for-profit.

*Frequency:* On occasion.

*Respondent's Obligation:* Voluntary.

*Legal Authority:* Title 42, United States Code, section 285e-1 and title 15, United States Code, section 1525.

*OMB Desk Officer:* Susan Schechter, (202) 395-5103.

Copies of the above information collection proposal can be obtained by calling or writing Diana Hynek, Departmental Paperwork Clearance Officer, (202) 482-0266, Department of Commerce, room 6625, 14th and Constitution Avenue, NW., Washington, DC 20230 (or via the Internet at [dhynek@doc.gov](mailto:dhynek@doc.gov)).

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to Susan Schechter, OMB Desk Officer either by fax (202-395-7245) or e-mail ([susan\\_schechter@omb.eop.gov](mailto:susan_schechter@omb.eop.gov)).

Dated: July 13, 2004.

**Madeleine Clayton,**

*Management Analyst, Office of the Chief Information Officer.*

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## DEPARTMENT OF COMMERCE

### Submission for OMB Review; Comment Request

DOC has submitted to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act of 1995, Public Law 104-13 (44 U.S.C. 3506(c)(2)(A)).

*Bureau:* International Trade Administration.