

# Notices

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This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

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## DEPARTMENT OF AGRICULTURE

### Food and Nutrition Service

#### **Child and Adult Care Food Program: National Average Payment Rates, Day Care Home Food Service Payment Rates, and Administrative Reimbursement Rates for Sponsoring Organizations of Day Care Homes for the Period July 1, 2004–June 30, 2005**

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

**ACTION:** Notice.

**SUMMARY:** This notice announces the annual adjustments to: the national average payment rates for meals and supplements served in child care centers, outside-school-hours care

centers, at-risk afterschool care centers, and adult day care centers; the food service payment rates for meals and supplements served in day care homes; and the administrative reimbursement rates for sponsoring organizations of day care homes, to reflect changes in the Consumer Price Index. Further adjustments are made to these rates to reflect the higher costs of providing meals in the States of Alaska and Hawaii. The adjustments contained in this notice are made on an annual basis each July, as required by the statutes and regulations governing the Child and Adult Care Food Program (CACFP).

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

**FOR FURTHER INFORMATION CONTACT:** Keith Churchill, Section Chief, Child and Adult Care and Summer Programs Section, Policy and Program Development Branch, Child Nutrition Division, Food and Nutrition Service, USDA, Alexandria, Virginia 22302, (703) 305–2620.

**SUPPLEMENTARY INFORMATION:**

**Definitions**

The terms used in this notice shall have the meanings ascribed to them in

the regulations governing the CACFP (7 CFR Part 226).

**Background**

Pursuant to sections 4, 11 and 17 of the Richard B. Russell National School Lunch Act (NSLA) (42 U.S.C. 1753, 1759a and 1766), section 4 of the Child Nutrition Act of 1966 (CNA) (42 U.S.C. 1773) and 226.4, 226.12 and 226.13 of the regulations governing the CACFP (7 CFR Part 226), notice is hereby given of the new payment rates for institutions participating in CACFP. These rates shall be in effect during the period July 1, 2004 through June 30, 2005.

As provided for under the NSLA and the CNA, all rates in the CACFP must be revised annually on July 1 to reflect changes in the Consumer Price Index (CPI) for the most recent 12-month period. In accordance with this mandate, the Department last published the adjusted national average payment rates for centers, the food service payment rates for day care homes, and the administrative reimbursement rates for sponsors of day care homes on July 5, 2003, at 68 FR 40621 (for the period July 1, 2003–June 30, 2004).

**BILLING CODE 3410–30–P**

| <b>CHILD AND ADULT CARE FOOD PROGRAM (CACFP)</b>  |                      |                  |                |                                     |                 |                   |                        |
|---|----------------------|------------------|----------------|-------------------------------------|-----------------|-------------------|------------------------|
| <i>Per Meal Rates in Whole or Fractions of U.S. Dollars</i>   |                      |                  |                |                                     |                 |                   |                        |
| <i>Effective from July 1, 2004 - June 30, 2005</i>  |                      |                  |                |                                     |                 |                   |                        |
| <b>CENTERS</b>  |                      | <b>BREAKFAST</b> |                | <b>LUNCH AND SUPPER<sup>1</sup></b> |                 | <b>SUPPLEMENT</b> |                        |
| <b>CONTIGUOUS STATES</b>  | <b>PAID</b>          | <b>0.23</b>      |                | <b>0.21</b>                         |                 | <b>0.05</b>       |                        |
|   | <b>REDUCED PRICE</b> | <b>0.93</b>      |                | <b>1.84</b>                         |                 | <b>0.30</b>       |                        |
|   | <b>FREE</b>          | <b>1.23</b>      |                | <b>2.24</b>                         |                 | <b>0.61</b>       |                        |
| <b>ALASKA</b>   | <b>PAID</b>          | <b>0.33</b>      |                | <b>0.35</b>                         |                 | <b>0.09</b>       |                        |
|   | <b>REDUCED PRICE</b> | <b>1.66</b>      |                | <b>3.25</b>                         |                 | <b>0.50</b>       |                        |
|   | <b>FREE</b>          | <b>1.96</b>      |                | <b>3.65</b>                         |                 | <b>1.00</b>       |                        |
| <b>HAWAII</b>   | <b>PAID</b>          | <b>0.25</b>      |                | <b>0.25</b>                         |                 | <b>0.06</b>       |                        |
|   | <b>REDUCED PRICE</b> | <b>1.13</b>      |                | <b>2.23</b>                         |                 | <b>0.36</b>       |                        |
|   | <b>FREE</b>          | <b>1.43</b>      |                | <b>2.63</b>                         |                 | <b>0.72</b>       |                        |
| <b>DAY CARE HOMES</b>   |                      | <b>BREAKFAST</b> |                | <b>LUNCH AND SUPPER</b>             |                 | <b>SUPPLEMENT</b> |                        |
|   |                      | <b>TIER I</b>    | <b>TIER II</b> | <b>TIER I</b>                       | <b>TIER II</b>  | <b>TIER I</b>     | <b>TIER II</b>         |
| <b>CONTIGUOUS STATES</b>  |                      | <b>1.04</b>      | <b>0.39</b>    | <b>1.92</b>                         | <b>1.16</b>     | <b>0.57</b>       | <b>0.15</b>            |
| <b>ALASKA</b>   |                      | <b>1.64</b>      | <b>0.59</b>    | <b>3.11</b>                         | <b>1.88</b>     | <b>0.92</b>       | <b>0.25</b>            |
| <b>HAWAII</b>   |                      | <b>1.20</b>      | <b>0.44</b>    | <b>2.25</b>                         | <b>1.35</b>     | <b>0.67</b>       | <b>0.18</b>            |
| <b>ADMINISTRATIVE REIMBURSEMENT RATES FOR SPONSORING ORGANIZATIONS OF DAY CARE HOMES PER HOME/PER MONTH RATES IN U.S. DOLLARS</b> |                      |                  |                | <b>Initial 50</b>                   | <b>Next 150</b> | <b>Next 800</b>   | <b>Each Additional</b> |
| <b>CONTIGUOUS STATES</b>  |                      |                  |                | <b>88</b>                           | <b>67</b>       | <b>53</b>         | <b>46</b>              |
| <b>ALASKA</b>   |                      |                  |                | <b>143</b>                          | <b>109</b>      | <b>85</b>         | <b>75</b>              |
| <b>HAWAII</b>   |                      |                  |                | <b>103</b>                          | <b>79</b>       | <b>62</b>         | <b>54</b>              |

<sup>1</sup>These rates do not include the value of commodities (or cash-in-lieu of commodities) which institutions receive as additional assistance for each lunch or supper served to participants under the program. A notice announcing the value of commodities and cash-in-lieu of commodities is published separately in the *Federal Register*.

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The changes in the national average payment rates for centers reflect a 2.86 percent increase during the 12-month period, May 2003 to May 2004, (from

181.5 in May 2003 to 186.7 in May 2004) in the food away from home series of the CPI for All Urban Consumers.

The changes in the food service payment rates for day care homes reflect

a 4.94 percent increase during the 12-month period, May 2003 to May 2004, (from 177.8 in May 2003 to 186.6 in May 2004) in the food at home series of the CPI for All Urban Consumers.

The changes in the administrative reimbursement rates for sponsoring organizations of day care homes reflect a 3.05 percent increase during the 12-month period, May 2003 to May 2004, (from 183.5 in May 2003 to 189.1 in May 2004) in the series for all items of the CPI for All Urban Consumers, published by the Bureau of Labor Statistics of the Department of Labor.

The total amount of payments available to each State agency for distribution to institutions participating in the program is based on the rates contained in this notice.

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.

This program is listed in the Catalog of Federal Domestic Assistance under No. 10.558 and is 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. 3501–3518).

**Authority:** Sections 4(b)(2), 11a, 17(c) and 17(f)(3)(B) of the Richard B. Russell National School Lunch Act, as amended (42 U.S.C. 1753(b)(2), 1759a, 1766(f)(3)(B)) and section 4(b)(1)(B) of the Child Nutrition Act of 1966, as amended (42 U.S.C. 1773(b)(1)(B)).

Dated: July 9, 2004.

**George A. Braley,**

*Associate Administrator.*

[FR Doc. 04–16045 Filed 7–14–04; 8:45 am]

**BILLING CODE 3410–30–P**

## DEPARTMENT OF AGRICULTURE

### Food and Nutrition Service

#### National School Lunch, Special Milk, and School Breakfast Programs; National Average Payments/Maximum Reimbursement Rates

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

**ACTION:** Notice.

**SUMMARY:** This Notice announces the annual adjustments to: (1) The “national average payments,” the amount of money the Federal Government provides States for lunches, afterschool snacks and breakfasts served to children

participating in the National School Lunch and School Breakfast Programs; (2) the “maximum reimbursement rates,” the maximum per lunch rate from Federal funds that a State can provide a school food authority for lunches served to children participating in the National School Lunch Program; and (3) the rate of reimbursement for a half-pint of milk served to nonneedy children in a school or institution which participates in the Special Milk Program for Children. The payments and rates are prescribed on an annual basis each July. The annual payments and rates adjustments for the National School Lunch and School Breakfast Programs reflect changes in the Food Away From Home series of the Consumer Price Index for All Urban Consumers. The annual rate adjustment for the Special Milk Program reflects changes in the Producer Price Index for Fluid Milk Products. These payments and rates are in effect from July 1, 2004 through June 30, 2005.

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

**FOR FURTHER INFORMATION CONTACT:** Ms. Rosemary O’Connell, Section Chief, School Programs Section, Policy and Program Development Branch, Child Nutrition Division, Food and Nutrition Service, USDA, 3101 Park Center Drive, Room 640, Alexandria, VA 22302 or phone (703) 305–2590.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

*Special Milk Program for Children—*Pursuant to section 3 of the Child Nutrition Act of 1966, as amended (42 U.S.C. 1772), the Department announces the rate of reimbursement for a half-pint of milk served to nonneedy children in a school or institution that participates in the Special Milk Program for Children. This rate is adjusted annually to reflect changes in the Producer Price Index for Fluid Milk Products, published by the Bureau of Labor Statistics of the Department of Labor.

For the period July 1, 2004 to June 30, 2005, the rate of reimbursement for a half-pint of milk served to a nonneedy child in a school or institution which participates in the Special Milk Program is 17 cents. This reflects an increase of 29.8 percent in the Producer Price Index for Fluid Milk Products from May 2003 to May 2004 (from a level of 143.2 in May 2003 to 185.9 in May 2004).

As a reminder, schools or institutions with pricing programs that elect to serve milk free to eligible children continue to receive the average cost of a half-pint of milk (the total cost of all milk purchased during the claim period divided by the total number of purchased half-pints)

for each half-pint served to an eligible child.

*National School Lunch and School Breakfast Programs—*Pursuant to sections 11 and 17A of the National School Lunch Act, (42 U.S.C. 1759a and 1766a), and section 4 of the Child Nutrition Act of 1966, (42 U.S.C. 1773), the Department annually announces the adjustments to the National Average Payment Factors and to the maximum Federal reimbursement rates for lunches and afterschool snacks served to children participating in the National School Lunch Program and breakfasts served to children participating in the School Breakfast Program. Adjustments are prescribed each July 1, based on changes in the Food Away From Home series of the Consumer Price Index for All Urban Consumers, published by the Bureau of Labor Statistics of the Department of Labor. The changes in the national average payment rates for schools and residential child care institutions for the period July 1, 2004 through June 30, 2005 reflect a 2.86 percent increase in the Consumer Price Index for All Urban Consumers during the 12-month period May 2003 to May 2004 (from a level of 181.5 in May 2003 to 186.7 in May 2004). Adjustments to the national average payment rates for all lunches served under the National School Lunch Program, breakfasts served under the School Breakfast Program, and afterschool snacks served under the National School Lunch Program are rounded down to the nearest whole cent.

*Lunch Payment Levels—*Section 4 of the National School Lunch Act (42 U.S.C. 1753) provides general cash for food assistance payments to States to assist schools in purchasing food. The National School Lunch Act provides two different section 4 payment levels for lunches served under the National School Lunch Program. The lower payment level applies to lunches served by school food authorities in which less than 60 percent of the lunches served in the school lunch program during the second preceding school year were served free or at a reduced price. The higher payment level applies to lunches served by school food authorities in which 60 percent or more of the lunches served during the second preceding school year were served free or at a reduced price.

To supplement these section 4 payments, section 11 of the National School Lunch Act (42 U.S.C. 1759(a)) provides special cash assistance payments to aid schools in providing free and reduced price lunches. The section 11 National Average Payment Factor for each reduced price lunch