

# Rules and Regulations

Federal Register

Vol. 66, No. 245

Thursday, December 20, 2001

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each week.

## DEPARTMENT OF AGRICULTURE

### Food and Nutrition Service

#### 7 CFR Parts 210 and 226

RIN 0584-AB81

#### Child and Adult Care Food Program and Infant Meal Patterns; Correction

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

**ACTION:** Correcting amendments.

**SUMMARY:** This document contains a correction to the infant meal pattern tables that appear in the current edition of the Code of Federal Regulations that appear under 7 CFR parts 210 and 226. This error first appeared in an interim rule published in the **Federal Register** on November 15, 1999 (64 FR 61770). This document also contains corrections to the meal pattern tables for suppers and supplemental foods that appear in 7 CFR part 226. The errors first appeared in a final rule published in the **Federal Register** on March 9, 2000 (65 FR 12429).

**EFFECTIVE DATE:** December 20, 2001.

**FOR FURTHER INFORMATION CONTACT:** Ms. Melissa Rothstein, 3101 Park Center Drive, Room 640, Alexandria, Virginia 22302; or (703) 305-2590; or [CNDINTERNET@fns.usda.gov](mailto:CNDINTERNET@fns.usda.gov).

**SUPPLEMENTARY INFORMATION:**

#### Need for Correction

The regulatory text in §§ 210.10(o)(2)(iii)(B) and 226.20(b)(4) indicates that servings of cottage cheese, cheese food, and cheese spread in the lunch pattern for infants are measured in ounces. In an interim rule published in the **Federal Register** on November 15, 1999 (64 FR 61770), the infant meal pattern tables that appear in §§ 210.10(o)(2) and 226.20(b)(4) incorrectly refer to tablespoons instead of ounces. This document corrects the tables to indicate that a serving of cottage cheese, cheese food, or cheese spread is to be measured in ounces.

In a final rule published in the **Federal Register** on March 9, 2000 (65 FR 12429), the meal pattern table in § 226.20(c)(3) contained incorrect information for the fluid milk requirement for adult participants receiving suppers under the Child and Adult Care Food Program. The meal pattern table in § 226.20(c)(4) contained incorrect amounts of meat and meat alternates that may be offered as part of a reimbursable snack. This document corrects these errors.

#### List of Subjects

##### 7 CFR Part 210

Children, Commodity School Program, Food assistance programs, Grants programs-social programs, National School Lunch Program, Nutrition, Reporting and recordkeeping requirements, Surplus agricultural commodities.

##### 7 CFR Part 226

Accounting, Aged, Day care, Food assistance programs, Grant programs, Grant programs-health, Indians, Individuals with disabilities, Infants and children, Intergovernmental relations, Loan programs, Reporting and recordkeeping requirements, Surplus agricultural commodities.

Accordingly, 7 CFR parts 210 and 226 are corrected by the following amendments:

#### PART 210—NATIONAL SCHOOL LUNCH PROGRAM

1. The authority citation for 7 CFR part 210 continues to read as follows:

**Authority:** 42 U.S.C. 1751-1760, 1779.

2. In § 210.10, amend the Lunch Pattern for Infants table in paragraph (o)(2) by removing the word “tablespoons” before the words “of cottage cheese” in column 4 and adding the word “ounces” in its place.

#### PART 226—CHILD AND ADULT CARE FOOD PROGRAM

1. The authority citation for 7 CFR part 226 continues to read as follows:

**Authority:** Sections 9, 11, 14, 16 and 17, National School Lunch Act, as amended (42 U.S.C. 1758, 1759a, 1762a, 1765 and 1766).

2. In § 226.20:

a. Amend the Child Care Infant Meal Pattern table in paragraph (b)(4) by removing the word “Tbsp.” before the words “Cottage cheese” in column 4 and adding the word “ounces” in its place;

b. Amend the table in paragraph (c)(3) by removing the words “1 cup.” from the first line of column 5 and adding the word “None.” in its place;

c. Amend the table in paragraph (c)(4) by revising the entries for “Lean meat or poultry or fish<sup>6</sup> or”, “Alternate protein products<sup>7</sup> or”, and “Cheese or” under the “Meat and Meat Alternates” heading to read as follows:

#### § 226.20 Requirements for meals.

\* \* \* \* \*

(c) \* \* \*

(4) \* \* \*

Food components <sup>1</sup>	Age 1 and 2	Age 3 through 5	Age 6 through 12 <sup>2</sup>	Adult participants
* Meat and Meat Alternates:	*	*	*	*
Lean meat or poultry or fish <sup>6</sup> or .....	1/2 ounce .....	1/2 ounce .....	1 ounce .....	1 ounce
Alternate protein products <sup>7</sup> or .....	1/2 ounce .....	1/2 ounce .....	1 ounce .....	1 ounce
Cheese or .....	1/2 ounce .....	1/2 ounce .....	1 ounce .....	1 ounce
* .....	* .....	* .....	* .....	*

<sup>1</sup> For purposes of the requirements outlined in this subsection, a cup means a standard measuring cup.  
<sup>2</sup> Children age 12 and up may be served adult size portions based on the greater food needs of older boys and girls, but shall be served not less than the minimum quantities specified in this section for children age 6 up to 12.  
<sup>6</sup> Edible portions must be served.  
<sup>7</sup> Must meet the requirements in Appendix A of this part.

Dated: December 7, 2001.  
**George A. Braley**,  
*Acting Administrator, Food and Nutrition Service.*  
 [FR Doc. 01-31161 Filed 12-19-01; 8:45 am]  
**BILLING CODE 3410-30-U**

**DEPARTMENT OF AGRICULTURE**  
**Animal and Plant Health Inspection Service**  
**9 CFR Parts 71 and 85**  
**[Docket No. 98-023-2]**  
**RIN 0579-AB28**  
**Interstate Movement of Swine Within a Production System**  
**AGENCY:** Animal and Plant Health Inspection Service, USDA.  
**ACTION:** Final rule.

**SUMMARY:** We are amending the regulations to establish an alternative to the current requirements for moving swine interstate. Under this alternative, persons may move swine interstate without meeting individual swine identification and certain other requirements if they move the swine within a single swine production system, and if each swine production system signs an agreement with the Animal and Plant Health Inspection Service and involved State governments to monitor the health of animals moving within the swine production system and to facilitate traceback of these animals if necessary. This action will facilitate the interstate movement of swine while continuing to provide protection against the interstate spread of swine diseases. This action will affect persons engaged in swine production who regularly move swine interstate in their business operations.  
**EFFECTIVE DATE:** January 22, 2002.  
**FOR FURTHER INFORMATION CONTACT:** Dr. Arnold Taft, Senior Staff Veterinarian,

National Animal Health Programs, VS, APHIS, 4700 River Road Unit 43, Riverdale, MD 20737-1231; (301) 734-4916.

**SUPPLEMENTARY INFORMATION:**  
**Background**

The regulations in subchapter C of chapter I, title 9, Code of Federal Regulations, govern the interstate movement of animals to prevent the dissemination of livestock and poultry diseases in the United States. Parts 71 and 85 (referred to below as the regulations) are included in subchapter C. Part 71 relates to the interstate movement of animals, poultry, and animal products, and includes animal identification requirements for swine moving interstate. Part 85 imposes requirements to control the spread of pseudorabies and includes certificate and other requirements for the interstate movement of swine.  
 On September 21, 2000, we published in the **Federal Register** (65 FR 57106-57113, Docket No. 98-023-1) a proposal to amend the regulations by establishing an alternative to the current requirements for moving swine interstate.  
 With some exceptions, parts 71 and 85 require swine moving interstate to be individually identified. As we explained in our September 2000 proposed rule, these regulations were written when swine (other than valued breeding stock) were generally moved interstate only when a change in ownership occurred, usually when they were shipped to slaughter. However, today swine move interstate while they are raised for slaughter or breeding under a swine production system, and while they remain under the control of a single owner or group of contractually related owners.  
 In order to better accommodate this new model of swine production, we proposed alternative requirements. As proposed, producers could move swine

interstate under our alternative procedures if they meet the following requirements:

- The producers have a written swine production health plan (SPHP) signed by the producer(s), the accredited veterinarian(s) for the premises, the Animal and Plant Health Inspection Service (APHIS), and the States in which the producers in the swine production system have premises.
  - One or more accredited veterinarians identified in the SPHP will regularly visit each premises in the swine production system to inspect and test swine and will continually monitor the health of the swine in the swine production system. Swine may only be moved interstate if they have been found free from signs of any communicable disease during the most recent inspection of the premises by the swine production system accredited veterinarian(s).
  - The SPHP describes a records system maintained by the producers to document the health status of the swine.
  - Prior to each interstate movement of swine between premises within a swine production system, an interstate swine movement report must be sent to APHIS, the accredited veterinarian for the premises, and the sending and receiving States. That report must document the number, type, and health status of the swine being moved. Each of these requirements was discussed in detail in our proposal.
- We solicited comments concerning our proposal for 60 days ending November 20, 2000. We received nine comments by that date. They were from representatives of State governments, veterinarians, and pork producers and pork producer organizations. They are discussed below by topic.