

# Notices

## Federal Register

Vol. 63, No. 225

Monday, November 23, 1998

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.

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

[S&amp;T-98-001]

#### Presiding Officer Designated for Administrative Cases Involving Violations of the Pesticide Recordkeeping Requirements of the Food, Agriculture, Conservation and Trade Act of 1990

**AGENCY:** Agricultural Marketing Service, USDA.

**ACTION:** Notice of designation.

**SUMMARY:** The Administrator of the Agricultural Marketing Service has designated the administrative law judges of the Office of the Administrative Law Judges, USDA, as the Presiding Officer for administrative civil penalty cases involving certified applicators of restricted use pesticides who violate the recordkeeping requirements of the Food, Agriculture, Conservation and Trade Act of 1990.

**EFFECTIVE DATE:** November 23, 1998.

**FOR FURTHER INFORMATION CONTACT:** Bonnie Poli, Chief, Pesticide Records Branch, AMS, USDA, 8700 Centreville Road, Suite 202, Manassas, VA 20110, Telephone (703) 330-7826.

#### SUPPLEMENTARY INFORMATION:

#### Background

The Secretary of Agriculture is authorized by Section 1491 of the Food, Agriculture, Conservation and Trade Act of 1990 (FACT Act) to require certified applicators of restricted use pesticides (RUPs) to maintain records of all RUP applications. The FACT Act also authorizes the Secretary to promulgate regulations implementing the recordkeeping requirements and to enforce those requirements by the imposition of civil penalties for violations. A violator's first offense is subject to a civil penalty of up to \$550

and each subsequent offense is subject to a penalty of not less than \$1,100.

The Agricultural Marketing Service (AMS) promulgated regulations implementing the recordkeeping requirements on April 9, 1993 (7 CFR part 110). The regulations include rules of practice for administrative civil penalty proceedings (7 CFR part 110.8), which provide that AMS may initiate an administrative civil penalty proceeding by filing a notice of violation with the Presiding Officer. The Presiding Officer is defined in the regulations as "any individual designated in writing by the Administrator" to preside at the proceedings (7 CFR part 110.2).

Accordingly, the Administrator of AMS hereby designates the administrative law judges of the Office of the Administrative Law Judges, USDA, to preside over administrative civil penalty cases involving violations of the pesticide recordkeeping requirements of the FACT Act and the regulations promulgated thereunder.

Dated: November 16, 1998.

**Enrique E. Figueroa,**

*Administrator, Agricultural Marketing Service.*

[FR Doc. 98-31183 Filed 11-20-98; 8:45 am]

BILLING CODE 3410-02-P

## DEPARTMENT OF AGRICULTURE

### Economic Research Service

#### Notice of Intent To Seek Approval to Collect Information

**AGENCY:** Economic Research Service, USDA.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13) and Office Management and Budget (OMB) regulations at 5 CFR Part 1320 (60 FR 44978, August 29, 1995), this notice announces the Economic Research Service's (ERS) intention to request approval for a new information collection from charitable organizations that provide emergency food assistance; from food banks; from food pantries; and from emergency kitchens.

**DATES:** Comments on this notice must be received by January 27, 1999 to be assured of consideration.

**ADDITIONAL INFORMATION OR COMMENTS:** Contact David M. Smallwood, Deputy Director for Food Assistance Research, Food and Rural Economics Division,

Economic Research Service, U.S. Department of Agriculture, 1800 M Street, NW, Room N-2130, Washington, DC 20036-5831, 202-694-5466.

#### SUPPLEMENTARY INFORMATION:

**Title:** Application for ERS collection of information on charitable organizations that provide emergency food assistance; food banks; food pantries, and emergency kitchens.

**Type of Request:** Approval to collect information on charitable organizations that provide emergency food assistance, food banks, food pantries, and emergency kitchens.

**Abstract:** USDA's Economic Research Service (ERS) has the responsibility to provide social and economic intelligence on consumer, food marketing, and rural issues, including food consumption determinations and trends; consumer demand for food quality, safety, and nutrition; food market competition and coordination; food security status of the poor; domestic food assistance programs; low-income assistance programs; and food safety regulation. In carrying out this overall mission, ERS seeks approval of information gathering activities that would provide key information about the capacity of the Emergency Food Assistance System (EFAS) to provide food assistance to low-income households.

USDA, through the Food and Nutrition Service, administers several food assistance programs that help low-income households obtain adequate and nutritious diets. The largest USDA food assistance program, the Food Stamp Program, is designed to provide food assistance through normal channels of trade, by providing low-income consumers with purchasing power to buy food at market prices from food retailers authorized to participate in the program. Other programs, such as the National School Lunch Program (NSLP), the School Breakfast Program (SBP), and The Emergency Food Assistance Program (TEFAP) provide food assistance outside regular marketing channels. The NSLP and SBP provide cash subsidies and commodity assistance to schools to help provide low-cost or free lunches and breakfasts to schoolchildren. The Emergency Food Assistance Program (TEFAP), distributes commodity foods to State and local agencies for distribution to low-income households for home consumption, or to

charitable organizations that prepare and provide meals for needy people.

The EFAS interacts closely with USDA food assistance programs by serving as a distribution outlet for TEFAP commodities and by providing temporary or supplemental food assistance to many of the same needy populations served by USDA programs. Through its Food Recovery and Gleaning Initiative, USDA is coordinating public and private efforts to increase the amount of surplus food channeled through EFAS providers by 33 percent by the year 2000.

EFAS providers are largely private, nonprofit organizations that distribute groceries (nonprepared foods) and meals (prepared foods) on a short-term or emergency basis, to needy individuals and households who lack the resources to meet their own food needs. Recipients include the elderly, the homeless, the unemployed, and the working poor, as well as victims of natural disasters. Food banks, food pantries, and emergency kitchens are important components of the system. Food banks are primarily collection and distribution centers near the "top" of the system, providing food to a large set of diverse and geographically dispersed agencies/providers. Food pantries are distribution centers that provide groceries and other basic supplies for use by recipients in their homes or at other locations away from the distribution sites. Emergency kitchens supply food for on-site consumption to people who do not live at the site. Both kitchens and pantries focus on providing emergency food to needy families in their neighborhoods.

In order to fully assess the interactions of these organizations with USDA food assistance programs and their implications for public policy, ERS must have information on providers' operating characteristics, service areas, and resource base, the quantity and type of food flowing into the system, the number of people served, and providers' capacity to manage current and future changes in food demand and resources. Information about the availability and demand for EFAS services in prior years is also needed.

Previous research has examined interactions between EFAS providers and the homeless<sup>1</sup> and has examined operating data from limited numbers of EFAS providers.<sup>2</sup> However, important information gaps remain, due to such

factors as (1) lack of national representativeness; (2) a focus on the homeless population rather than on the full set of clients served by the EFAS; and (3) lack of comparability across studies, each of which had limited scope.

To fill these information gaps, ERS, working with Mathematica Policy Research, Inc., will survey food banks, food pantries, and emergency kitchens. The sampling process for this study uses a multi-stage design. In the first stage, the United States will be divided into 2,000 mutually exclusive and collectively exhaustive Primary Sampling Units (PSUs) covering the 48 continental United States and the District of Columbia, stratified by region, urbanicity, and size. A random sample of 360 PSUs will be drawn. A listing of all food banks in the country will be constructed, along with a frame of pantries and kitchens in the 360 sampled areas. Obtaining lists of food providers will require contacts with state TEFAP directors and national religious, social service, and volunteer organizations, as well as intensive telephone canvassing of public and private organizations and government agencies at the local or county level.

When selecting the sample of PSUs, the measure of size will be the square root of the estimated poverty population in each PSU. The ideal measure would be the number of EFA providers, but this number is not known. The number of providers is expected to be less than proportional to the number of people in poverty. In previous work, the square root factor has been found usually to reflect this relationship well.

After the sampling stage has been completed, a census of food banks will be conducted, and data will be collected from all food banks in the 48 continental United States and the District of Columbia. Stratified random samples of food pantries and emergency kitchens will be surveyed. To collect survey data, computer-assisted telephone interviews (CATI) will be conducted with representatives of food banks, food pantries, and emergency kitchens.

Respondent burden will be minimized by using CATI methods to streamline the interviewing process, and by carefully training interviewing staff on survey procedures. The objective of minimizing burden will also be accomplished through careful attention to instrument development, aimed at limiting content to only those domains that are important to the agency's objectives, and by ensuring clear question flow.

Responses will be voluntary and confidential. To ensure confidentiality, data will be reported only in tabular form, with analysis cells large enough to prevent identification of individual providers. In addition, identifying information will be kept only by the contractor and will be released only to the contractor's internal staff who need it directly for the survey and analysis operations.

*Estimate of Burden:* To develop the sample frame, telephone contact with representatives of national organizations will average 30 minutes, and telephone contacts with state TEFAP officials and local or county informants will average 15 minutes. CATI interviews with respondents at food banks, food pantries, and emergency kitchens will average 45 minutes.

*Respondents:* Respondents are state and local governments, local and national charitable organizations, food banks, food pantries, and emergency kitchens. To develop the sample frame, 15 national-level informants, 1 TEFAP official from each of the 48 continental States and the District of Columbia, and 15 local-or county-level informants in each of the 360 sampled areas will be asked for contact names, addresses, and telephone numbers of food providers. For the CATI survey, data will be collected from 1,657 food pantries and 1,470 emergency kitchens. All of the estimated 500 to 600 food banks in the United States will be included in the food bank survey, and after taking nonresponse into account, the number of completions is estimated to be 440.

*Estimated Total Annual Burden on Respondents:* Estimated burden of the development of the sample frame will be 7.5 hours for the national organizations, 12 hours for the TEFAP officials, and 1,350 hours for contacts in the 360 sampled areas, totaling 1,370 hours for all informants. The estimated burden of the CATI interviews will be 330 hours for the food banks, 1,243 hours for the food pantries, and 1,103 hours for the emergency kitchens, totaling 2,676 hours for all respondents.

*Comments:* Comments are invited on (a) 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; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on those who are to respond, including

<sup>1</sup> Cohen, Barbara E., Nancy Chapman, and Martha R. Burt. "Food Sources and Intake of Homeless Persons." *Journal of Nutrition Education*, vol. 24, no. 1 supp. January 1, 1990.

<sup>2</sup> Second Harvest. *Hunger 1997: The Faces & Faces*. Chicago: The Amburg Group, 1997.

the use of appropriate automated, electronic, mechanical, or other technology. Comments may be sent to: David M. Smallwood, Deputy Director for Food Assistance Research, Food and Rural Economics Division, Economic Research Service, U.S. Department of Agriculture, 1800 M Street, NW, Room N-2130, Washington, DC 20036-5831.

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

Dated: November 16, 1998.

**Betsey Kuhn,**

*Director, Food and Rural Economics Division.*  
[FR Doc. 98-31260 Filed 11-20-98; 8:45 am]

BILLING CODE 3410-18-P

## DEPARTMENT OF AGRICULTURE

### Economic Research Service

#### Notice of Intent to Seek Approval to Collect Information

**AGENCY:** Economic Research Service, USDA.

**ACTION:** Notice and request for comments.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13) and Office of Management and Budget (OMB) regulations at 5 CFR part 1320 (60 FR 44978, August 29, 1995), this notice announces the Economic Research Service's (ERS) intention to request approval for a new information collection on supplemental food security questions for the April 1999 Current Population Survey. These data will be used to develop a scale of household level food security in the United States, to assess changes in food security for population subgroups, to assess performance of domestic food assistance programs, and to provide information to aid in public policy decision making.

**DATES:** Comments on this notice must be received by January 22, 1999 to be assured of consideration.

**ADDITIONAL INFORMATION OR COMMENTS:** Contact David M. Smallwood, Deputy Director for Food Assistance Research, Food and Rural Economics Division, Economic Research Service, U.S. Department of Agriculture, 1800 M Street NW Room S-2130, Washington, D.C. 20036-5831, 202-694-5466.

#### SUPPLEMENTARY INFORMATION:

*Title:* Application for April Food Security Supplement to the Current Population Survey, 1999.

*Type of Request:* Approval to collect information on household food insecurity.

*Abstract:* The U.S. Bureau of the Census will supplement the April 1999 Current Population Survey with questions regarding household food shopping, food sufficiency, coping mechanisms and food scarcity, and concern about food sufficiency. A similar supplement was also appended to the CPS in April 1995, September 1996, April 1997, and August 1998.

ERS is responsible for conducting studies and evaluations of the Nation's food assistance programs that are administered by the Food and Nutrition Service (FNS), U.S. Department of Agriculture. The Department spends about \$37 billion each year to ensure access to nutritious, healthful diets for all Americans. The Food and Nutrition Service administers the 15 food assistance programs of the USDA including Food Stamps, Child Nutrition, and WIC programs. These programs, which serve 1 in 6 Americans, represent our nation's commitment to the principle that no one in our country should fear hunger or experience want. They provide a safety net to people in need. The programs' goals are to provide needy persons with access to a more nutritious diet, to improve the eating habits of the nation's children, and to help America's farmers by providing an outlet for the distribution of food purchased under farmer assistance authorities.

These data will be used to develop a scale of food security reflecting a range from food secure households through households experiencing severe food insecurity. Ultimately, this scale will be used to identify the prevalence of poverty-linked food insecurity and hunger experienced in the United States. The purpose of this project is to provide a consistent measure of the extent and severity of food insecurity that will aid in policy decision making. The supplemental survey instrument has been developed in conjunction with food security experts nationwide as well as survey method experts within the Census Bureau. This supplemental information will be collected by both personal visit and telephone interviews in conjunction with the regular monthly CPS interviewing. All interviews, whether by personal visit or by telephone, are conducted using computers.

*Estimates of Burden:* Public reporting burden for this data collection is estimated to average 10 minutes.

*Respondents:* Individuals or households.

*Estimated number of Respondents:* 50,000.

*Estimated Total Annual Burden on respondents:* 8,330 hours.

Copies of the information to be collected can be obtained from David M. Smallwood, Deputy Director for Food Assistance Research, Food and Rural Economics Division, Economic Research Service, U.S. Department of Agriculture, 1800 M Street NW Room 2130, Washington, DC 20036-5831, 202-694-5466.

*Comments:* Comments are invited on: (a) 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; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology. Comments may be sent to David M. Smallwood, Deputy Director for Food Assistance Research, Food and Rural Economics Division, Economic Research Service, U.S. Department of Agriculture, 1800 M Street NW Room 2130, Washington, D.C. 20036-5831, 202-694-5466. All responses to this notice will be summarized and included in the request for OMB approval. All comments will also become a matter of public record.

Dated: November 5, 1998.

**Betsey Kuhn,**

*Director, Food and Rural Economy Division.*

[FR Doc. 98-31261 Filed 11-20-98; 8:45 am]

BILLING CODE 3410-18-P

## DEPARTMENT OF AGRICULTURE

### Forest Service

#### John Day/Snake Resource Advisory Council, Hells Canyon Subgroup

**AGENCY:** Forest Service, USDA.

**ACTION:** Notice of meeting.

**SUMMARY:** The Hells Canyon Subgroup of the John Day/Snake Resource Advisory Council will meet on December 14 and 15, 1998 at the Wallowa Mountains Office of the Wallowa-Whitman National Forest, 88401 Highway 82 in Enterprise, Oregon. The meeting will begin at 9:00