

specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall become effective on July 11, 1973.

(Sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2))

Dated: July 6, 1973.

HENRY J. KOPF,
Deputy Assistant Administrator
for Pesticide Programs.

[FR Doc. 73-14098 Filed 7-10-73; 8:45 am]

Title 10—Atomic Energy

CHAPTER I—ATOMIC ENERGY COMMISSION

PART 170—FEES FOR FACILITIES AND MATERIALS LICENSES UNDER THE ATOMIC ENERGY ACT OF 1954, AS AMENDED

Revised Fees

On February 12, 1973, the Atomic Energy Commission published in the FEDERAL REGISTER (38 FR 4272) proposed amendments to its regulations in 10 CFR Part 170 which would change fees charged for facilities and materials licenses. Interested persons were invited to submit written comments and suggestions for consideration in connection with the proposed amendments by April 13, 1973.

The fees set out in the notice of proposed rulemaking covered costs associated with the Commission's licensing and health and safety compliance and inspection program, taking into account additional costs incurred by the implementation of the National Environmental Policy Act of 1969 and by the antitrust review of nuclear power reactor applications. Costs related to rulemaking, development of standards, codes, criteria, and regulatory guides, safeguards activities and administration of the Agreement States program were not included in the proposed fee schedules. Costs associated with licenses exempt from fees were identified and excluded. The notice proposed to eliminate the exemption from payment of fees for licenses authorizing: (1) Possession, but not operation, of production or utilization facilities, (2) human use of byproduct material, source material, or special nuclear material, and (3) use of byproduct material, source material, or special nuclear material for civil defense purposes only.

The notice also proposed separate fee categories for certain types of licenses to provide a greater degree of equity in assessing fees. New fee categories include licenses for: (1) Byproduct material for processing or manufacturing quantities or items for commercial distribution where no product safety evaluation is required, (2) byproduct material for industrial radiography operations limited to one location, (3) byproduct material

in quantities of less than 10,000 curies for irradiation of materials, (4) waste disposal where burial is not authorized, (5) distribution of exempt quantities of byproduct material, (6) distribution of exempt timepieces, hands and dials, containing hydrogen 3 or promethium 147, (7) byproduct material for research and development, and (8) uranium mills and uranium conversion plants.

After consideration of the comments received and other factors involved, the Commission has adopted the proposed

Fee Category 5A has been modified to amendments with certain modifications discussed below.¹

Paragraph 170.12(c) has been revised to clarify the due date for payment of license fees. Payment of prescribed fees for those licenses that have not been subject to fees prior to the amendments to Part 170 herein will be required within 30 days after the effective date. In the case of licenses that have been subject to fees prior to promulgation of these amendments, the next annual fee will be payable one year from the due date of the last fee payment and annually thereafter. In the case of licenses issued after the promulgation of these amendments, annual fees are payable one year following the date of issuance and annually thereafter.

Footnote 4 has been added to § 170.31 to provide for waiver of the annual fee where an application for license cancellation has been filed prior to the due date of the annual fee, and for reduction of the annual fee where an application to reduce the scope of the license has been filed prior to the due date of the annual fee. The fees will be affected only when the application contains adequate information to enable the Commission to complete the requested action.

¹ Commissioner William O. Doub's approval is based on the understanding that there is a legal question as to the scope of an agency's authority to impose certain fees under Title V of the Independent Offices Appropriation Act of 1952 (31 U.S.C. 483a), but that the Commission's imposition of the revised fees, is consistent with Office of Management and Budget guidance in Circular A-25 pending resolution of the legal question in litigation now before the U.S. Supreme Court, whose decision may not be handed down until next spring.

Footnote 5 has been added to § 170.31 so that persons possessing special nuclear material in the form of sealed sources, in addition to other physical forms of special nuclear material, are not required to pay an additional fee under Category 1E when they have paid a fee under Categories 1A through 1D. make clear that it is intended to cover licenses for tracer studies and for all well logging and well surveys.

In addition, minor editorial revisions have been made in fee Categories 1D, 1E, 2C, 3I, 3K, and 3L.

Pursuant to the Atomic Energy Act of 1954, as amended, and sections 552 and 553 of Title 5 of the United States Code, the following amendments to Title 10, Chapter I, Code of Federal Regulations, Part 170, are published as a document subject to codification to be effective on August 10, 1973.

§ 170.11 [Amended]

1. Subparagraphs (6) and (7) of § 170.11(a) are deleted.

2. In § 170.12, paragraph (c) is revised to read as follows:

§ 170.12 Payment of fees.

(c) *Annual fees.* All licenses outstanding on August 10, 1973, are subject to payment of the annual fee prescribed by this Part 170, as amended, within 30 days after August 10, 1973, and annually thereafter: *Provided however*, That in the case of licenses which have been subject to license fees prior to August 10, 1973, the next annual fee will be payable 1 year from the due date of the last fee payment and annually thereafter. In the case of licenses issued after August 10, 1973, annual fees are payable 1 year following the date of issuance of the license and annually thereafter.

3. Section 170.21 is revised to read as follows:

§ 170.21 Schedule of fees for production and utilization facilities.

Applicants for construction permits or operating licenses for production or utilization facilities and holders of construction permits or operating licenses for production or utilization facilities shall pay the fees set forth below.

SCHEDULE OF FEES

Facility (thermal megawatt values refer to maximum capacity stated in the permit or license as limited by license conditions or technical specifications) ¹	Application fee for construction permit	Construction ² permit fee	Operating ³ license fee	Annual fee after issuance of operating license
(1) Power reactor ⁴	\$125,000	\$250,000+ \$170/Mw(t)	\$250,000+ \$185/Mw(t)	\$65/Mw(t) ⁵ (\$20,000 minimum)
(2) Testing facility.....	3,500	10,500	15,200	13,000
(3) Research reactor.....	600	2,300	3,500	8,500
(4) Other production or utilization facility.....	100,000	160,000	250,000	215,000
(5) Possession but not operation of production or utilization facility.....				600

¹ Amendments reducing capacity shall not entitle the applicant to a partial refund of any fee; applications or amendments increasing capacity requiring a higher fee will not be accepted for filing unless accompanied by the prescribed fee, which shall be determined by multiplication of the change in power level, expressed in megawatts thermal, by \$185.

² Thermal megawatts.

³ When construction permits are issued for two or more power reactors of the same design at a single power station that were subject to concurrent licensing review, the construction permit fee for the first reactor will be \$250,000+ \$170/Mw(t) and \$50,000+ \$30/Mw(t) for each additional reactor.

⁴ When operating licenses are issued for two or more power reactors of the same design at a single power station that were subject to concurrent licensing review, the operating license fee will be \$250,000+ \$185/Mw(t) for the first reactor and \$150,000+ \$120/Mw(t) for each additional reactor.

⁵ For construction permits and operating licenses for power reactors with a capacity in excess of 3800 Mw(t), the fee will be computed on a maximum power level of 3800 Mw(t).

Title 5—Administrative Personnel
CHAPTER I—CIVIL SERVICE COMMISSION

PART 213—EXCEPTED SERVICE

Executive Office of the President

Section 213.3303 is amended to show that the following three positions in the Office of Management and Budget are excepted under Schedule C: One Secretary to the Assistant to the Director for Public Affairs and one Private Secretary to each of two Associate Directors.

Effective on July 11, 1973, paragraph (a) (6) is amended and paragraph (a) (14) is added under § 213.3303 as set out below.

§ 213.3303 Executive Office of the President.

(a) *Office of Management and Budget.* * * *

(6) One Private Secretary to each of three Associate Directors.

(14) One Secretary to the Assistant to the Director for Public Affairs.

(5 U.S.C. secs. 3301, 3302; E.O. 10577, 3 CFR 1954-58 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,
Executive Assistant
to the Commissioners.

[FR Doc.73-14109 Filed 7-10-73;8:45 am]

PART 213—EXCEPTED SERVICE

Department of Commerce

Section 213.3314 is amended to show that two positions of Special Assistant to the Assistant Secretary for Administration are excepted under Schedule C.

Effective on July 11, 1973, § 213.3314 (a) (29) is added as set out below.

§ 213.3314 Department of Commerce.

(a) *Office of the Secretary.* * * *

(29) Two Special Assistants to the Assistant Secretary for Administration

(5 U.S.C. secs. 3301, 3302; E.O. 10577, 3 CFR 1954-58 comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,
Executive Assistant
to the Commissioners.

[FR Doc.73-14108 Filed 7-10-73;8:45 am]

PROMOTION, EVALUATION, AWARDS, ABSENCE AND LEAVE, AND SEPARATIONS, DEMOTIONS, AND FURLONGS

Miscellaneous Amendments

Part 335 is amended by deleting from § 335.103 certain specific requirements for inclusion in a promotion program.

Part 430 is amended by incorporating Subparts C and D into a revised Subpart B, deleting the requirement for approval of the Commission in establishing boards of review in revised § 430.201, deleting the

requirement that members and alternate members of boards of review be members of the branch of Government in which the agency is located, deleting any reference to stenographic report of a hearing, and providing for rehearings when the board believes the correctness of its original decision is doubtful.

Part 451 is amended by deleting from § 451.201 the requirement that incentive awards be used as an integral part of supervision and management, deleting the standards for cash awards for tangible benefits from § 451.302, deleting § 451.303 which contained the standards for cash awards for intangible benefits, deleting § 451.303a which established an award scale for job performance and renumbering the remaining sections.

Part 630 is amended by providing in § 630.206 that a minimum charge of less than 1 hour may be established through negotiations and providing in § 630.506 for transfers of leave between agencies in whole hour units.

Part 715 is amended by deleting from § 715.202 the provision that a resignation once submitted is binding on the employee.

Chapter I of Title 5 of the Code of Federal Regulations is amended as set forth below:

PART 335—PROMOTION AND INTERNAL PLACEMENT

1. Part 335 is amended by revising § 335.103 as set out below:

§ 335.103 Agency promotion programs.

Except as otherwise specifically authorized by the Commission, an agency may make promotions under § 335.102 only to positions for which the agency has adopted and is administering a program designed to insure a systematic means of selection for promotion according to merit. The promotion program shall conform with the standards and requirements of the Commission.

(5 U.S.C. 3301, 3302; E.O. 10577, 3 CFR 1954-58 Comp., p. 218)

PART 430—PERFORMANCE EVALUATION

2. Part 430 is revised in its entirety as set out below:

Subpart A—General Provisions

Sec.

430.101 Definitions

Subpart B—Performance Rating Appeals

430.201 Establishment of boards of review

430.202 Members of boards

430.203 Appeals

430.204 Hearings

430.205 Board decisions

AUTHORITY: 5 U.S.C. 4308.

Subpart A—General Provisions

§ 430.101 Definitions.

In this part:

(a) "Agency" and "employee" have the meanings given them by section 4301 of title 5, United States Code;

(b) "Board" means Performance Rating Board of Review established under Subpart B of this part; and

(c) "Days" means calendar days and not workdays.

Subpart B—Performance Rating Appeals

§ 430.201 Establishment of boards of review.

The head of each agency shall establish one or more boards to consider and pass on the merits of performance ratings assigned under rating plans established under chapter 43 of title 5, United States Code. The boards may be established as standing boards and/or on a case by case basis. The jurisdiction of each board shall be specific and exclusive of that of any other board.

§ 430.202 Members of boards.

Each board is composed of a chairman designated by the Commission, an employee member designated in a manner approved by the Commission, and an agency member designated by authority of the agency head. Any alternate members are designated in the same manner as their principals.

§ 430.203 Appeals.

(a) *Unsatisfactory rating.* An employee with an unsatisfactory rating may obtain within his agency the one impartial review provided by law, or he may appeal directly to an appropriate board of review, or he may appeal to the board after obtaining the impartial review.

(b) *Satisfactory or better rating.* An employee with a satisfactory or better rating may obtain within his agency the one impartial review provided by law, or he may appeal to an appropriate board, but he may not do both.

(c) *Filing an appeal.* An appeal to a board shall be filed in writing in a manner designated in the applicable performance rating plan. The plan may specify that the appeal be filed directly to the chairman of the appropriate board or to an agency designee. If an agency designee receives the appeal, he shall promptly notify the chairman of the board that the appeal has been filed and shall submit all documents pertinent to the appeal.

(d) *Time limits on appeals.* Unless otherwise specified in the appropriate performance rating plan, the appeal shall be filed within:

(1) Thirty days after the employee receives notice of his rating; or

(2) Fifteen days after the employee withdraws his request for the impartial review within the agency, when more than thirty days have elapsed since he received notice of his rating; or

(3) Thirty days after the employee receives his agency's decision on the impartial review of an unsatisfactory rating.

(e) *Extension of time limits.* Boards may extend the time limits in paragraph (d) for good and sufficient reasons.

§ 430.204 Hearings.

(a) *Oral hearing.* The chairman of a board presides at an oral hearing held to obtain information needed to determine

the merits of an appealed rating, and rules on questions arising at the hearing.

(b) *Conduct of hearing.* The appellant and the representatives of the appellant and the agency, may attend the hearing. These parties may submit any information the board finds pertinent and may hear, examine, and reply to information received by the board. The board shall find pertinent the record of the impartial review of an appealed rating under paragraph (a) of section 430.203. The board may not consider information not directly related to the rating.

(c) *Hearing waived.* With the appellant's consent, the board may consider his appeal on the basis of written information submitted by both parties without oral hearing.

§ 430.205 Board decisions.

(a) *The decision.* The board shall consider the pertinent facts in an appeal and by majority vote either (1) increase the appealed rating or (2) sustain the rating without change.

(b) *Notice of decision.* The board's decision shall be in writing and contain a summary statement of the facts on which it is based. The board sends copies of the decision to the appellant and to the agency representative.

(c) *Effect of decision.* When an agency receives notice of a board's increase in an employee's rating, the agency shall correct all records of the original rating, reconsider any and all administrative actions based on the original rating, and insofar as possible under the law and regulations and in the public interest, redetermine and adjust those administrative actions to conform to the corrected rating.

(d) *Rehearings.* Rehearings on decided cases may be granted by a board, by majority vote, only on receipt from the party seeking a rehearing of information which convinces the board that the correctness of the decision is doubtful.

PART 451—INCENTIVE AWARDS

3. Part 451 is amended by revising § 451.201(a) and all of Subpart C as set out below:

§ 451.201 Agency plans.

(a) *Establishment and change.* The head of each agency shall establish and operate an incentive award plan, and shall submit any new plan or a change in a plan to the Commission within 30 days of the effective date of the plan or the change.

Subpart C—Awards

§ 451.301 Basic requirements.

An agency may not grant an incentive award before the contribution has been approved by the benefiting agency. The contribution must have been made while the contributor was a Government employee, and must be described in writing.

§ 451.302 Award over \$5,000.

An agency head may not grant a cash award above \$5,000 without prior approval of the Commission. The maximum award is \$25,000.

§ 451.303 Effect of an award on pay.

(a) *Pay.* A cash award under this part is in addition to the regular pay of the recipient.

(b) *Further claim.* The acceptance of a cash award under this part constitutes an agreement that the use by the Government of a contribution, idea, method or device for which an incentive award is made does not form the basis of a further claim of any nature against the Government by the employee, his heirs, or his assigns.

§ 451.304 Honorary award.

An agency may grant an honorary award for a contribution. An honorary award may be granted in addition to a cash award.

§ 451.305 Group awards.

(a) *The award.* When a contribution is made by more than one employee, each contributing employee, including a supervisor, may share in the award.

(b) *Cash award shares.* An agency may grant the employees a cash award in equal shares, or in shares proportionate to each employee's participation in the contribution.

(c) *Amount of cash award.* The total amount of a cash award to a group may not exceed the amount that would be authorized if the contribution had been made by one individual, except that an agency head for special reasons may decide a different amount is justified. He must document his reasons in support of the different amount.

§ 451.306 Presidential award.

Each agency shall submit any recommendation for a Presidential award in accordance with instructions issued by the Distinguished Civilian Service Awards Board.

§ 451.307 Interagency award.

The head of an agency in which a contribution originates may grant an incentive award for a contribution that also may benefit another agency. The initial award is based on the benefit to the originating agency before consideration of additional benefits to another agency.

§ 451.308 Interagency referral.

(a) *Originating agency.* The head of each agency in which a contribution originates shall establish a procedure that requires that the contribution be referred to other agencies which may benefit from it. The referral to other agencies shall be made only after consideration of the applicability of the contribution in the originating agency.

(b) *Referral to one agency.* When the agency in which a contribution originates determines that only one other agency is responsible for acting on the

contribution, it shall refer the contribution to that agency. The agency to which the contribution is referred shall notify the originating agency of the action on the contribution and shall send a copy of the notification to the Commission.

(c) *Referral to Commission.* When the originating agency determines that more than one other agency is responsible for acting on the contribution, it shall refer the file to the Commission, with information on the activities in other agencies that may benefit from the contribution.

(5 U.S.C. 4506)

PART 630—ABSENCE AND LEAVE

4. Part 630 is amended by revising § 630.206(a) and by adding a new § 630.506 as set out below:

§ 630.206 Minimum charge.

(a) Unless an agency establishes a minimum charge of less than one hour, or establishes a different minimum charge through negotiations, the minimum charge for leave is one hour, and additional charges are in multiples thereof. If an employee is unavoidably or necessarily absent for less than one hour, or tardy, the agency, for adequate reason, may excuse him without charge to leave.

§ 630.506 Minimum unit.

(a) When an employee moves between positions under subchapter I of chapter 63 of title 5, United States Code, in different agencies, only his leave in whole hour units may be transferred.

(b) When an employee moves between positions under subchapter I of chapter 63 of title 5, United States Code, covered by different leave charging systems within the same agency, his leave is transferable in accordance with paragraph (a) of this section, unless the agency establishes a different policy making fractions of an hour of leave transferable.

(5 U.S.C. 6311)

PART 715—NONDISCIPLINARY SEPARATIONS, DEMOTIONS, AND FURLOUGHS

5. Part 715 is amended by revising § 715.202(b) as set out below:

§ 715.202 Resignation.

(b) *Withdrawal of resignation.* An agency may permit an employee to withdraw his resignation at any time before it has become effective. An agency may decline a request to withdraw a resignation before its effective date only when the agency has a valid reason and explains that reason to the employee. A valid reason includes, but is not limited to, administrative disruption or the hiring or commitment to hire a replacement. Avoidance of adverse action proceedings is not a valid reason.

(5 U.S.C. 1302, 3301, 3302, 7301; E.O. 10577, 3 CFR 1954-58 Comp., p. 218; E.O. 11222, 3 CFR 1964-65 Comp., p. 306)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,

Executive Assistant to the Commissioners.

[FR Doc. 73-14107 Filed 7-10-73; 8:45 am]

Title 7—Agriculture

CHAPTER II—FOOD AND NUTRITION SERVICE, DEPARTMENT OF AGRICULTURE

SUBCHAPTER A—SCHOOL LUNCH PROGRAM

PART 246—SPECIAL SUPPLEMENTAL FOOD PROGRAM FOR WOMEN, INFANTS AND CHILDREN

Pursuant to the authority contained in the Child Nutrition Act of 1966, as amended (42 U.S.C. 1771 et seq.) regulations for the operation of the Special Supplemental Food Program for Women, Infants and Children are hereby issued.

Public Law 92-433, approved September 28, 1972, added a new section 17 to the Child Nutrition Act of 1966 (86 Stat. 729). This section authorized the establishment of a Special Supplemental Food Program. The Department has chosen to call this the Special Supplemental Food Program for Women, Infants and Children (WIC program) to prevent confusion with the supplemental food program which is currently being operated as an adjunct of the Food Distribution Program (7 CFR 250.14).

The WIC program is established on a pilot basis through June 30, 1974. Although the WIC program will supply nutritious foods to participants, a major object of the program is the collection and evaluation of data which will medically identify benefits of this food intervention program. In addition, data will be collected and analyzed to measure the administrative efficiencies of various methods of making food available to participants.

To achieve the maximum amount of information in a minimum period of time, the Department is encouraging diversity in the design and operation of the WIC program in individual localities. A minimum number of requirements are imposed. Local health clinics are required to demonstrate that they serve low income populations considered to be at nutritional risk and that they have the necessary facilities and other resources to effectively carry out the WIC program. State departments of health (by whatever name identified) must accept the responsibility for the system of making foods available to participants and for supervising all participating health clinics in the State.

Interested health clinics must apply to their State department of health but FNS will select those which will participate in the WIC program. The criteria for selection fall in two general categories: Demonstrated need for the program and the ability to meet program objectives.

Pregnant or lactating women, infants and children under age four are eligible to participate if they live in an approved health clinic, are eligible for reduced cost medical treatment from that clinic and are determined by professionals on the staff of the clinic to need the supplemental foods.

The Department has prescribed the foods and the maximum monthly quantities of each food which are to be made available to participating individuals. These foods are intended to supplement the regular diet of participants—not to be a complete diet in themselves. However, they are nutritious and are especially high in those nutrients known to be lacking in diets of people who are eligible for the WIC program.

Infants can receive over 100 percent of the Recommended Dietary Allowances (RDA) of the National Research Council of the National Academy of Sciences for protein, calcium, iron and Vitamin C and about 90 percent of the RDA for Vitamin A from the authorized supplemental foods. Calories will also be fully supplied up to about age 3 months and will be about three-fourths of RDA thereafter. Children one year of age, but less than four years of age can receive more than 100 percent of RDA for protein, calcium, iron, and Vitamins A and C, and about two-thirds for calories. Pregnant or lactating women can receive about one-fourth of RDA for calories and between 60 percent to over 100 percent of RDA for the nutrients mentioned above.

It is the policy of the Department to publish a notice of proposed rulemaking and afford interested persons 30 days to submit comments before final rules and regulations are formulated for Food and Nutrition Service Programs. However, in view of the need for issuing final regulations for the WIC program on or before July 6, 1973, as ordered by the U.S. District Court for the District of Columbia on June 20, 1973, it is hereby determined that it is impractical, unnecessary and contrary to the public interest to give notice of proposed rulemaking. Although public comment was not solicited, these regulations were formulated after discussions with members of the Department of Health, Education and Welfare and with medical consultants.

Applications for participation in the pilot WIC program will be accepted immediately. Any inquiries should be directed to the appropriate FNS Regional Office listed in § 246.15 of this part.

Sec.

246.1 General purpose and scope.

246.2 Definitions.

246.3 Administrations.

246.4 Use of funds.

246.5 Eligibility of local agencies.

246.6 Application by local agencies.

246.7 State agency action on applications.

246.8 Selection of local agencies.

246.9 Agreements.

246.10 Payments to States.

246.11 Records and reports.

246.12 Eligibility of persons.

246.13 Supplemental foods.

Sec.

246.14 Fair hearing procedure.

246.15 Miscellaneous.

AUTHORITY: Sec. 10, 80 Stat. 889, as amended; sec. 9, 86 Stat. 729; 42 U.S.C. 1786.

§ 246.1 General purpose and scope.

(a) This part announces the policies and prescribes the general regulations for a pilot Special Supplemental Food Program for Women, Infants and Children (WIC program). Under the WIC program the Department shall provide cash grants to the health department or comparable agency of a State to enable such agency to make nutritionally desirable foods available to pregnant or lactating women, infants and children through local public or nonprofit private health agencies. The WIC program shall operate through June 30, 1974, in selected States and areas.

(b) The Department shall also collect data to evaluate the effect of food intervention upon populations which are at nutritional risk. Further, the Department shall evaluate WIC program operations for administrative effectiveness and efficiency.

§ 246.2 Definitions.

For the purposes of this part and of all contracts, instructions, forms, and other documents related hereto, the term:

(a) "Adequate medical records" means those records listed under § 246.11(d).

(b) "Administrative costs" means all costs, except expenditures for food, directly attributable to WIC program operations and also means costs indirectly attributable to the WIC Program (those costs shared with other programs) if such costs are allocated under an approved cost allocation plan as described in the Office of Management and Budget Circular A-87.

(c) "Birth weight" means weight of an infant in grams determined within two hours of birth.

(d) "Children" means persons at least one year of age but less than four years of age.

(e) "Competent professionals" means physicians, nutritionists, registered nurses, dietitians, or State or local medically trained health officials, or persons designated by physicians or State or local medically trained health officials as being competent professionally to evaluate nutritional risk.

(f) "Department" means the United States Department of Agriculture.

(g) "Designated evaluation visit" means a visit to the local agency during which participants selected in accordance with FNS instructions will complete the tests needed to obtain the information required for the FNS evaluation of the effect of food intervention.

(h) "FNS" means the Food and Nutrition Service of the Department.

(i) "FNSRO" means the appropriate Food and Nutrition Service Regional Office.

(j) "Infants" means persons under one year of age.

(k) "Lactating women" means women for a period of six weeks post partum