

Estimate of the Information Collection Requirement for the Special Supplemental Nutrition Program for Women, Infants and Children (OMB #0584-0043)

This document explains the calculation of the information collection requirement (ICR) for the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) under OMB #0584-0043, as revised to reflect program changes due to rulemaking. This collection is called “WIC Program Regulations.” The resulting recalculations are highlighted below in bold, and are also reflected in the attached spreadsheet.

REPORTING REQUIREMENTS

AFFECTED PUBLIC: STATE AND LOCAL AGENCIES (INCLUDING INDIAN TRIBAL ORGANIZATIONS AND US TERRITORIES)

1. Section 246.4 requires that by August 15 of each year, as a prerequisite for the receipt of funds from the Food and Nutrition Service (FNS), the State agency must submit all substantive changes to its State Plan to FNS for approval. FNS estimates that each State agency needs 134.62 burden hours annually to update its State Plan. The total annual burden estimated for this provision was 12,116 burden hours (90 State agencies x 134.62 burden hours per year). **This has not changed since the previous submission.**
2. Section 246.5(b) requires each organization interested in being authorized as a local agency to submit an application to the State agency. The average local agency agreement is for two years; there are 1839 local agencies; therefore, FNS estimates each year that half (919.5) local agencies submit applications. Each application requires two burden hours to complete. Thus, 919.5 local agencies x 2 burden hours per application = 1,839 annual burden hours for this provision. **This has not changed since the previous submission.**
3. Section 246.6 requires the State agency to enter into a signed agreement with each local agency, health and human service agency, and private physician that performs WIC functions. The average local agency agreement is for two years; therefore, FNS estimates each year that half of all local agencies (919.5) sign agreements with the State agency. Each agreement requires 1.5 burden hours to complete. Thus FNS estimates 1,379 annual burden hours for this provision (919.5 local agencies x 1.5 burden hours per agreement). **This has not changed since the previous submission.**
4. Section 246.7(f)(2)(iii)(A) allows the State agency to extend the 10-day period of notification of eligibility for special nutritional risk applicants to 15 days when the local agency provides written justification of the need for such an extension. Currently, all State agencies have developed policies under which such an extension may be provided. FNS estimates that each year one-sixth or 307 of all local agencies make written requests for such extensions. Each request for an extension requires 0.25 burden hours to complete. FNS estimates 77 annual burden hours for this provision (307 local agencies x 0.25 burden hours per request). **This has not changed since the previous submission.**
5. Section 246.7(i) requires that pertinent certification data be collected and recorded by the local agency on a form (or forms) provided by the State agency (usually in the form of computer software) and that participants be notified of their rights and responsibilities, including notification of termination for failure to pick up food instruments, notification of disqualification and notification of expiration of each certification period. FNS estimates that the collection of certification data and the provision of appropriate notifications require ten minutes (0.17 burden hours) per participant.

P.L. 111-296, the Healthy Hunger-Free Kids Act of 2010, gave State agencies the option to certify children for a period of one year. Approximately half of WIC State agencies have exercised this option. FNS estimates 712,936 annual burden hours for the certification of women ($2,096,872 \text{ women} \times 2 = 4,193,744 \div 1839 \text{ local agencies} = 2,280$ per local agency $\times 0.17$ burden hours per response = 712,936). FNS estimates 536,183 annual burden hours for the certification of children ($2,102,680 \text{ children} \times 1.5 = 3,154,020 \div 1839 \text{ local agencies} = 1,715$ per local agency $\times 0.17$ burden hours per response = 536,183). **This has not changed since the last submission.**

FNS estimates 809,375 annual burden hours for the certification of infants ($4,761,034 \text{ infants} \div 1839 \text{ local agencies} = 2,589 \times 1839 = 4,761,034 \times 0.17 = 809,376$). **This has not changed since the previous submission.**

6. Section 246.7(j)(9) requires that when the State agency must suspend or terminate the program benefits of any participant during the participant's certification period due to shortages in program funds, the State agency must issue an advance notice to all affected participants. The State agency is also required to notify FNS prior to taking such action. FNS estimates that 4 State agencies may need to take such action per year. FNS further estimates that providing this notice to FNS would require 0.09 burden hours. Thus FNS estimates the total annual burden for this notice to FNS to be 0.36 burden hours (4 State agencies per year $\times 0.09$ burden hours per notice). **This has not changed since the last submission.**
7. Section 246.7(k) requires the State agency to ensure that Verification of Certification (VOC) cards are issued to participating migrants and to other participants who are likely to relocate during the certification period. Based on the number of participants with no priority reported, FNS estimates that 3% of participants receive VOC cards. FNS further estimates that issuing these cards requires 0.09 burden hours. FNS estimates the total annual burden for this provision to be 24,194 burden hours ($8,960,587 \text{ participants} \times 0.03 = 268,818$ needing VOC cards $\div 1,839 = 146$ participants provided VOC cards per local agency $\times 1,870 = 268,818 \times .09 = 24,194$). **This has not changed since the previous submission.**
8. Section 246.10(b)(1) requires State agencies to identify foods that are acceptable for use in the Program in accordance with program regulations. This includes identifying which foods, substitutions, brands and packaging the State will authorize for use in the Program. State agencies conduct such food reviews and submit food lists as part of their annual State Plan. FNS estimates that 40 burden hours are needed for each State agency to comply with this provision. FNS estimates 3,600 total annual burden hours for this provision ($90 \text{ State agencies} \times 40 \text{ burden hours per State agency}$). **This has not changed since the last submission.**
9. Section 246.10(d)(1) requires local agencies to obtain medical documentation in order to provide participants with infant formula not covered by the State agency's infant formula rebate contract. FNS estimates that 1 percent (0.01) of all infant certifications require an additional two minutes (0.03 burden hours) for the documentation required to issue an

infant formula that is not covered by the State agency's infant formula rebate contract. Thus, FNS estimates 1,428 total annual burden hours for this provision ($47,610 \text{ infants} \div 1,839 = 26 \text{ infants per local agency} \times 1,839 = 47,610 \times 0.03 = 1,428$). **This has not changed since the previous submission.**

10. Section 246.11(d)(2) requires each local agency to develop and submit an annual nutrition education plan to the State agency. FNS estimates that 40 burden hours are needed for each local agency to comply with this provision. FNS estimates 73,560 total annual burden hours for this provision ($1,839 \text{ local agencies} \times 40 \text{ burden hours per local agency}$). **This has not changed since the previous submission.**
11. Section 246.12(g)(4)(i) requires a State agency to annually collect information needed to determine whether currently authorized and new vendor applicants derive or may be expected to derive more than 50 percent of their annual food sales revenue from WIC food instruments. Based on comments on the interim Vendor Cost Containment rule, FNS estimates that each State agency will need four burden hours to collect the information required to assess a vendor's status as an above-50-percent vendor.

FNS annually provides each State agency with a report comparing WIC redemptions to redemptions of the Supplemental Nutrition Assistance Program (SNAP) for each of its SNAP-authorized vendors; most WIC-authorized retail vendors are also SNAP-authorized. If a vendor's SNAP redemptions exceed its WIC redemptions, the vendor is considered to be a regular vendor, not an above-50-percent vendor. The most recent report shows that only 2,650 WIC authorized vendors have more WIC redemptions than SNAP redemptions. These are the only WIC authorized vendors from which WIC State agencies need to obtain further documentation.

Regarding the 2,650 authorized vendors whose above-50-percent status must be documented, there are about 29 such vendors per each State agency ($2,650 \div 90 = 29$). FNS estimates 10,600 burden hours for State agencies ($90 \times 29 \times 4 \text{ hours} = 10,600$) for this provision. **This has not changed since the previous submission.**

12. Section 246.12(g)(4)(ii)(B) requires State agencies to collect the shelf prices for WIC-approved foods from authorized retail vendors twice annually. Based on comments received about the Interim VCC Rule, FNS estimates two hours per response for this provision. Approximately 15 State agencies have been granted exemptions from collecting vendor shelf prices; 75 State agencies ($90 - 15 = 75$) will each need to collect vendor shelf prices for 648 vendors biannually. FNS estimates 194,484 annual burden hours for this provision ($75 \text{ State agencies} \times (648 \text{ vendors} \times 2 \text{ times per year}) = 97,242 \times 2 \text{ annual burden hours per response} = 194,484$). **This has not changed since the last submission.**

As noted above, §246.12(g)(4)(ii)(B) states that FNS may grant State agencies exemptions from the requirement to collect shelf prices. Approximately 15 State agencies currently have exemptions; FNS also estimates that one State agency will request an exemption each year and that requesting an exemption under this provision

will require 16 burden hours per response. Thus FNS estimates 16 (1 x 16) annual burden hours for the exemption requests. **This has not changed since the previous submission.**

13. Section 246.12(i)(1) requires the State agency to conduct annual retail vendor training to assure that retail vendors have knowledge of program rules and procedures. FNS estimates that developing the content of retail vendor training materials requires eight burden hours per State agency. FNS further estimates that it takes two burden hours to provide training to each vendor. FNS estimates 720 hours for developing the training (90 State agencies x 8 burden hours = 720). **This has not changed since the last submission.**

Additionally, FNS estimates 97,242 annual burden hours for conducting the training (48,621 vendors ÷ 90 = 540 responses; 48,621 x 2 burden hours = 97,242). **This has not changed since the previous submission.**

14. Section 246.12(j)(4) requires that each year the State agency conduct compliance investigations of five percent or 2,431 retail vendors. State agencies use a variety of resources to conduct compliance investigations, including State agency staff, contractor staff, local agency staff, law enforcement and staff of other WIC State agencies. For each compliance investigation, the State agency is required to conduct either two compliance buys or one inventory audit per retail vendor. FNS estimates that it takes one burden hour to conduct a compliance buy and two burden hours to conduct an inventory audit, which results in a total of two burden hours per compliance investigation (either 2 compliance buys x 1 burden hour or 1 inventory audit x 2 burden hours). FNS estimates 4,862 annual burden hours for this provision (48,621 retail vendors x .05 = 2,431 responses; 2,431 x 2 burden hours per compliance investigation = 4,862). **This has not changed since the previous submission.**

15. Section 246.12(o) requires the State agency to develop and implement procedures to document the handling of complaints by participants and vendors. FNS estimates that 10,000 complaints are received a year from participants and vendors nationwide. FNS further estimates it takes one burden hour to process each complaint. The total annual burden estimated for this provision is 10,000 burden hours (10,000 complaints ÷ 90 = 111 x 90 = 10,000 x 1 burden hour per complaint = 10,000). **This has not changed since the last submission.**

16. Section 246.12(q) requires the State agency to identify the disposition of all food instruments as either issued or voided and as either redeemed or unredeemed. Many State agencies currently track their food instrument inventories and disposition through their management information systems (MIS). The total annual burden estimated for this provision is 3,600 burden hours (90 State agencies x 40 burden hours). **This has not changed since the last submission.**

17. Section 246.14(d) requires the State agency to seek FNS approval of costs for automated data processing systems (ADP), capital expenditures over \$25,000 and management studies performed by outside agencies, departments and consultants. FNS estimates that

each year it receives an average of 15 requests for such approvals and that each request requires 160 burden hours for the State agency to document and submit. The total annual burden estimated for this provision is 2,400 annual burden hours (15 requests per year x 160 burden hours per request). **This has not changed since the last submission.**

18. Section 246.16(d) requires the State agency to allocate WIC funds to local agencies based on claims submitted at least quarterly by the local agency. FNS estimates that State agencies distribute funds to 1,839 local agencies 4 times per year each distribution of funds requires two burden hours to complete. FNS estimates the total annual burden for this provision to be 14,712 annual burden hours (1,839 x 4 x 2 =14,712). **This has not changed since the previous submission.**

19. Section 246.17(c)(1) requires FNS to provide written notification of disqualification to all 90 State agencies that fail to comply with Program requirements. This provision also requires the State agency to provide written notification to local agencies that it determines have failed to comply with Program requirements.

FNS estimates that 10 local agencies will be disqualified per year. FNS further estimates that preparing and providing a written notice of disqualification requires 8 burden hours per notice. FNS estimates the total annual burden for this provision to be 80 burden hours (10 local agency disqualifications per year ÷ 90 = 0.11, therefore; 10 x 8 burden hours per notice = 80). **This has not changed since the previous submission.**

20. Section 246.19(a)(2) requires the State agency to develop and submit a corrective action plan in response to an FNS management evaluation (ME) report. FNS' goal is to conduct MEs on all functional areas of the program for all State agencies within a four-year cycle (0.25 x 90= 22.5 State agencies per year). FNS estimates that each corrective action plan takes approximately 40 burden hours to develop. FNS estimates **900** annual burden hours for this provision (0.25 x 90 = 22.5 State agencies x 40 burden hours per corrective action plan = 900). **This has not changed since the previous submission.**

21. Section 246.19(b)(5) requires the State agency to review target areas specified by FNS during local agency reviews. Section 246.19(b)(3) requires the State agency to conduct monitoring reviews of each local agency at least once every two years, which means that each year half (0.5) of all local agencies will be reviewed. FNS estimates that the State agency will be required to address targeted areas during local agency reviews once every four years (0.25). FNS further estimates that it takes two burden hours for the State agency to address targeted areas during local agency reviews and report the results of the targeted reviews to FNS. FNS estimates 460 total annual burden hours for this provision (1,839 ÷ 90 = 20 local agencies x 0.5 = 10 x 0.25 = 2.5 x 2 burden hours = 5 x 90 = 460 annual burden hours). **This has not changed since the previous submission.**

22. Section 246.20(a)(2) requires the State agency to develop and submit a corrective action plan to FNS addressing the findings of USDA Office of the Inspector General (OIG) State or local agency audits. FNS estimates that OIG performs four audits of WIC State and local agencies each year. FNS further estimates that each audit response requires 40

burden hours to complete. Thus FNS estimates the total annual burden for this provision to be 160 burden hours (4 audits per year x 40 burden hours per audit response). **This has not changed since the last submission.**

AFFECTED PUBLIC: INDIVIDUALS & HOUSEHOLDS:
APPLICANTS FOR PROGRAM BENEFITS

1. Sections 246.7(i) requires that certification data be collected from women participants and the parents or guardians of infant and child participants and recorded by the local agency on a form(s) provided by the State agency (usually in the form of computer software).

The WIC Program certification process has been designed to avoid duplication. The income eligibility of most participants is established by showing the local agency a benefit or identification card which had been provided to the participant by other programs including Medicaid, SNAP, TANF or State-administered programs with income criteria similar to WIC's. An applicant is income-eligible for WIC based on his or her participation (or another household members' participation) in one of those programs. Though some information is collected for the entire household, some documentation (such as identification) is required for each WIC participant. Additionally, children may be certified for one year (the previous maximum certification for children was six months), so women and children have been separated on the burden table.

FNS estimates that providing certification data to the local agency require three minutes (0.05 burden hours) on average per participant.

Monthly WIC participation is 8,960,587 (2,096,872 women, 4,761,034 infants and 2,102,680 children).

- Women are certified twice per year, thus FNS estimates 209,687 hours for this provision (2,096,872 participants x 2 times per year = 4,193,744 x .05 burden hours per response).
- Infants are certified once per year, thus FNS estimates 238,052 hours for this provision (4,761,034 participants x .05 burden hours per response).
- Children may be certified once or twice per year. Approximately half of WIC State agencies certify children once per year. FNS estimates 157,701 hours for this provision (2,102,680 x 1.5 = 3,154,020 x .05).

This has not changed since the previous submission.

2. Section 246.10(d)(1) requires that medical documentation must be obtained from the parents or guardians of infant participants in order for the Program to provide these infants participants with infant formula not covered by the State agency's infant formula rebate contract. FNS estimates that one percent (0.01) of all infant certifications require

an additional two minutes (0.03 burden hours) for the documentation required to issue an infant formula that is not covered by the State agency's infant formula rebate contract. FNS estimates 1,428 hours for this provision (47,610 infants x .03 annual burden per response). **This has not changed since the previous submission.**

This section also requires additional medical documentation for the issuance of the following supplemental foods: (ii) Any infant formula prescribed to a child or adult who receives Food Package III; (iii) Any exempt infant formula; (iv) Any WIC-eligible medical food; (v) Any authorized supplemental food issued to participants who receive Food Package III. FNS estimates that it takes an additional three minutes (.05 burden hours) for the documentation required for the issuance of these foods.

3. As a result of rulemaking, FNS no longer requires a health care professional licensed to write medical prescriptions to provide documentation for children to receive soy-based beverage and tofu as milk substitutes. Also, FNS no longer requires documentation from a health care professional licensed to write medical prescriptions for women to receive tofu in excess of the maximum substitution allowance. The prior burden for these activities was estimated as 4,200 hours. Therefore, the overall information collection is estimated to have decreased by 4,200 burden hours annually due to program changes in rulemaking.

AFFECTED PUBLIC: BUSINESS: RETAIL VENDORS
(WIC-AUTHORIZED FOOD STORES)

1. Section 246.12(g)(4)(i) requires State agencies to collect information needed to determine whether currently authorized vendors and new vendor applicants derive or may be expected to derive more than 50 percent of their annual food sales revenue from WIC food instruments. FNS estimates one vendor burden hour per response for this requirement.

FNS annually provides each State agency with a report comparing the WIC redemptions to the redemptions of the Supplemental Nutrition Assistance Program (SNAP) for each of its vendors which is authorized by SNAP. If a vendor's SNAP redemptions exceed its WIC redemptions, that vendor is considered to be a regular vendor, not an above-50-percent vendor. The most recent report shows that only 2,650 WIC authorized vendors have more WIC redemptions than SNAP redemptions. These are the only WIC authorized vendors from which WIC State agencies need to obtain further documentation.

FNS estimates 5,300 burden hours for vendors for this provision (2,650 vendors x 2 hours). **This has not changed since the previous submission.**

2. Section 246.12(g)(4)(ii)(B) requires State agencies to collect the shelf prices for WIC-approved foods from authorized retail vendors twice annually unless they have received an exemption from this provision from FNS. FNS estimates that 75 WIC State agencies

must collect shelf prices from vendors. FNS estimates that twice annually each vendor would need one burden hour to report shelf prices.

FNS estimates 162,070 annual burden hours for this provision (48,621 vendors x (75/90) State agencies = 40,518 x 2 times per year = 81,035 x 2 burden hours per response). **This has not changed since the previous submission.**

3. Section 246.12(h) requires the State agency to enter into written agreements with retail vendors. State agencies require the vendor to submit a signed vendor agreement with the completed application form. The average retail vendor agreement is for two years; therefore, FNS estimates that each year half (0.5) of all retail vendors will submit application/agreement forms. FNS further estimates that each application/agreement form requires 1 burden hour for the vendor to complete. Thus FNS estimates 23,500 burden hours for this provision for vendors (48,621 retail vendors x 0.5 of all retail vendors per year x 1 burden hour per application). **This has not changed since the previous submission.**
4. Section 246.12(h)(8)(i) requires above-50-percent vendors to request approval from their WIC State agencies for incentive items which these vendors may provide to WIC participants or other customers. There are currently 578 above-50-percent vendors authorized by 17 WIC State agencies. Of these 17 State agencies, only 9 allow above-50-percent vendors to give incentive items and will collect this information. FNS estimates that this reporting burden will involve 1 hour per response. Thus, FNS estimates an annual reporting burden of 306 hours for vendors as a result of this provision (578 vendors x (9/17) State agencies). **This has not changed since the previous submission.**

RECORDKEEPING REQUIREMENTS

AFFECTED PUBLIC: STATE AND LOCAL AGENCIES (INCLUDING INDIAN TRIBAL ORGANIZATIONS AND US TERRITORIES)

1. Section 246.10(d)(1) requires medical documentation for the issuance of the following supplemental foods: (ii) Any infant formula prescribed to a child or adult who receives Food Package III; (iii) Any exempt infant formula; (iv) Any WIC-eligible medical food; (v) Any authorized supplemental food issued to participants who receive Food Package III. FNS estimates that it will take one minute (0.016 per record) for each clinic (10,000 clinics) to file the medical documentation provided by participants, for an estimated annual burden of 320 hours (10,000 clinics x 2 times per year x 0.016 burden hours per clinic). **This has not changed since the last submission.**
2. Section 246.12(g)(11) requires WIC State agencies to annually provide authorized WIC retail vendors a list of State-licensed infant formula wholesalers, distributors and retailers, and FDA-registered infant formula manufacturers. FNS has provided the list of FDA-registered manufacturers to State agencies. A State agency would contact the licensing agency in its State to obtain a list of the other suppliers. A State agency could satisfy this requirement by linking its web site to the list of licensed suppliers on the web site of the State's licensing agency. The total annual burden hours for the list requirement is estimated at 4,500 (90 State agencies x 50 burden hours per response = 4,500 total annual burden hours). **This has not changed since the last submission.**
3. Section 246.12(h)(1)(i) requires the State agency to enter into written agreements with retail vendors. State agencies require the vendor to submit a signed vendor agreement with the completed application form. The average retail vendor agreement is for two years; therefore, FNS estimates that half of all retail vendors will submit applications each year. FNS further estimates that each application requires one burden hour to collect and record in the State agency's recordkeeping system; most State agencies use an electronic MIS for this purpose. FNS estimates 24,311 annual burden hours for this provision for State agencies (24,311 retail vendors x 1 burden hour per application/agreement). **This has not changed since the previous submission.**
4. Section 246.12(h)(8)(i) requires WIC State agencies to establish a process for approving incentive items that above-50-percent vendors may provide to WIC participants or other customers. There are currently 578 above-50-percent vendors authorized by 17 WIC State agencies. Of these 17 State agencies, only 9 allow above-50-percent vendors to give incentive items and will collect this information. FNS estimates that this reporting burden will involve one hour per response. Thus, FNS estimates an annual recordkeeping burden of 306 hours as a result of this provision (578 vendors x (9/17) State agencies x 1 burden hour per response). **This has not changed since the previous submission.**
5. Section 246.12(i)(4) requires the State agency to document the content of its vendor training and the participation of its vendors in the training. FNS estimates that

documenting the content of and participation in vendor training takes the State agency two burden hours per year. FNS estimates 180 annual burden hours for this provision (90 State agencies x 2 burden hours per year). **This has not changed since the last submission.**

6. Section 246.12(j)(6) requires the State agency to document the routine monitoring visits it conducts on its vendors. Section 246.12(j)(2) requires the State agency to conduct routine monitoring visits of five percent (0.05) of its vendors each year. FNS estimates that each routine monitoring visit takes one burden hour to document. FNS estimates 2,431 annual burden hours for this provision (48,621 vendors ÷ 90 = 540 x 0.05 = 27 annual routine monitoring requirement per State agency x 1 burden hour per visit). **This has not changed since the previous submission.**
7. Section 246.12(j)(6) requires the State agency to document the compliance investigations it conducts on its vendors. Section 246.12(j)(4) requires the State agency to conduct compliance investigations of five percent (0.05) of its vendors each year. For each compliance investigation, the State agency is required to conduct either two compliance buys or one inventory audit per vendor. FNS estimates that it takes one burden hour to document a compliance buy and two burden hours to document an inventory audit, which results in two burden hours per compliance investigation (either 2 compliance buys x 1 burden hour, or 1 inventory audit x 2 burden hours). FNS estimates 4,862 annual burden hours for this provision (48,621 vendors ÷ 90 = 540 x 0.05 = 27 annual routine monitoring requirement per State agency x 2 burden hours). **This has not changed since the previous submission.**
8. Section 246.12(l)(3) requires the State agency to notify a vendor in writing when an investigation reveals an initial violation for which a pattern of violations must be established in order to impose a sanction before another violation is documented, unless the State agency determines notifying the vendor would compromise an investigation. Prior to imposing a sanction for a pattern of violations, a State agency would either provide a notice to the vendor or document in the vendor file the reason(s) that such notice would compromise an investigation. Approximately 2,300 vendors investigated annually commit violations involving a pattern. FNS estimates one burden hour per response for this activity, for an annual total for all 90 State agencies of 2,300 burden hours (2,300 vendors x 1 burden hour per notice action). **This has not changed since the last submission.**
9. Section 246.23(c)(1) requires the State agency to maintain documentation on file regarding the disposition of cases involving improperly obtained or improperly disposed of benefits that result from participant violations. FNS estimates that this recordkeeping requirement takes the State agency five burden hours per year. FNS estimates 450 annual burden hours for this provision (90 State agencies x 5 burden hours per year). **This has not changed since the last submission.**
10. Section 246.25(a) requires both the State and local agency to maintain full and complete records regarding financial operations and food delivery systems. However, such

recordkeeping actually occurs at the State agency level because of the use of centralized MIS systems. FNS estimates that this recordkeeping requirement takes the State or local agency two burden hours per month. FNS estimates 46,296 total annual burden hours for this provision (90 State agencies + 1,839 local agencies = 1,929 x 2 burden hours per month x 12 months per year). **This has not changed since the previous submission.**

11. Section 246.25(a) requires the State and local agency to maintain full and complete records regarding nutrition education. The local agency enters the data into a system hosted at the State agency level. FNS currently estimates annual participation of women and children is 4,199,552 (2,096,872 women + 2,102,680 children) and participation of infants is 4,761,034. FNS further estimates that documenting nutrition education contacts takes one minute (0.017 burden hours) per participant. Participants should receive nutrition education four times per year. FNS estimates 285,570 annual burden hours for women and children (4,199,552 x 4 = 16,798,208 x 0.017 burden hours) and 323,750 for infants (4,761,034 infants x 4 = 19,044,136 x 0.017 burden hours). **This has not changed since the previous submission.**
12. Section 246.25(a) requires the State and local agency to maintain full and complete records regarding fair hearing procedures. Such recordkeeping actually occurs at the State agency level because most fair hearings are conducted at the State agency level. FNS estimates that documentation of the fair hearing procedures takes 0.25 burden hours per State or local agency. FNS estimates 482 annual burden hours for this provision (1,839 local agencies + 90 State agencies = 1,929 x 0.25 burden hours per State or local agency). **This has not changed since the previous submission.**