Estimate of the Information Collection Burden (ICB) for the WIC Farmers' Market Nutrition Program (FMNP)

This document explains the calculation of the Information Collection Request (ICR) for the WIC Farmers' Market Nutrition Program (FMNP). The ICR establishes reporting and record-keeping requirements for the FMNP. The below narrative describes the revisions to the currently approved burden and reflects program adjustments. There were no program changes under this burden revision. The resulting calculations are highlighted in bold, and are also reflected in the attached spreadsheet.

All regulatory citations refer to 7 Code of Federal Regulations (CFR) Part 248 of the federal FMNP Regulations.

REPORTING BURDEN ESTIMATES
AFFECTED PUBLIC: STATE AND LOCAL AGENCIES
(INCLUDING INDIAN TRIBAL ORGANIZATIONS AND U.S. TERRITORIES)

1. Sections 248.2, 248.3(e), 246.5 requires each organization interested in being authorized as a local agency to submit an application to the State agency (SA). The average local agency agreement is for two years; there are 980 local agencies; therefore, FNS estimates each year that half (490) of all local agencies submit applications. Each application requires two burden hours to complete.

FNS estimates 980 total annual burden hours for completing local agency applications. Approximately 980 Local agencies will respond at a frequency of .50 Local agencies agreement responses annually = 490 total annual responses x 2 hours per local agency to complete the application = 980 burden hours. This represents an increase of 980 burden hours under this burden revision. Burden hours associated with FMNP local agency applications were previously reported under the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) burden, OMB Control Number 0584-0043, expiration date: 8/31/2020. Under this revision, and future revisions, FMNP local agency application burden hours will be reported under the FMNP burden. This increase is due to a program adjustment.

2. Section 248.4 requires each State Agency to annually submit a State Plan to FNS for approval, by November 15 of each year, as a prerequisite to the receipt of federal funds from the Food and Nutrition Service (FNS). The State Plan requires the State agency to outline the various aspects of its program operations. There are 49 State agencies and FNS estimates that each State agency will spend 40 burden hours annually producing the State Plan.

FNS estimates 1,960 total annual burden hours for each State agency to complete a State Plan once a year. The number of State agencies increased from 47 to 49 from the last burden revision. 49 State agencies x 40 hours per State Plan = 1,960 total annual burden hours. This represents a slight increase of 80 burden hours from the

last burden revision because the total number of State agencies increased from 47 to 49. The increase is due to a program adjustment.

3. Section 248.6, 246.7(c) requires that pertinent certification data be collected and recorded by the local agency on a form(s) provided by the State agency 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 meeting federal regulatory provisions guiding appropriate notifications require 15 minutes (0.25 burden hours) per participant.

FNS estimates 411,647.29 total annual burden hours for the certification of FMNP participants. 49 States x 33,603.86 frequency of certification response per States annually = 1,646,589.14 total annual certification responses x 0.25 =411,647.29. This represents an increase of 411,647.29 under this burden revision. Burden hours associated with the collection of FMNP certification data was previously reported under the WIC burden, OMB Control Number 0584-0043, expiration date: 04/30/2017. Under this revision, and future revisions, FMNP certification data for participants will be reported under the FMNP burden. This increase is due to a program adjustment.

4. Section 248.10(a)(2),(3),(b) sets forth State agency responsibilities regarding the selection and authorization of farmers, farmers' markets, and roadside stands (outlets) for the FMNP. FNS estimates that it takes one hour for each State agency to review each outlet application. Approximately half of the State agencies that currently administer the FMNP also administer the SFMNP; in most cases, the same farmers and farmers' markets that are authorized to participate in one program will be authorized to participate in the other. Therefore, we are projecting that 12,560.17 farmers, farmers' market and/or roadside stand applications will need to be reviewed by FMNP State agencies.

FNS estimates 12,560.17 total annual burden hours for the authorization of outlets. FNS estimates that each State agency will annually review approximately 256.33 (12,560.17/49) outlet applications. 256.33 outlet applications x 49 State agencies = 12,560.17 total outlet applications x 1 burden hour = 12,560.17 burden hours (rounded up). This represents an increase of 4,708.48 burden hours due to an increase in the number of farmers, farmers' markets, and roadside stands. This increase is due to a program adjustment.

5. Section 248.10(e) requires that each FMNP State agency document specific information for all on-site monitoring visits. The requirement states that at least 10 percent of farmers, farmers' markets, and roadside stands must be monitored annually. There are approximately 25,120 farmers' markets and roadside stands. Ten percent of the farmers' markets and roadside stands will be monitored each year (25,120 x 10%) for a total of 2,512 farmers' markets and roadside that will be monitored annually. FNS estimates that it takes 1.5 hours to monitor each authorized outlet.

FNS estimates 3,768.35 total annual burden hours for the monitoring of authorized outlets. 2,512.23 total annual authorized outlets / 49 State agencies = 51.27 authorized outlets to be reviewed per State agency. 49 State agencies x 51.27 monitoring reviews = 2,512.23 x 1.5 hours per review = 3,768.35 total annual burden hours (rounded down). This represents a decrease of 990.25 burden hours due to a decrease in the estimated hours to monitor each authorized outlet from the last burden revision. This decrease is due to a program adjustment.

6. Section 248.10(f) requires that the State agency control and provide accountability once a year for the receipt and issuance of FMNP coupons, including the secure transportation and storage of unissued coupons. In addition, the State agency is responsible for designing and implementing a coupon management system that will detect errors in the FMNP accountability and issuance system. FNS estimates 5 burden hours for each State agency to conduct oversight and manage this system of operations.

FNS estimates 245 total annual burden hours for the oversight and management of these operations. 49 State agencies x 5 burden hours per State agency = 245 total annual burden hours. This represents an increase of 10 burden hours from the last burden revision due to an increase in the number of State agencies from 47 to 49. This increase is due to a program adjustment.

7. Section 248.10(h) requires the State agency to identify the disposition of all FMNP coupons once a year as validly redeemed, lost or stolen, expired, or not matching issuance records. In addition, the State agency is responsible for designing and implementing a system to disclose the status of all FMNP coupons, and must describe this system in the State Plan. FNS estimates that it takes 3 burden hours per year for each State agency to audit and monitor the disposition of all FMNP coupons.

FNS estimates 147 total annual burden hours to audit and monitor the disposition of all FMNP coupons. 49 State agencies x 3 burden hours = 147 total annual burden hours. This represents an increase of 147 burden hours under this burden revision. Burden hours associated with coupon reconciliation were previously reported under the WIC burden, OMB Control Number 0584-0043, expiration date 4/30/2017. Under this revision, and future revisions, coupon reconciliation data will be reported under the FMNP burden. This increase is due to a program adjustment.

8. Section 248.11 requires that the State agency maintain a financial management system; including, an account of property, assets, and all FMNP funds received and expended each fiscal year. FNS estimates that it takes 10 burden hours per State agency to carry out this requirement.

FNS estimates 490 total annual burden hours to maintain and report on State agency financial management. 49 State agencies 10 burden hours = 490 total annual burden hours. This represents an increase of 20 burden hours from the last burden revision due to an increase in the number of State agencies from 47 to 49. This increase is due to a program adjustment.

9. Section 248.17(b)(2)(ii) requires that a State agency develop a corrective action plan once annually for deficiencies found in a management evaluation, including timeframes to address the deficiencies and prevent their future recurrence. Out of the 49 participating FMNP State agencies, it is estimated that 7 will be required to submit corrective action plans for deficiencies. FNS estimates that each corrective action plan will take approximately 10 hours to develop.

FNS estimates 70 total annual burden hours for the development of State agency corrective action plans. 7 State agencies x 10 burden hours = 70 total annual burden hours. This represents a decrease of 20 burden hours under this burden revision as the estimated number of Management Evaluations (MEs) to be conducted by each State agency per year is estimated to decrease. This decrease is due to a program adjustment.

10. Section 248.18(b) requires the State agency to develop and submit a corrective action plan once annually to FNS addressing the findings of USDA's Office of the Inspector General (OIG), State or local agency audits. It is estimated that of the 49 participating State agencies, 1 will have audit findings requiring corrective action plans, and that each corrective action plan will require 15 hours to develop and submit.

FNS estimates 15 total annual burden hours in the development of a corrective action plan. 1 State agency x 15 burden hours = 15 total annual burden hours. This represents a decrease of 180 burden hours from the last burden revision due to a decrease in the estimated number of OIG inspections to be conducted by OIG each year. This decrease is due to a program adjustment.

12. Section 248.23(b) sets forth the financial and recipient reporting requirements for FMNP State agencies. The information to be provided through these yearly reports includes, but is not limited to: (1) the number and type of recipients served with federal FMNP funds; (2) the value of coupons issued; (3) the value of coupons redeemed; and (4) the number of authorized outlets by type; i.e., farmers' markets and roadside stands. FNS estimates that it will take each State agency approximately 40 hours to assemble the necessary information for these reports. The reporting and record-keeping associated with State agency financial and recipient reporting is submitted annually through the FNS-683B, WIC Farmers' Market Nutrition Program Annual Financial and Program Data Report. The annual burden hours associated with reporting and record-keeping on FMNP State agency financial and recipient data will be reported under the FNS-683B, OMB Control Number 0584-0594, expiration Date: 9/30/2019 and therefore are not included in the reporting and record-keeping burden under this OMB Control Number, 0584-0447.

AFFECTED PUBLIC: INDIVIDUALS AND HOUSEHOLDS APPLICANTS FOR PROGRAM BENEFITS

1. Section 248.6, 246.7 requires that pertinent certification data be collected and recorded on a form(s) provided by the State agency. FMNP participation is roughly 1.65 million. FMNP recipients are generally certified once per year, at the beginning of the certification period. FNS estimates that potential recipients will spend approximately 3 minutes completing the application/certification for benefits.

FNS estimates 82,329.45 total annual burden hours for potential participants in the FMNP or current WIC participants to complete FMNP certification. 1,646,589 FMNP participants x .05 minutes per activity = 82,329.45. This represents an increase of 82,329.45 burden hours under this burden revision. Burden hours associated with FMNP certification data were previously reported under the WIC burden, OMB Control Number 0584-0043. Under this revision, and future revisions, FMNP certification data for participation will be reported in the FMNP burden. This increase is due to a program adjustment.

AFFECTED PUBLIC: AUTHORIZED OUTLETS (FARMERS, FARMERS' MARKETS, ROADSIDE STANDS)

1. Section 248.10(b) FNS estimates that it takes 5 minutes (.0835 hours) for each outlet to complete an application for authorization one time annually. Approximately half of the State agencies that currently administer the FMNP also administer the SFMNP; in most cases, the same farmers and farmers' markets that are authorized to participate in FMNP will be automatically authorized to participate in SFMNP. Therefore, we are projecting that 12,560 farmers, farmers' market and roadside stands will apply for authorization.

FNS estimates 1,048.76 total annual burden hours for outlets to apply for authorization. 12,560 authorized outlets x .0835 burden hours per activity = 1,048.76 total annual burden hours rounded up. This represents an increase 1,048.76 burden hours under this burden revision. Burden hours associated with FMNP outlet authorization were previously reported under the WIC burden, OMB Control Number 0584-0043. Under this revision, and future revisions, FMNP authorization will be reported in the FMNP burden. This increase is due to a program adjustment.

RECORD-KEEPING BURDEN ESTIMATES
AFFECTED PUBLIC: STATE AND LOCAL AGENCIES
(INCLUDING INDIAN TRIBAL ORGANIZATIONS AND U.S. TERRITORIES)

1. Section 248.9 requires that a State agency integrate nutrition education into FMNP operations. State agencies may satisfy nutrition education requirements through coordination with other agencies within the State. State agencies wishing to coordinate nutrition education with another State agency or organization must enter into written cooperative agreements with such agencies or organizations. FNS estimates 15 minutes are required annually, per participant, for nutrition education record-keeping.

FNS estimates 411,647.29 total annual burden hours for record-keeping pertaining to nutrition education. 49 State agencies responded approximately 33,603.86 times per this activity = of 1,646,589.14 total nutrition education annual reponse x .25 minutes per response = 411,647.29 total annual burden hours. This represents an increase of 411,600.29 burden hours associated with documenting nutrition education from the last burden revision. Under this burden revision, a change was made in the calculation of burden hours for record-keeping associated with nutrition education to reflect documentation of nutrition education per participant. This increase is due to a program adjustment.

2. Section 248.10(b) requires that State agencies enter into written agreements with farmers and/or farmers' markets. The agreement shall be signed by a representative who has legal authority to obligate the farmer, farmers' market, and/or roadside stand. FNS estimates 2 hours are required for the State agency to document and maintain farmer and farmers' market agreements per year.

FNS estimates 98 total annual burden hours for State agencies to document and maintain farmers' market agreements per year. 49 State agencies x 2 burden hours = 98 total annual burden hours. This represents a slight increase of 4 burden hours from the last burden revision due to an increase in the number of State agencies from 47 to 49. This increase is due to a program adjustment.

3. Section 248.10(e) requires State agencies to monitor farmers, farmers' markets, roadside stands, and local agencies within its jurisdiction annually. This shall include developing a system for identifying high risk farmers, farmers' markets, and roadside stands and ensure on-site monitoring, conducting further investigation, and sanctioning of such farmers, farmers' markets, or roadside stands as appropriate. FNS estimates 2 burden hours per activity, per State agency for the documentation and maintenance of records associated with monitoring authorized outlets.

FNS estimates 98 total annual burden hours for State agency documentation and maintenance of records associated with monitoring authorized outlets. 49 State agencies x 2 burden hours per activity = 98 total annual burden hours. This represents a slight increase of 4 burden hours from the last burden revision due to

an increase in the number of State agencies from 47 to 49. This increase is due to a program adjustment.

4. Section 248.11(c) requires the State agency to annually maintain records which adequately identify the source and use of funds expended for FMNP activities. These records shall contain, but are not limited to, information pertaining to authorization, receipt of funds, obligations, unobligated balances, assets, liabilities, outlays, and income. FNS estimates 2 burden hours per this activity, per State agency for the documentation and maintenance of records associated with expenditures.

FNS estimates 98 total annual burden hours for State agency documentation and maintenance of records associated with financial expenditures. 49 State agencies x 2 burden hours = 98 total annual burden hours. This represents a slight increase of 4 burden hours from the last burden revision due to an increase in the number of State agencies from 47 to 49. This increase is due to a program adjustment.

5. Sections 248.16(a) requires the State agency annually provide a hearing procedure whereby applicants, recipients, local agencies and farmers, farmers' markets, and roadside stands adversely affected by certain actions of the State agency may appeal such actions. Implicit in this provision is the requirement to maintain a record of all hearings that are requested and conducted, and their outcomes. FNS estimates that 1 burden hour is required annually by each FMNP State agency to maintain fair hearing records.

FNS estimates 49 total annual burden hours for State agencies to maintain far hearing records. 49 State agencies x 1 burden hour = 49 total annual burden hours. This represents an increase of 49 burden hours as the burden hours associated with fair hearing record-keeping was not included under the prior FMNP burden revision. Under this revision, and future burden revisions, burden hours associated with fair hearing record-keeping will be reported under the FMNP burden. This increase is due to a program adjustment.

6. Section 248.23(a) requires each State agency to maintain full and complete records concerning FMNP operations annually. Such records shall include, but not be limited to, information pertaining to financial operations, FMNP coupon issuance and redemption, equipment purchases and inventory, nutrition education, and civil rights procedures. FNS estimates 40 burden hours is required annually by each FMNP State agency to document and maintain full and complete records on FMNP operations.

FNS estimates 1,960 total annual burden hours for State agencies to document and maintain records on FMNP operations. 49 State agencies x 40 burden hours = 1,960 total annual burden hours. This represents an increase of 1,960 burden hours as the burden hours associated with a record of program operations were not included under the prior FMNP burden revision. Under this revision, and future revisions,

burden hours associated with a record of program operations will be reported under the FMNP burden. This increase is due to a program adjustment.