

with high levels of applications changed due to verification. Contin-  
 gent upon new funding to support this  
 purpose, FNS will also require each  
 State agency to report the aggregate  
 number of students who were termi-  
 nated as a result of verification but  
 who were reinstated as of February  
 15th. The first report containing this  
 data element would be required in the  
 school year beginning July 1, 2005 and  
 each school year thereafter. State  
 agencies are encouraged to collect and  
 report any or all verification data ele-  
 ments before the required dates.

(Secs. 801, 803, 812; Pub. L. 97-35, 95 Stat. 521-  
 535 (42 U.S.C. 1753, 1758, 1759(a), 1773, 1778))

[35 FR 14065, Sept. 4, 1970, as amended at 38  
 FR 14958, June 7, 1973; Amdt. 8, 40 FR 57208,  
 Dec. 8, 1975; 44 FR 1364, Jan. 5, 1979; 46 FR  
 51368, Oct. 20, 1981; 48 FR 12511, Mar. 25, 1983;  
 52 FR 19276, May 22, 1987; 64 FR 50744, Sept.  
 20, 1999; 64 FR 72474, Dec. 28, 1999; 66 FR 48333,  
 Sept. 20, 2001; 68 FR 53490, Sept. 11, 2003; 72  
 FR 63796, Nov. 13, 2007]

EFFECTIVE DATE NOTE: At 68 FR 53490,  
 Sept. 11, 2003, §245.11(i) was added. This para-  
 graph contains information collection and  
 recordkeeping requirements and will not be-  
 come effective until approval has been given  
 by the Office of Management and Budget.

**§ 245.12 Fraud penalties.**

(a) Whoever embezzles, willfully  
 misapplies, steals, or obtains by fraud  
 any funds, assets, or property provided  
 under this part, whether received di-  
 rectly or indirectly from the Depart-  
 ment, shall—

(1) If such funds, assets, or property  
 are of a value of \$100 or more, be fined  
 not more than \$25,000 or imprisoned not  
 more than five years of both; or

(2) If such funds, assets, or property  
 are of a value of less than \$100, be fined  
 not more than \$1,000 or imprisoned not  
 more than one year or both.

(b) Whoever receives, conceals, or re-  
 tains to his use or gain funds, assets, or  
 property provided under this part,  
 whether received directly or indirectly  
 from the Department, knowing such  
 funds, assets, or property have been  
 embezzled, willfully misapplied, stolen,  
 or obtained by fraud, shall be subject

to the same penalties provided in para-  
 graph (a) of this section.

(Sec. 10(a), Pub. L. 95-627, 92 Stat. 3623 (42  
 U.S.C. 1760); sec. 14, Pub. L. 95-627, 92 Stat.  
 3625-3626)

[Amdt. 14, 44 FR 37901, June 29, 1979, as  
 amended at 64 FR 50744, Sept. 20, 1999]

**§ 245.13 Information collection/record-  
 keeping—OMB assigned control  
 numbers.**

7 CFR section where requirements are de- scribed	Current OMB control number
245.3 (a), (b) .....	0584-0026
245.4 .....	0584-0026
245.5 (a), (b) .....	0584-0026
245.6 (a), (b), (c), (e) .....	0584-0026
245.7(a) .....	0584-0026
245.9 (a), (b), (c) .....	0584-0026
245.10 (a), (d), (e) .....	0584-0026
245.11 (a), (a-1), (b), (c), (d), (f) .....	0584-0026
245.13(a)-(c) .....	0584-0026

[50 FR 53258, Dec. 31, 1985. Redesignated at 64  
 FR 50744, Sept. 20, 1999]

**PART 246—SPECIAL SUPPLEMENTAL  
 NUTRITION PROGRAM FOR  
 WOMEN, INFANTS AND CHIL-  
 DREN**

**Subpart A—General**

- Sec.
- 246.1 General purpose and scope.
- 246.2 Definitions.
- 246.3 Administration.

**Subpart B—State and Local Agency  
 Eligibility**

- 246.4 State plan.
- 246.5 Selection of local agencies.
- 246.6 Agreements with local agencies.

**Subpart C—Participant Eligibility**

- 246.7 Certification of participants.
- 246.8 Nondiscrimination.
- 246.9 Fair hearing procedures for partici-  
 pants.

**Subpart D—Participant Benefits**

- 246.10 Supplemental foods.
- 246.11 Nutrition education.

**Subpart E—State Agency Provisions**

- 246.12 Food delivery systems.
- 246.13 Financial management system.
- 246.14 Program costs.
- 246.15 Program income other than grants.
- 246.16 Distribution of funds.