

# Notices

Federal Register

Vol. 76, No. 85

Tuesday, May 3, 2011

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

### Submission for OMB Review; Comment Request

April 28, 2011.

The Department of Agriculture will submit the following information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104–13 on or after the date of publication of this notice. Comments regarding (a) Whether the 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 burden 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 should be addressed to: Desk Officer for Agriculture, Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), New Executive Office Building, Washington, DC; [OIRA\\_Submission@OMB.EOP.GOV](mailto:OIRA_Submission@OMB.EOP.GOV) or fax (202) 395–5806 and to Departmental Clearance Office, USDA, OCIO, Mail Stop 7602, Washington, DC 20250–7602.

**DATES:** Comments regarding these information collections are best assured of having their full effect if received by June 2, 2011. Copies of the submission(s) may be obtained by calling (202) 720–8681.

An agency may not conduct or sponsor a collection of information unless the collection of information displays a currently valid OMB control

number and the agency informs potential persons who are to respond to the collection of information that such persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.

### Agricultural Marketing Service

*Title:* Dairy Request for Applicant Number.

*OMB Control Number:* 0581—NEW.

*Summary of Collection:* The dairy grading program is a voluntary user fee program providing grading and inspection service to the dairy industry. The program is authorized under the Agricultural Marketing Act of 1946 (7 U.S.C. 1621–1627).

*Need and Use of the Information:* The Agricultural Marketing Service will collect the information on two new forms (1) DA–228—Request for Applicant Number, and (2) DA–229—Export Applicant Number Activation. The information requested will be used by the Administrative Officer to identify the applicant in the billing system, to set up an account in the billing system and contact the party responsible for payment of the fee and expense for the inspection, certification, and grading or equipment evaluation service.

*Description of Respondents:* Business or other for-profit.

*Number of Respondents:* 200.

*Frequency of Responses:* Reporting: On occasion.

*Total Burden Hours:* 10.

### Agricultural Marketing Service

*Title:* USDA Web Based Supply Chain Management System (WBSCMs).

*OMB Control Number:* 0581—NEW.

*Summary of Collection:* Section 32 of the Act of August 24, 1935, as amended (Section 32 Public Law 74–320; 7 U.S.C. 612c); Sections 6(a) and (e), 13, and 17 of the National School Lunch Act, as amended, (42 U.S.C. sections 1751, 1761, and 1766) in addition to several other acts authorize the Agricultural Marketing Service (AMS) Procurement Branches to prepare and issue announcements for the purchase and sale of perishable agricultural commodities. AMS purchases agricultural commodities for the Section 32 and 6a & e National School Lunch Program/Child & Adult Care Food Program; Nutrition Service Incentive Program; Food Distribution Program on Indian Reservations; Commodity

Supplemental Food Program; The Emergency Food Assistance Program and Disaster Feeding in addition to providing support for commodity markets with surplus inventory.

*Need and Use of the Information:* AMS issues solicitation for offers in order to solicit bids for commodities for delivery to domestic nutrition assistance programs. Vendors respond by making electronic offers using the secure Web Based Supply Chain Management System (WBSCM). Vendors must be registered, and have an ID and password, in order to submit bids electronically through WBSCM via the Internet. The information will change in response to the needs of the domestic feeding programs and each solicitation. Information collected has been consolidated into three processes—a New Vendor Application, Bid Solicitation and Contract Delivery, Invoice Submission and Inspection Results. The data collected from vendors assists AMS with making a determination whether a business is viable and capable of supplying product to the Federal government.

*Description of Respondents:* Business or other for profit; Farms.

*Number of Respondents:* 320.

*Frequency of Responses:* Reporting: On occasion; Weekly; Monthly; Quarterly.

*Total Burden Hours:* 1,680.

**Charlene Parker,**

*Departmental Information Collection Clearance Officer.*

[FR Doc. 2011–10714 Filed 5–2–11; 8:45 am]

**BILLING CODE 3410–02–P**

## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

[Docket No. APHIS–2006–0011]

**RIN 0579–AC03**

### Notice of Request for Approval of an Information Collection; Category of Plants for Planting Not Authorized for Importation Pending Pest Risk Analysis

**AGENCY:** Animal and Plant Health Inspection Service, USDA.

**ACTION:** New information collection; comment request.

**SUMMARY:** In accordance with the Paperwork Reduction Act, this notice announces the Animal and Plant Health Inspection Service's intention to initiate an information collection associated with a new category of plants for planting, also referred to as nursery stock, whose importation is not authorized for importation pending pest risk analysis.

**DATES:** We will consider all comments that we receive on or before July 5, 2011.

**ADDRESSES:** You may submit comments by either of the following methods:

- **Federal eRulemaking Portal:** Go to <http://www.regulations.gov/fdmspublic/component/main?main=DocketDetail&d=APHIS-2006-0011> to submit or view comments and to view supporting and related materials available electronically.

- **Postal Mail/Commercial Delivery:** Please send one copy of your comment to Docket No. APHIS-2006-0011, Regulatory Analysis and Development, PPD, APHIS, Station 3A-03.8, 4700 River Road Unit 118, Riverdale, MD 20737-1238. Please state that your comment refers to Docket No. APHIS-2006-0011.

**Reading Room:** You may read any comments that we receive on this docket in our reading room. The reading room is located in room 1141 of the USDA South Building, 14th Street and Independence Avenue SW., Washington, DC. Normal reading room hours are 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. To be sure someone is there to help you, please call (202) 690-2817 before coming.

**Other Information:** Additional information about APHIS and its programs is available on the Internet at <http://www.aphis.usda.gov>.

**FOR FURTHER INFORMATION CONTACT:** For information on a new category of plants for planting not authorized for importation pending pest risk analysis, contact Dr. Arnold Tschanz, Senior Plant Pathologist, Plants for Planting Policy, Risk Management and Plants for Planting Policy, RPM, PPQ, APHIS, 4700 River Road Unit 133, Riverdale, MD 20737-1236; (301) 734-0627. For copies of more detailed information on the information collection, contact Mrs. Celeste Sickles, APHIS' Information Collection Coordinator, at (301) 851-2908.

**SUPPLEMENTARY INFORMATION:**

**Title:** Category of Plants for Planting Not Authorized for Importation Pending Pest Risk Analysis.

**OMB Number:** 0579-xxxx.

**Type of Request:** Approval of a new information collection.

**Abstract:** Under the Plant Protection Act (PPA) (7 U.S.C. 7701 *et seq.*), the Secretary of Agriculture is authorized to take such actions as may be necessary to prevent the introduction and spread of plant pests and noxious weeds within the United States. The Secretary has delegated this authority to the Administrator of the Animal and Plant Health Inspection Service (APHIS).

The regulations in 7 CFR part 319 prohibit or restrict the importation of certain plants and plant products into the United States to prevent the introduction of plant pests that are not already established in the United States or plant pests that may be established but are under official control to eradicate or contain them within the United States. The regulations in "Subpart—Nursery Stock, Plants, Roots, Bulbs, Seeds, and Other Plant Products," §§ 319.37 through 319.37-14 (referred to below as the regulations), restrict, among other things, the importation of living plants, plant parts, seeds, and plant cuttings for planting or propagation. These regulations are intended to ensure that imported nursery stock does not serve as a host for plant pests, such as insects or pathogens, that can cause damage to U.S. agricultural and environmental resources.

On July 23, 2009, we published in the **Federal Register** (74 FR 36403-36414, Docket No. APHIS-2006-0011) a proposal to amend the nursery stock regulations. We proposed, among other things, to change the nursery stock regulations to refer instead to "plants for planting," a term that is consistent with the International Plant Protection Convention's Glossary of Phytosanitary Terms. In addition, the proposal would add a new category of plants for planting whose importation is not authorized pending the completion of a pest risk analysis (NAPPRA).

APHIS is in the final rulemaking stage to amend part 319 which, if adopted, will require that requests to remove a taxon from the NAPPRA category be made in accordance with § 319.5, which contains requirements for requests to change the regulations in part 319. The current regulations in § 319.5 will apply, if adopted in the final rule, to the new category of plants for planting. This requirement was not part of the 2009 proposed rule and was added based on commenters' requests to allow only national plant protection organizations (NPPOs) to request that taxa be removed from the NAPPRA list. The final rule will allow any person to request that a taxon be removed from the NAPPRA

list, but the regulations in § 319.5 will require the NPPO to be involved in the request, to ensure that APHIS has all the information necessary to evaluate the taxon.

Section 319.5 contains information collection activities for the submission of requests to APHIS that are necessary for us to conduct a PRA, including information about the party making the request, information about the commodity proposed for importation into the United States, shipping information, and a description of pests associated with the commodity.

We are asking the Office of Management and Budget (OMB) to approve our use of this information collection for 3 years.

The purpose of this notice is to solicit comments from the public (as well as affected agencies) concerning our information collection. These comments will help us:

- (1) Evaluate whether the collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility;
- (2) Evaluate the accuracy of our estimate of the burden of the collection of information, including the validity of the methodology and assumptions used;
- (3) Enhance the quality, utility, and clarity of the information to be collected; and
- (4) Minimize the burden of the collection of information on those who are to respond, through use, as appropriate, of automated, electronic, mechanical, and other collection technologies; e.g., permitting electronic submission of responses.

**Estimate of burden:** The public reporting burden for this collection of information is estimated to average 5.6 hours per response.

**Respondents:** NPPOs and importers of nursery stock into the United States.

**Estimated annual number of respondents:** 5.

**Estimated annual number of responses per respondent:** 1.

**Estimated annual number of responses:** 5.

**Estimated total annual burden on respondents:** 28 hours. (Due to averaging, the total annual burden hours may not equal the product of the annual number of responses multiplied by the reporting burden per response.)

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.

Done in Washington, DC, this 27th day of April 2011.

**Gregory L. Parham,**  
Administrator, Animal and Plant Health  
Inspection Service.

[FR Doc. 2011-10718 Filed 5-2-11; 8:45 am]

BILLING CODE 3410-34-P

## DEPARTMENT OF AGRICULTURE

### Food Safety and Inspection Service

[Docket No. FSIS-2011-0002]

#### Notice of Request for a Revision of a Currently Approved Information Collection (Application for Inspection, Accreditation of Laboratories, and Exemptions)

**AGENCY:** Food Safety and Inspection  
Service, USDA.

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

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995 and the Office of Management and Budget (OMB) regulations, this notice announces the Food Safety and Inspection Service's (FSIS) intention to request a revision of a currently approved information collection. The information collection addresses the paperwork requirements specified in the regulations relating to the application for inspection, accreditation of laboratories, and exemptions. FSIS is revising the information collection to increase the estimate of the total burden hours, and because the OMB approval will expire on July 31, 2011.

**DATES:** Comments on this notice must be received on or before July 5, 2011.

**ADDRESSES:** FSIS invites interested persons to submit comments on this notice. Comments may be submitted by either of the following methods:

- *Federal eRulemaking Portal:* This Web site provides the ability to type short comments directly into the comment field on this Web page or attach a file for lengthier comments. Go to <http://www.regulations.gov>. Follow the on-line instructions at that site for submitting comments.

- *Mail, including floppy disks or CD-ROMs, and hand-or courier-delivered items:* Send to Docket Clerk, U.S. Department of Agriculture, Food Safety and Inspection Service, Room 2-2127 George Washington Carver Center, 5601 Sunnyside Avenue, Mailstop 5272, Beltsville, MD 20705-5272.

**Instructions:** All items submitted by mail or electronic mail must include the Agency name and docket number FSIS-2011-0002. Comments received in response to this docket will be made

available for public inspection and posted without change, including any personal information, to <http://www.regulations.gov>.

**Docket:** For access to background documents or comments received, go to the FSIS Docket Room at the address listed above between 8 a.m. and 4:30 p.m., Monday through Friday.

**FOR FURTHER INFORMATION CONTACT:**  
Contact John O'Connell, Paperwork Reduction Act Coordinator, Food Safety and Inspection Service, USDA, 1400 Independence Avenue, SW., Room 6065, South Building, Washington, DC 20250, (202) 720-0345.

#### SUPPLEMENTARY INFORMATION:

**Title:** Application for Inspection, Accreditation of Laboratories, and Exemptions.

**OMB Number:** 0583-0082.

**Expiration Date of Approval:** 07/31/2011.

**Type of Request:** Revision of a currently approved information collection.

**Abstract:** FSIS has been delegated the authority to exercise the functions of the Secretary as specified in the Federal Meat Inspection Act (FMIA) (21 U.S.C. 601, *et seq.*) and the Poultry Products Inspection Act (PPIA) (21 U.S.C. 451, *et seq.*). These statutes provide that FSIS is to protect the public by verifying that meat and poultry products are safe, wholesome, not adulterated, and properly labeled and packaged.

FSIS is requesting a revision of an approved information collection addressing paperwork requirements specified in the regulations relating to the application for inspection, accreditation of laboratories, and exemptions.

FSIS requires meat and poultry establishments and import facilities to apply for a grant of inspection before receiving Federal inspection (9 CFR 304.1 & 381.17). FSIS also requires plants that wish to receive voluntary inspection to apply for service (9 CFR 350.5, 351.4, 352.3, & 362.3). Establishments that wish to export or import product must also submit certain documents to the Agency.

The FMIA (21 U.S.C. 642), the PPIA (21 U.S.C. 460(b)), and the EPIA (21 U.S.C. 1040) require certain parties to keep records that fully and correctly disclose all transactions involved in their businesses related to relevant animal carcasses and parts and egg products.

FSIS requires accredited non-Federal analytical laboratories to maintain certain paperwork and records (9 CFR 439.20 & 590.580). The Agency uses this collected information to ensure that

meat and poultry establishments and egg products plants provide safe, wholesome, and not adulterated product, and that non-Federal laboratories act in accordance with FSIS regulations.

In addition, FSIS also requires establishments to keep records to ensure that meat and poultry products are not commingled with inspected meat and poultry products (9 CFR 303.1(b)(3) & 381.175), and that firms qualifying for a retail store exemption who have violated the provisions of that exemption are no longer in violation (9 CFR 303.1(d)(3) & 381.10(d)(3)).

The Agency is revising the information collection based on a revised estimate of the number of respondents due to an increase in the number of establishments. This increase in the number of establishments supports the finding of a total increase in burden hours (39.4) from that found in the previously approved information collection.

FSIS has made the following estimates based upon an information collection assessment:

**Estimate of Burden:** FSIS estimates that it will take respondents an average of .034 hours per response.

**Respondents:** Official meat and poultry establishments, official egg plants, and foreign establishments.

**Estimated No. of Respondents:** 27,743.

**Estimated No. of Annual Responses per Respondent:** 122.

**Estimated Total Annual Burden on Respondents:** 114,339.4 hours.

Copies of this information collection assessment can be obtained from John O'Connell, Paperwork Reduction Act Coordinator, Food Safety and Inspection Service, USDA, 1400 Independence Avenue, SW., Room 6065, South Building, Washington, DC 20250, (202) 720-0345.

**Comments are invited on:** (a) Whether the proposed collection of information is necessary for the proper performance of FSIS's functions, including whether the information will have practical utility; (b) the accuracy of FSIS'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, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques, or other forms of