

on the physical security of the data after hours, including weekends and holidays. A password is required to access the terminal and a data set name controls the release of data to only authorized users. Data on local area network computer files is accessed by keyword known only to authorized personnel.

#### RETENTION AND DISPOSAL:

Records are retained and disposed of under the authority of the REE Policies and Procedures contained in REE Manual 251.8 "Records Management" and 251.8M "Records Management (Manual)", which establishes REE policies and procedures for the creation, maintenance, and disposition of records, and in accordance with the General Records Schedules issued by the National Archives and Records Administration.

#### SYSTEM MANAGER(S) AND ADDRESS(ES):

National Program Leader, Veterinary Science, National Institute of Food and Agriculture, Department of Agriculture, 1400 Independence Avenue, SW., Washington, DC 20250.

#### NOTIFICATION PROCEDURE:

Individuals seeking notification of and access to any record contained in this system of records, or seeking to contest its content, may submit a request in writing to the Headquarters or component's Freedom of Information Act (FOIA) Officer, whose contact information can be found at <http://www.da.usda.gov/foia.htm> under "contacts." If an individual believes more than one component maintains Privacy Act records concerning him or her, the individual may submit the request to the Chief FOIA Officer, Department of Agriculture, 1400 Independence Avenue, SW., Washington, DC 20250.

When seeking records about yourself from this system of records or any other Departmental system of records your request must conform with the Privacy Act regulations set forth in 6 CFR part 5. You must first verify your identity, meaning that you must provide your full name, current address and date and place of birth. You must sign your request, and your signature must either be notarized or submitted under 28 U.S.C. 1746, a law that permits statements to be made under penalty of perjury as a substitute for notarization. While no specific form is required, you may obtain forms for this purpose from the Chief FOIA Officer, Department of Agriculture, 1400 Independence Avenue, SW., Washington, DC 20250. In

addition you should provide the following:

- An explanation of why you believe the Department would have information on you;
- Identify the component(s) of the Department you believe may have the information about you;
- Specify when you believe the records would have been created;
- Any additional information that will help the FOIA staff determine which USDA component agency may have responsive records;
- The dates of enrollment in the VMLRP and current enrollment status, such as pending application approval or approved for participation;
- If your request is seeking records pertaining to another living individual, you must include a statement from that individual certifying his/her agreement for you to access his/her records.

Without this bulleted information the component(s) may not be able to conduct an effective search, and your request may be denied due to lack of specificity or lack of compliance with applicable regulations.

#### RECORD ACCESS PROCEDURES:

See "Notification procedure" above.

#### CONTESTING RECORD PROCEDURES:

See "Notification procedure" above.

#### RECORD SOURCE CATEGORIES:

Records are obtained by subject individual; participating lending and loan servicing institutions; educational and grantee institutions; other Federal agencies; consumer reporting agencies/credit bureaus; National Student Clearinghouse; and third parties that provide references concerning the subject individual.

#### EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

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BILLING CODE 3410-22-P

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

[Doc. No. AMS-TM-10-0106]

#### Notice of Request for Extension of a Currently Approved Information Collection

**AGENCY:** Agricultural Marketing Service, USDA.

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

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 35), this notice

announces the Agricultural Marketing Service's (AMS) intention to request approval from the Office of Management and Budget, for an extension of the currently approved information collection for OMB 0581-0229 Form TM-28, USDA Farmers Market Application. Copies of this one-time yearly application form to participate in the U.S. Department of Agriculture (USDA) Farmers Market at 12th Street and Independence Avenue, SW., Washington, DC may be obtained by calling the AMS Marketing Services Branch contact listed.

**DATES:** Comments received by February 11, 2011 will be considered.

*Additional Information or Comments:* Contact Errol R. Bragg, Director, Marketing Services Division, Transportation and Marketing Programs, Agricultural Marketing Service (AMS), USDA, Room 4004-South, 1400 Independence Avenue, SW., Washington, DC, 20250-0269; 202/720-8317, or fax 202/690-0031.

Comments should reference docket number AMS-TM-10-0106, and be sent to Mr. Errol Bragg at the above address or via the Internet at <http://www.regulations.gov>.

#### SUPPLEMENTARY INFORMATION:

*Title:* USDA Farmers Market Application.

*OMB Number:* 0581-0229.

*Expiration Date of Approval:* April 30, 2011.

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

*Abstract:* The Agricultural Marketing Act of 1946 (7 U.S.C. 1621-1627) directs and authorizes the Secretary of Agriculture to conduct, assist, and foster research, investigation, and experimentation to determine the best methods of processing, preparation for market packaging, handling, transporting, distributing, and marketing agricultural products, 7 U.S.C. 1622(a). Moreover, 7 U.S.C. 1622(f) directs and authorizes the Secretary to conduct and cooperate in consumer education for more effective utilization and greater consumption of agricultural products. In addition, 7 U.S.C. 1622(n) authorizes the Secretary to conduct services and to perform activities that will facilitate the marketing and utilization of agricultural products through commercial channels.

On December 23, 2005, the AMS published a final rule in the **Federal Register** (70 FR 76129) to implement established regulations and procedures under 7 CFR part 170 for AMS to operate the USDA Farmers Market, specify vendor criteria and selection

procedures, and define guidelines to be used for governing the USDA Farmers Market annually on 12th Street and Independence Ave., SW., Washington, DC. A one-time yearly submission information collection in a required application form was also established.

The information collection in *Form TM-28, USDA Farmers Market Application* is required by farms or businesses participating at the USDA Farmers Market. The information allows AMS the means of reviewing the type of products available for sale and selecting participants for the annual market season. The type of information within the application includes: (1) Certification the applicant is the owner or representative of the farm or business; (2) applicant contact information including name(s), address, phone number, and e-mail address; (3) farm or business location; (4) types of products grown; (5) business practices; and (6) insurance coverage.

*Estimate of Burden:* Public reporting burden for this collection of information is estimated to average 0.12 hours per response.

*Respondents:* Farmers and/or vendors completing the application to participate in the USDA Farmers Market.

*Estimated Number of Respondents:* 30.

*Estimated Number of Responses per Respondent:* 1.

*Estimated Total Annual Burden on Respondents:* 3.6 hours.

*Comments are invited on:* (1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden of the proposed collection of information including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Comments may be sent to Errol R. Bragg at the address listed under section "ADDITIONAL INFORMATION OR COMMENTS" or to the Desk Officer for Agriculture, Office of Information and Regulatory Affairs, OMB, Washington, DC 20503. Comments must be received by February 11, 2011. All comments received by AMS will be available for public inspection during regular business hours, 8 a.m. to 4:30 p.m.

Eastern Time, Monday through Friday, at the same address; and can be viewed via the Internet at <http://www.regulations.gov>.

All responses to this notice will be summarized and included in the request for OMB approval. All comments will become a matter of public record.

Dated: December 7, 2010.

**David R. Shipman,**

*Acting Administrator, Agricultural Marketing Service.*

[FR Doc. 2010-31203 Filed 12-10-10; 8:45 am]

**BILLING CODE 3410-02-P**

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

[Document No. AMS-ST-10-0052]

#### Plant Variety Protection Board; Reestablishment of the Plant Variety Protection Board

**AGENCY:** Agricultural Marketing Service, USDA.

**ACTION:** Notice.

**SUMMARY:** In accordance with the Federal Advisory Committee Act (FACA) (5 U.S.C. App.), this notice announces that the Secretary of Agriculture intends to reestablish the Plant Variety Protection Board.

**FOR FURTHER INFORMATION CONTACT:** Paul Zankowski, USDA, Agricultural Marketing Service (AMS), 10301 Baltimore Blvd., Room 401, National Agricultural Library, Beltsville, MD 20705-2351 or by phone at (301) 504-7475 or by Internet: <http://www.regulations.gov> or by e-mail: [Paul.Zankowski@ams.usda.gov](mailto:Paul.Zankowski@ams.usda.gov).

**SUPPLEMENTARY INFORMATION:** The Plant Variety Protection Act (Act) (7 U.S.C. 2321 *et seq.*) provides legal protection in the form of intellectual property rights to developers of new varieties of plants, which are reproduced sexually by seed or are tuber-propagated. A Certificate of Plant Variety Protection is awarded to an owner of a crop variety after an examination shows that it is new, distinct from other varieties, genetically uniform and stable through successive generations. The term of protection is 20 years for most crops and 25 years for trees, shrubs, and vines.

The Act also provides for a statutory Board (7 U.S.C. 2327) to be appointed by the Secretary of Agriculture. The duties of the Board are to: (1) Advise the Secretary concerning the adoption of rules and regulations to facilitate the proper administration of the Act; (2) provide advisory counsel to the Secretary on appeals concerning

decisions on applications by the PVP Office and on requests for emergency public-interest compulsory licenses; and (3) advise the Secretary on any other matters under the Regulations and Rules of Practice and on all questions under Section 44 of the Act, "Public Interest in Wide Usage" (7 U.S.C. 2404). Reestablishing the Board is necessary and in the public interest.

The Act provides that "the Board shall consist of individuals who are experts in various areas of varietal development covered by this Act." The Board membership "shall include farmer representation and shall be drawn approximately equally from the private or seed industry sector and from the sector of government or the public." The Board consists of 14 members, each of whom is appointed for a 2-year period, with no member appointed for more than three 2-year periods. Nominations are made by farmers' associations, trade associations in the seed industry, professional associations representing expertise in seed technology, plant breeding, and variety development, public and private research and development institutions (13 members) and the USDA (one member).

Equal opportunity practices, in agreement with USDA nondiscrimination policies, will be followed in all membership appointments to the Board. To ensure that the suggestions of the Board have taken into account the needs of the diverse groups served by USDA, membership shall include, to the extent practicable, individuals with demonstrated ability to represent minorities, women, and persons with disabilities.

The Charter for the Board will be available on the Web site at: <http://www.ams.usda.gov/AMSV1.0/getfile?dDocName=STELPRDC5O59988> or may be requested by contacting the individual identified in the **FOR FURTHER INFORMATION CONTACT** section of this notice.

USDA prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, and marital or family status. Persons with disabilities who require alternative means for communication of program information (braille, large print, or audiotape) should contact USDA's Target Center at 202-720-2600 (voice and TTY).

To file a written complaint of discrimination, write USDA, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW., Washington, DC 20250-9410 or call 202-720-5964 (voice and TTY). USDA