

Notices

Federal Register

Vol. 71, No. 102

Friday, May 26, 2006

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

Agricultural Marketing Service

[Docket No. FV06-983-1NC]

Notice of Request for Extension and Revision 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 an extension for and revision to a currently approved information collection for pistachios grown in California, Marketing Order No. 983.

DATES: Comments on this notice must be received by July 25, 2006.

Additional Information or Comments: Contact Valerie L. Emmer-Scott, Marketing Specialist, Marketing Order Administration Branch, Fruit and Vegetable Programs, AMS, USDA, 1400 Independence Avenue, SW., Stop 0237, Washington, DC 20250-0237; (202) 205-2829, Fax: (202) 720-8938, or e-mail: moab.docketclerk@usda.gov.

Small businesses may request information on this notice by contacting Jay Guerber, Marketing Order Administration Branch, Fruit and Vegetable Programs, AMS, USDA, 1400 Independence Avenue, SW., STOP 0237, Washington, DC 20250-0237; telephone (202) 720-2491, Fax: (202) 720-8938, or e-mail: Jay.Guerber@usda.gov.

SUPPLEMENTARY INFORMATION: *Title:* Pistachios Grown in California, Marketing Order No. 983.

OMB Number: 0581-0215.

Expiration Date of Approval: December 31, 2006.

Type of Request: Extension and revision of a currently approved information collection.

Abstract: Marketing order programs provide an opportunity for producers of fresh fruits, vegetables and specialty crops, in a specified production area, to work together to solve marketing problems that cannot be solved individually. Order regulations help ensure adequate supplies of high quality product and adequate returns to producers. Under the Agricultural Marketing Agreement Act of 1937 (AMAA), as amended (7 U.S.C. 601-674) industries enter into marketing order programs. The Secretary of Agriculture is authorized to oversee the order operations and issue regulations recommended by a committee of representatives from each commodity industry.

The information collection requirements in this request are essential to carry out the intent of the AMAA, to provide the respondents the type of service they request, and to administer the program, which has operated since 2004.

The pistachio marketing order regulates the handling of pistachios grown in California, hereinafter referred to as the order, (7 CFR part 983). The order authorizes grade and size requirements, as well as a requirement for aflatoxin testing on domestic shipments only.

The order, and rules and regulations issued thereunder, authorize the Administrative Committee for Pistachios (Committee) the agency responsible for local administration of the order, to require handlers and producers to submit certain information. Much of this information is compiled in aggregate and provided to the industry to assist in carrying out marketing decisions.

The Committee has developed forms as a means for persons to file required information with the Committee relating to pistachio shipments and other information needed to effectively carry out the requirements of the order, and their use is necessary to fulfill the intent of the AMAA. A USDA form is used to allow growers to vote on amendments or continuance of the marketing order. In addition, pistachio producers and handlers who are nominated by their peers to serve as representatives on the

Committee must file nomination forms with the Secretary.

Formal rulemaking amendments to the order must be approved in referenda conducted by the Secretary. Also, the Secretary may conduct a continuance referendum to determine industry support for continuation of the order. Handlers are asked to sign an agreement to indicate their willingness to abide by the provisions of the order whenever the order is amended. These forms are included in this request.

The forms covered under this information collection require the minimum information necessary to effectively carry out the requirements of the order, and their use is necessary to fulfill the intent of the AMAA as expressed in the order, and the rules and regulations issued under the order.

The information collected is used only by authorized representatives of the USDA, including AMS, Fruit and Vegetable Programs regional and headquarter's staff, and authorized employees of the Committee. Authorized Committee employees and the industry are the primary users of the information, and AMS is the secondary user.

Estimate of Burden: Public reporting burden for this collection of information is estimated to average .2309 hours per response.

Respondents: Pistachio producers, handlers and testing laboratories.

Estimated Number of Responses: 771.

Estimated Number of Responses per Respondent: .808

Estimated Total Annual Burden on Respondents: 144 hours.

Comments: Comments are invited on: (1) Whether the proposed collection of the 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 through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Comments should reference OMB No. 0581-0215 and the Marketing Order for Pistachios Grown in California, M.O. No. 983, and be mailed to Docket Clerk, Fruit and Vegetable Programs, AMS, USDA, 1400 Independence Avenue, SW., Stop 0237, Washington, DC 20250-0237; Tel: (202) 720-2491, Fax (202) 720-8938; or e-mail:

moab.docketclerk@usda.gov. Comments should reference the docket number and the date and page number of this issue of the **Federal Register**. All comments received will be available for public inspection in the Office of the Docket Clerk during regular USDA business hours at 1400 Independence Ave., SW., Washington, DC, room 2525-S.

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.

Dated: May 22, 2006.

Lloyd C. Day,

Administrator, Agricultural Marketing Service.

[FR Doc. E6-8104 Filed 5-25-06; 8:45 am]

BILLING CODE 3410-02-P

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[Docket Number FV-06-307]

United States Standards for Grades of Mushrooms

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Notice.

SUMMARY: The Agricultural Marketing Service (AMS), prior to undertaking research and other work associated with revising official grade standards, is soliciting comments on the possible revisions of the United States Standards for Grades of Mushrooms. At a meeting with the Fruit and Vegetable Industry Advisory Committee, AMS was asked to review the Fresh Fruit and Vegetable grade standards for usefulness in serving the industry. As a result, AMS has identified the United States Standards for Grades of Mushrooms for possible revision.

AMS is considering proposed revisions that would allow the standards to be used for open veil types of mushrooms, include small, medium, and large size classifications for open veil types of mushrooms; revise the current size classifications (small to medium and large) as well as an addition of a button and jumbo size for the closed veil types of mushrooms; and eliminate the unclassified category. AMS is seeking comments regarding

these changes as well as any other revisions that may be necessary to better serve the industry.

DATES: Comments must be received by July 25, 2006.

ADDRESSES: Interested persons are invited to submit written comments to the Standardization Section, Fresh Products Branch, Fruit and Vegetable Programs, Agricultural Marketing Service, U.S. Department of Agriculture, 1400 Independence Ave., SW., Room 1661 South Building, Stop 0240, Washington, DC 20250-0240; Fax (202) 720-8871, e-mail

FPB.DocketClerk@usda.gov. Comments should make reference to the dates and page number of this issue of the **Federal Register** and will be made available for public inspection in the above office during regular business hours. The United States Standards for Grades of Mushrooms are available either at the above address or by accessing the AMS, Fresh Products Branch Web site at: <http://www.ams.usda.gov/standards/stanfiv.htm>.

FOR FURTHER INFORMATION CONTACT:

Cheri L. Emery, at the above address or call (202) 720-2185; E-mail Cheri.Emery@usda.gov.

SUPPLEMENTARY INFORMATION: Section 203(c) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1621-1627), as amended, directs and authorizes the Secretary of Agriculture "To develop and improve standards of quality, condition, quantity, grade and packaging and recommend and demonstrate such standards in order to encourage uniformity and consistency in commercial practices." AMS is committed to carrying out this authority in a manner that facilitates the marketing of agricultural commodities. AMS makes copies of official standards available upon request. The United States Standards for Grades of Fruits and Vegetables not connected with Federal Marketing Orders or U.S. Import Requirements no longer appear in the Code of Federal Regulations, but are maintained by USDA/AMS/Fruit and Vegetable Programs.

AMS is considering revisions to the voluntary United States Standards for Grades of Mushrooms using procedures that appear in Part 36, Title 7 of the Code of Federal Regulations (7 CFR part 36). These standards were last revised on July 15, 1966.

Background

At a meeting with the Fruit and Vegetable Industry Advisory Committee, AMS was asked to review the Fresh Fruit and Vegetable grade standards for usefulness in serving the industry. AMS

has identified the United States Standards for Grades of Mushrooms for possible revision. Prior to undertaking detailed work to develop the proposed revisions to the standards, AMS is soliciting comments on the proposed revisions and any other comments on the United States Standards for Grades of Mushrooms to better serve the industry.

AMS is considering revising the requirement to be free from open veils to read "Additionally, closed veil types shall be free from open veils." AMS is also considering revising the definition of mature to read "Mature means that the mushroom is firm and well developed; for closed veil types the veil area may be stretched but not broken." Unlike the current standards, these proposed revisions would allow the standards to be used for open veil types of mushrooms.

Additionally, AMS is considering revising the size section from its current classifications of small to medium (up to 1⁵/₈ inches in diameter) and large (over 1⁵/₈ inches in diameter) to incorporate current size classifications being used by industry for closed veil types of mushrooms, and add size classifications for open veil types of mushrooms. The size classifications for closed veil types of mushrooms would be: Button mushrooms shall be less than 1¹/₄ inches in diameter, medium mushrooms shall be 1¹/₄ inches to less than 2 inches in diameter, large mushrooms shall be 2 inches to less than 2³/₄ inches in diameter, and jumbo mushrooms shall be 2³/₄ inches in diameter and larger. The proposed size classifications for open veil types of mushrooms are: Small mushrooms shall be less than 3 inches in diameter, medium mushrooms shall be 3 inches to less than 4 inches in diameter, and large mushrooms shall be 4 inches in diameter and larger. AMS also would eliminate the unclassified category. This section is being removed in all standards, when they are revised. This category is not a grade and only serves to show that no grade has been applied to the lot. It is no longer considered necessary. These revisions would bring the standards for mushrooms in line with current marketing practices, thereby improving the usefulness in serving the industry.

This notice provides for a 60-day comment period for interested parties to comment on the proposed changes to the United States Standards for Grades of Mushrooms. Should AMS conclude that revisions are needed, it will develop a proposed revised standard that will be published in the **Federal**