

# Notices

Federal Register

Vol. 74, No. 126

Thursday, July 2, 2009

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

### National Agricultural Statistics Service

#### Notice of Intent To Request Revision and Extension of a Currently Approved Information Collection

**AGENCY:** National Agricultural Statistics Service, Department of Agriculture.

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

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, this notice announces the intention of the National Agricultural Statistics Service (NASS) to request revision and extension of a currently approved information collection, the Vegetable Surveys Program. Revision to burden hours may be needed due to changes in the size of the target population, sampling design, and/or questionnaire length. Some of the vegetable production surveys will incorporate sampling of the total population of producers, while the processing surveys will involve a total enumeration of the entire population. Minor changes are being made to some of the questionnaires to accommodate changes in the industry and to make the questionnaires easier for the respondent to complete. This should help to reduce respondent burden and improve the overall response rates.

**DATES:** Comments on this notice must be received by August 31, 2009 to be assured of consideration.

**ADDRESSES:** You may submit comments, identified by docket number 0535-0037, by any of the following methods:

- *E-mail:* [ombofficer@nass.usda.gov](mailto:ombofficer@nass.usda.gov). Include docket number above in the subject line of the message.

- *Fax:* (202) 720-6396.

- *Mail:* Mail any paper, disk, or CD-ROM submissions to: David Hancock, NASS Clearance Officer, U.S. Department of Agriculture, Room 5336 South Building, 1400 Independence

Avenue, SW., Washington, DC 20250-2024.

- *Hand Delivery/Courier:* Hand deliver to: David Hancock, NASS Clearance Officer, U.S. Department of Agriculture, Room 5336 South Building, 1400 Independence Avenue, SW., Washington, DC 20250-2024.

**FOR FURTHER INFORMATION CONTACT:**

Joseph T. Reilly, Associate Administrator, National Agricultural Statistics Service, U.S. Department of Agriculture, (202) 720-4333. Copies of this information collection and related instructions can be obtained without charge from David Hancock, NASS Clearance Officer, at (202) 690-2388.

**SUPPLEMENTARY INFORMATION:**

*Title:* Vegetable Surveys Program.

*OMB Number:* 0535-0037.

*Expiration Date of Approval:* October 31, 2009.

*Type of Request:* Intent to Seek Approval to Revise and Extend an Information Collection for a period of three years.

*Abstract:* The primary objective of the National Agricultural Statistics Service (NASS) is to collect, prepare, and issue State and national estimates of crop and livestock production, prices, and disposition; as well as economic statistics, environmental statistics related to agriculture and also to conduct the Census of Agriculture. The Vegetable Surveys Program obtains basic agricultural statistics for fresh market and processing vegetables in major producing States. Vegetable statistics are used by the U.S. Department of Agriculture to help administer programs and by growers, processors, and marketers in making production and marketing decisions. The fresh market estimating program now consists of 25 selected crops and the processing program consists of 8 principal crops.

**Authority:** These data will be collected under the authority of 7 U.S.C. 2204g. Individually identifiable data collected under this authority are governed by section 1770 of the Food Security Act of 1985 as amended, 7 U.S.C. 2276, which requires USDA to afford strict confidentiality to non-aggregated data provided by respondents. This notice is submitted in accordance with the Paperwork Reduction Act of 1995, Public Law 104-13 (44 U.S.C. 3501, *et seq.*) and Office of Management and Budget regulations at 5 CFR part 1320.

NASS also complies with OMB Implementation Guidance,

“Implementation Guidance for Title V of the E-Government Act, Confidential Information Protection and Statistical Efficiency Act of 2002 (CIPSEA),” **Federal Register**, Vol. 72, No. 115, June 15, 2007, p. 33376.

*Estimate of Burden:* Public reporting burden for this collection of information is estimated between 5 and 20 minutes per respondent per survey.

*Respondents:* Farms and businesses.

*Estimated Number of Respondents:* 31,400.

*Estimated Total Annual Burden on Respondents:* 6,280 hours.

*Comments:* Comments are invited on: (a) 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; (b) 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; (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 on those who are to respond, including through the use of appropriate automated, electronic, mechanical, technological, or other forms of information technology collection techniques.

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

Signed at Washington, DC, May 27, 2009.

**Joseph T. Reilly,**

*Associate Administrator.*

[FR Doc. E9-15667 Filed 7-1-09; 8:45 am]

**BILLING CODE 3410-20-P**

## DEPARTMENT OF AGRICULTURE

### Food Safety and Inspection Service

[Docket No. FSIS-2009-0017]

#### Notice of Request for Extension of a Currently Approved Information Collection (Application for Return of Exported Product)

**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, the Food Safety and Inspection Service (FSIS) is announcing its intention to request an extension of an information collection concerning the application for return of exported product.

**DATES:** Comments on this notice must be received on or before August 31, 2009.

**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 online 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, 1400 Independence Avenue, SW., Room 2534, South Agriculture Building, Washington, DC 20250-3700.

*Instructions:* All items submitted by mail or electronic mail must include the Agency name and docket number FSIS-2009-0017. 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 8:30 a.m. and 4:30 p.m., Monday through Friday.

*For Additional Information:* Contact John O'Connell, Paperwork Reduction Act Coordinator, Food Safety and Inspection Service, USDA, 1400 Independence Avenue, SW., Room 3532 South Building, Washington, DC 20250, (202) 720-0345.

**SUPPLEMENTARY INFORMATION:**

*Title:* Application for Return of Exported Product.

*OMB Number:* 0583-0138.

*Expiration Date of Approval:* 12/31/2009.

*Type of Request:* Extension of an 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.*), the Poultry Products Inspection Act (PPIA) (21 U.S.C. 451, *et seq.*), and the Egg Products Inspection Act (EPIA) (21 U.S.C. 1031, *et seq.*). FSIS protects the public by verifying that meat, poultry, and egg products are

safe, wholesome, unadulterated, and correctly labeled and packaged.

FSIS is requesting an extension of an information collection addressing paperwork requirements related to the collection of information for the application for the return of exported product.

In accordance with 9 CFR 327.17, 381.209, and 590.965, exported product returned to this country is exempt from FSIS import inspection requirements upon notification to and approval from the Agency's Office of International Affairs (OIA). Returned product may, however, require re-inspection at a federally-inspected facility for food safety and food defense determinations. When FSIS inspection program personnel determine that the product is safe and not adulterated or misbranded, the product may be released into domestic commerce.

When an FSIS inspected and passed product is exported and then returned to this country, the owner, broker, or agent of the product (the applicant) arranges for the product's entry and notifies FSIS. As part of this process, the applicant completes the FSIS Form, Application for the Return of Exported Products to the United States.

The purpose of the form is to allow OIA to decide whether re-inspection of the returned product is needed and to notify the appropriate FSIS office where to perform the re-inspection of the product, if necessary.

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

*Estimate of Burden:* FSIS estimates that it will take firms an average of 10 minutes per response.

*Respondents:* Brokers, agents, owners of exported product.

*Estimated Total No. of Respondents:* 500.

*Estimated No. of Annual Responses per Respondent:* 100.

*Estimated Total Annual Burden on Respondents:* 8,333 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, SW., Room 3532, South Bldg., 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 information technology. Comments may be sent to both FSIS, at the addresses provided above, and the Desk Officer for Agriculture, Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20253.

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.

**Additional Public Notification**

Public awareness of all segments of rulemaking and policy development is important. Consequently, in an effort to ensure that the public and in particular minorities, women, and persons with disabilities, are aware of this notice, FSIS will announce it on-line through the FSIS Web page located at [http://www.fsis.usda.gov/regulations/2009\\_Notices\\_Index/index.asp](http://www.fsis.usda.gov/regulations/2009_Notices_Index/index.asp).

FSIS also will make copies of this **Federal Register** publication available through the *FSIS Constituent Update*, which is used to provide information regarding FSIS policies, procedures, regulations, **Federal Register** notices, FSIS public meetings, and other types of information that could affect or would be of interest to our constituents and stakeholders. The *Update* is communicated via Listserv, a free e-mail subscription service consisting of industry, trade, and farm groups, consumer interest groups, allied health professionals, scientific professionals, and other individuals who have requested to be included. The *Update* also is available on the FSIS Web page. Through Listserv and the Web page, FSIS is able to provide information to a much broader, more diverse audience.

In addition, FSIS offers an e-mail subscription service which provides automatic and customized access to selected food safety news and information. This service is available at [http://www.fsis.usda.gov/news\\_and\\_events/email\\_subscription/](http://www.fsis.usda.gov/news_and_events/email_subscription/). Options range from recalls to export information to regulations, directives and notices. Customers can add or delete subscriptions themselves, and have the option to password protect their accounts.

Done at Washington, DC, on June 26, 2009.  
**Alfred V. Almanza,**  
*Administrator.*  
 [FR Doc. E9-15669 Filed 7-1-09; 8:45 am]  
 BILLING CODE 3410-DM-P

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### Proposed Information Collection; Comment Request; Northeast Region Permit Family of Forms

**AGENCY:** National Oceanic and Atmospheric Administration (NOAA).

**ACTION:** Notice.

**SUMMARY:** The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995.

**DATES:** Written comments must be submitted on or before August 31, 2009.

**ADDRESSES:** Direct all written comments to Diana Hynek, Departmental Paperwork Clearance Officer, Department of Commerce, Room 7845, 14th and Constitution Avenue, NW., Washington, DC 20230 (or via the Internet at [dHynek@doc.gov](mailto:dHynek@doc.gov)).

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the information collection instrument and instructions should be directed to Aja Peters-Mason at (978) 281-9195 or [aja.peters-mason@noaa.gov](mailto:aja.peters-mason@noaa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Abstract

Under the Magnuson-Stevens Fishery Conservation and Management Act, the Secretary of Commerce (Secretary) has the responsibility for the conservation and management of marine fishery resources. Much of this responsibility has been delegated to the National Oceanic and Atmospheric Administration (NOAA)/National Marine Fisheries Service (NMFS). Under this stewardship role, the Secretary was given certain regulatory authorities to ensure the most beneficial uses of these resources. One of the regulatory steps taken to carry out the conservation and management objectives is to collect information from users of the resource.

As regional Fishery Management Councils develop specific Fishery

Management Plans (FMP), the Secretary has promulgated rules for the issuance of permits to individuals and organizations participating in Federally controlled fisheries in order to: (1) Register fishermen, fishing vessels, fish dealers and processors, (2) List the characteristics of fishing vessels and/or dealer/processor operations, (3) Exercise influence over compliance (*e.g.*, withhold issuance pending collection of unpaid penalties), (4) Provide a mailing list for the dissemination of important information to the industry, (5) Register participants to be considered for limited entry, (6) Provide a universe for data collection samples, and (7) Provide notification when a vessel is conducting fishing activities that are authorized by the FMPs only in specific circumstances (*e.g.*, exemption programs). The identification of the participants, their gear types, vessels, and expected activity levels is an effective tool in the enforcement of fishery regulations. This information is needed to measure the consequences of management controls as well. Participants in certain fisheries may also be required to notify NMFS before fishing trips for the purpose of observer placement and to make other reports on fishing activities.

##### II. Method of Collection

Initial vessel and dealer permit applications are made by signed paper form. After initial permit issuance, a pre-printed permit renewal form is generated via computer using current permit information. This form is then sent to the permit holder for updates. If no changes to the pre-printed form are required, the applicant simply needs to sign the form and return it with any additional information (*i.e.*, current state registration or United States (U.S.) Coast Guard document) required for permit renewal. Initial and renewal vessel operator permit applications, additional information associated with vessel permits including gillnet and lobster trap tag purchases, and permanent days-at-sea (DAS) transfers, are submitted by signed paper form. Automated position reporting by means of a Vessel Monitoring System (VMS) is required for all vessels issued a limited access sea scallop, Northeast (NE) multispecies, surf clam/ocean quahog, herring, or monkfish Category F permit. Permitted Canadian herring transport vessels must also be equipped with VMS. Vessel owners issued a monkfish Category A or B permit may voluntarily elect to provide DAS notification through VMS. VMS power down exemption requests are submitted by signed paper form. Categories of vessels

not required to use VMS are required to report via a DAS call-in system.

##### III. Data

*OMB Control Number:* 0648-0202.

*Form Number:* None.

*Type of Review:* Regular submission.

*Affected Public:* Business and other for-profit organizations; individuals or households; state, local or tribal governments.

*Estimated Number of Respondents:* 51,339.

*Estimated Time Per Response:* Initial vessel permit applications, 45 minutes; preprinted renewal forms, 30 minutes; initial dealer permit applications, 15 minutes; preprinted dealer permit renewal forms, 5 minutes; initial and renewal vessel operator permit applications, 1 hour; limited access vessel upgrade or replacement applications, 3 hours; applications for retention of limited access permit history, 30 minutes; VMS unit installation, 1 hour; confirming VMS connectivity, 5 minutes; VMS certification form, 5 minutes; request to turn off VMS under certain circumstances (power-down exemption), 30 minutes; area and DAS declarations, 5 minutes; requests for observer coverage, 2 or 10 minutes, depending on the program for which observers are requested; NE multispecies and monkfish vessels, 3 minutes to declare a block of time out of the gillnet fishery; call-in requirements for limited-access monkfish and occasional category scallop vessels, 2 minutes; limited access vessels fishing under DAS requirements that have assisted in U.S. Coast Guard search and rescue operations or assisted in towing a disabled vessel, or have stood by entangled whales, Good Samaritan DAS credit applications, 30 minutes; application for a Letter of Authorization (LOA) to participate in any of the exemption programs, to transfer certain fish species from one vessel to another, or (for charter/party vessels), to fish in the Nantucket Lightship Closure Area, 5 minutes; requests for Charter/Party Exemption Certificate to fish in Gulf of Maine (GOM) closed areas, 2 minutes; limited access sea scallop vessel notification of participation, of first trip, or withdrawal from participation in state waters DAS or gear exemption programs, 2 minutes; NE multispecies fishery vessels request for change in permit category designation or request for transit to another port by a vessel required to remain within the GOM cod trip limit, 2 minutes; request to permanently transfer DAS to another vessel, 5 minutes; research requests for