

*Estimated Number of Responses per Respondent:* 122.80 responses.

*Estimated Total Annual Burden on Respondents:* 4,189 hours.

#### **For Grain Market News 0581-0005**

*Estimate of Burden:* Public reporting burden for this collection of information is estimated to average .033 hours per response.

*Respondents:* Business or other for-profit entities, individuals or households, farms, and Federal Government.

*Estimated Number of Respondents:* 1,737 respondents.

*Estimated Total Annual Responses:* 153,168 responses.

*Estimated Number of Responses per Respondent:* 88.18 responses.

*Estimated Total Annual Burden on Respondents:* 5,100 hours.

#### **For Livestock and Meat Market News 0581-0154**

*Estimate of Burden:* Public reporting burden for this collection of information is estimated to average .083 per response.

*Respondents:* Producers, processors, brokers, distributors, retailers, and wholesalers.

*Estimated Number of Respondents:* 520 respondents.

*Estimated Total Annual Responses:* 65,520 responses.

*Estimated Number of Responses per Respondent:* 126 responses.

*Estimated Total Annual Burden on Respondents:* 5,458 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.

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

Dated: May 21, 2013.

**Rex A. Barnes,**

*Associate Administrator, Agricultural Marketing Service.*

[FR Doc. 2013-12656 Filed 5-28-13; 8:45 am]

**BILLING CODE 3410-02-P**

## **DEPARTMENT OF AGRICULTURE**

### **Agricultural Marketing Service**

**[Doc. No. AMS-FV-13-0033]**

#### **Perishable Agricultural Commodities Act; 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 document announces the Agricultural Marketing Service's (AMS) intention to request approval from the Office of Management and Budget (OMB) for an extension of a currently approved information collection for the Reporting and Recordkeeping Requirements Under Regulations Under the Perishable Agricultural Commodities Act, 1930, as amended.

**DATES:** Comments on this document must be received by July 29, 2013 to be assured of consideration.

**ADDRESSES:** You may submit written or electronic comments to: Natalie Worku, PACA Division, Recordkeeping and Reporting Comments, AMS, F&V Program, 1400 Independence Avenue SW., Room 1510-S, Stop 0242, Washington DC 20250-0242; or faxed to: 202-690-4413; or Internet: <http://www.regulations.gov>. All comments received will be posted without change, including any personal information provided, online at <http://www.regulations.gov> and will be made available for public inspection at the above physical address during regular business hours.

#### **SUPPLEMENTARY INFORMATION:**

*Title:* Reporting and Recordkeeping Requirements Under Regulations (Other than Rules of Practice) Under the Perishable Agricultural Commodities Act, 1930.

*OMB Number:* 0581-0031.

*Expiration Date of Approval:* January 31, 2014.

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

*Abstract:* The PACA was enacted by Congress in 1930 to establish a code of

fair trading practices covering the marketing of fresh and frozen fruits and vegetables in interstate or foreign commerce. It protects growers, shippers, and distributors dealing in those commodities by prohibiting unfair and fraudulent trade practices.

The law provides a forum for resolving contract disputes, and a mechanism for the collection of damages from anyone who fails to meet contractual obligations. In addition, the PACA provides for prompt payment to fruit and vegetable sellers and for revocation of licenses and sanctions against firms and principals found to have violated the law's standards for fair business practices. The PACA also imposes a statutory trust that attaches to perishable agricultural commodities received by regulated entities, products derived from the commodities, and any receivables or proceeds from the sale of the commodities. The trust exists for the benefit of produce suppliers, sellers, or agents that have not been paid, and continues until they have been paid in full.

The PACA is enforced through a licensing system. All commission merchants, dealers, and brokers engaged in business subject to the PACA must be licensed. Retailers and grocery wholesalers must renew their licenses every three years. All other licensees must renew annually. Those who engage in practices prohibited by the PACA may have their licenses suspended or revoked.

The information collected pursuant to OMB Number 0581-0031 is used to administer licensing provisions under the PACA, to adjudicate contract disputes, and to enforce the PACA and the regulations. The purpose of this document is to solicit comments from the public concerning our information collection.

We estimate the paperwork and time burden of the above referenced information collection to be as follows:

*Form FV-211, Application for License:* average of .25 hours per application per response.

*Form FV-231-1 (or 231-1A, or 231-2, or 231-2A), Application for Renewal or Reinstatement of License:* Average of .05 hours per application per response.

*Regulations Section 46.13—Letters to Notify USDA of Changes in Business Operations:* Average of .05 hours per notice per response.

*Regulations Section 46.4—Limited Liability Company Articles of Organization and Operating Agreement:* Average of .083 hours with approximately 2,473 annual responses.

*Regulations Section 46.18—Record of Produce Received:* Average of 5 hours

with approximately 6,725 recordkeepers.

*Regulations Section 46.20—Records Reflecting Lot Numbers:* Average of 8.25 hours with approximately 683 recordkeepers.

*Regulations Section 46.46(c)(2)—Waiver of Rights to Trust Protection:* Average of .25 hours per notice with approximately 100 principals.

*Regulations Sections 46.2(a)(11) and 46.46(e)(1)—Copy of Written Agreement Reflecting Times for Payment:* Average of 20 hours with approximately 2,343 recordkeepers.

*Estimate of Burden:* Public reporting burden for this collection of information is estimated to average 3 hours per response annually.

*Respondents:* Commission merchants, dealers, and brokers engaged in the business of buying, selling, or negotiating the purchase or sale of commercial quantities of fresh and/or frozen fruits and vegetables in interstate or foreign commerce are required to be licensed under the PACA (7 U.S.C. 499c (a)).

*Estimated Number of Respondents:* 14,540.

*Estimated Total Annual Responses:* 29,095.

*Estimated Number of Responses per Respondent:* 2.

*Estimated Total Annual Burden on Respondents:* 87,455.

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.

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

Dated: May 21, 2013.

**Rex A. Barnes,**

*Associate Administrator, Agricultural Marketing Service.*

[FR Doc. 2013-12653 Filed 5-28-13; 8:45 am]

**BILLING CODE 3410-02-P**

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

[AMS-CN-12-0029]

#### Cotton Research and Promotion Program: Determination of Whether To Conduct a Referendum Regarding 1990 Amendments to the Cotton Research and Promotion Act

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

**ACTION:** Notice.

**SUMMARY:** This notice announces the Department's determination, based on a review by the Agricultural Marketing Service (AMS), that it is not necessary to conduct a referendum among producers and importers on continuation of the 1990 amendments to the Cotton Research and Promotion Act (Act). The 1990 amendments require the Secretary of Agriculture, once every 5 years, to conduct a review to determine whether to hold a continuance referendum. The two major changes to the Cotton Research and Promotion Program made by the 1990 amendments were the elimination of assessment refunds to producers and a new assessment levied on imported cotton and the cotton content of imported products. Although USDA is of the view that a referendum is not needed, it will initiate a sign-up period as required by the Act, to allow cotton producers and importers the opportunity to request a continuance referendum.

**FOR FURTHER INFORMATION CONTACT:** Shethir M. Riva, Chief, Research and Promotion Division, Cotton and Tobacco Programs, AMS, USDA, 100 Riverside Parkway, Suite 101, Fredericksburg, Virginia, 22406, telephone (540) 361-2726, facsimile (540) 361-1199, or email at [Shethir.Riva@ams.usda.gov](mailto:Shethir.Riva@ams.usda.gov).

**SUPPLEMENTARY INFORMATION:** In July 1991, the Agricultural Marketing Service (AMS) implemented the 1990 amendments to the Cotton Research and Promotion Act (7 U.S.C. 2101-2118) (Act). These amendments provided for: (1) Importer representation on the Cotton Board by an appropriate number of persons—to be determined by the Secretary—who import cotton or cotton products into the United States (U.S.) and are selected by the Secretary from nominations submitted by importer organizations certified by the Secretary of Agriculture; (2) assessments levied on imported cotton and cotton products at a rate determined in the same manner as for U.S. cotton; (3) increasing the amount the Secretary can be reimbursed

for conducting a referendum from \$200,000 to \$300,000; (4) reimbursing government agencies who assist in administering the collection of assessments on imported cotton and cotton products; and (5) terminating the right of producers to demand an assessment refund.

Results of the initial July 1991 referendum showed that of the 46,220 valid ballots received with 27,879 or 60 percent of the persons voted in favor of the amendments to the Cotton Research and Promotion Order (7 CFR part 1205) (Order) and 18,341 or 40 percent opposed the amendments. AMS developed implementing regulations for the import assessment effective July 31, 1992 (57 FR 29181); the elimination of the producer refund effective July 31, 1992 (57 FR 29181); and provided for importer representation on the Cotton Board effective December 21, 1991 (56 FR 65979).

USDA conducted 5-year reviews of the Cotton Research and Promotion Program in 1996, 2001 and 2006. For each review, the Department prepared reports that described the impact of the Cotton Research and Promotion Program on the cotton industry and the views of those receiving its benefits. Following each review, USDA announced its decision not to conduct a referendum regarding the 1991 amendments to the Order (61 FR 52772, 67 FR 1714, and 72 FR 9918, respectively) and subsequently held sign-up periods, affording all eligible persons to request a continuance referendum on the 1990 Act amendments. The results of each sign-up period did not meet the criteria as established by the Act for a continuance referendum and, therefore, referenda were not conducted.

In 2011-2012, the Department again prepared a 5-year report that described the impact of the Cotton Research and Promotion Program on the cotton industry. The review report is available upon written request to the Chief of the Cotton Research and Promotion Staff at the address provided above. Comments were solicited from all interested parties, including persons who pay the assessments as well as from organizations representing cotton producers and importers (76 FR 31573). Five comments, including comments from four certified producer organizations that nominate producers to the Cotton Board, claimed strong support for the continuance of the program, noting that the administration of the Act has been proper, carries out the intent and purpose in a timely and superior manner, and requires no changes or adjustment.