

# Proposed Rules

Federal Register

Vol. 82, No. 37

Monday, February 27, 2017

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## DEPARTMENT OF AGRICULTURE

### Food and Nutrition Service

#### 7 CFR Part 250

RIN 0584-AE38

#### Revisions and Clarifications in Requirements for the Processing of Donated Foods; Extension of Comment Period

**AGENCY:** Food and Nutrition Service (FNS), USDA.

**ACTION:** Proposed rule; extension of comment period.

**SUMMARY:** The Food and Nutrition Service (FNS) is extending the comment period for this proposed rule. This rule proposes to revise and clarify requirements for the processing of donated foods in order to: Incorporate successful processing options tested in demonstration projects, ensure accountability for donated foods provided for processing, and increase program efficiency. The rule would require multi-State processors to enter into National Processing Agreements to process donated foods into end products, permit processors to substitute commercially purchased beef and pork of U.S. origin and of equal or better quality for donated beef and pork, and would increase oversight of inventories of donated foods at processors. The rule also revises regulatory provisions in plain language, to make them easier to read and understand.

**DATES:** The comment period for the proposed rule published in the **Federal Register** of January 5, 2017 (82 FR 1231), has been extended from March 6, 2017, to April 5, 2017. To be assured of consideration, comments must be received on or before April 5, 2017.

**ADDRESSES:** The Food and Nutrition Service invites interested persons to submit comments on this proposed rule. You may submit comments, identified by RIN number 0584-AE38, by any of the following methods:

*Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.

*Email:* Send comments to [ProcessingRuleComments@fns.usda.gov](mailto:ProcessingRuleComments@fns.usda.gov). Include RIN number 0584-AE38 in the subject line of the message.

*Mail:* Send comments to Kiley Larson, Program Analyst, Policy Branch, Food Distribution Division, Food and Nutrition Service, U.S. Department of Agriculture, Room 500, 3101 Park Center Drive, Alexandria, Virginia 22302-1594.

*Hand Delivery or Courier:* Deliver comments to the above address.

**FOR FURTHER INFORMATION CONTACT:**

Kiley Larson or Erica Antonson at the above address or telephone (703) 305-2680.

**SUPPLEMENTARY INFORMATION:** The Food and Nutrition Service is extending by 30 days the public comment period for this proposed rule, which was published on January 5, 2017.

To the extent that 5 U.S.C. 553(b)(A) applies to this action, it is exempt from notice and comment rulemaking for good cause and for reasons cited above, the Food and Nutrition Service finds that notice and solicitation of comment regarding the brief extension of the comment period of the rule is impracticable, unnecessary, or contrary to the public interest pursuant to 5 U.S.C. 553(b)(B).

The Food and Nutrition Service believes that affected parties need to be informed as soon as possible of the extension and its length.

Dated: February 16, 2017.

**Jessica Shahin,**

*Acting Administrator, Food and Nutrition Service.*

[FR Doc. 2017-03560 Filed 2-24-17; 8:45 am]

**BILLING CODE 3410-30-P**

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

#### 7 CFR Part 1255

[Doc. No. AMS-SC-16-0112]

#### Organic Research, Promotion, and Information Order

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

**ACTION:** Extension of comment period.

**SUMMARY:** Notice is hereby given that Agricultural Marketing Service (AMS) is extending the comment period for the proposed rule published in the **Federal Register** on January 18, 2017 (82 FR 5746), until April 19, 2017. The proposed rule invited comments on the proposed establishment of an industry-funded research, promotion, and information program for certified organic products. The proposed rule also announced the Agricultural Marketing Service's (AMS) intent to request approval from the Office of Management and Budget (OMB) of new information collection requirements to implement the program. This document extends the comment period for the proposed rule by 30 days.

**DATES:** Comments received by April 19, 2017, will be considered prior to issuance of a final rule.

**ADDRESSES:** Interested persons are invited to submit written comments concerning this proposal. Comments may be submitted on the Internet at: <http://www.regulations.gov> or to the Promotion and Economics Division, Specialty Crops Program, AMS, USDA, 1400 Independence Avenue SW., Room 1406-S, Stop 0244, Washington, DC 20250-0244; facsimile: (202) 205-2800. All comments should reference the docket number and the date and page number of this issue of the **Federal Register** and will be made available for public inspection, including name and address, if provided, in the above office during regular business hours or it can be viewed at <http://www.regulations.gov>.

Pursuant to the Paperwork Reduction Act (PRA), comments regarding the accuracy of the burden estimate, ways to minimize the burden, including the use of automated collection techniques or other forms of information technology, or any other aspect of this collection of information, should be sent to the above address. In addition, comments concerning the information collection should also be sent to the Desk Office for Agriculture, Office of Information and Regulatory Affairs, OMB, New Executive Office Building, 725 17th Street NW., Room 725, Washington, DC 20503.

**FOR FURTHER INFORMATION CONTACT:**

Heather Pichelman, Division Director, Promotion and Economics Division, Specialty Crops Program, AMS, USDA, 1400 Independence Avenue SW., Room

1406-S, Stop 0244, Washington, DC 20250-0244; facsimile: (202) 205-2800; or electronic mail: [Heather.Pichelman@ams.usda.gov](mailto:Heather.Pichelman@ams.usda.gov).

**SUPPLEMENTARY INFORMATION:** A proposed rule was published in the **Federal Register** on January 18, 2017 (82 FR 5746). This proposed action invited comments on a proposed industry-funded research, promotion, and information program for certified organic products. Organic products are products produced under the authority of the Organic Foods Production Act of 1990 (7 U.S.C. 6501-6522) and its implementing regulations at 7 CFR part 205. The organic market includes a range of agricultural commodities such as fruits, vegetables, dairy, meat, poultry, breads, grains, snack foods, condiments, beverages, and packaged and prepared foods as well as non-food items such as fiber (linen and clothing), personal care products, pet food, and flowers. The program would be financed by an assessment on domestic producers, handlers and importers of organic products and would be administered by a board of industry members nominated by organic stakeholders and appointed by the Secretary. The proposed initial assessment rate would be one tenth of one percent of net organic sales for producers and handlers, and one tenth of one percent of the transaction value of organic products imported into the United States for importers. Citing domestic supply shortages, challenges with viable pest management, and market confusion, program proponents have proposed an organic research and promotion program for the purposes of: (1) Developing and financing an effective and coordinated program of research, promotion, industry information, and consumer education regarding organic commodities; and (2) maintaining and expanding existing markets for organic commodities.

A referendum would be held among eligible domestic producers, handlers and importers to determine whether they favor implementation of the program prior to it going into effect. The proposal was submitted to USDA by the Organic Trade Association (OTA), a membership business association, in collaboration with the 7-member GRO Organic Core Committee. OTA is a membership-based trade organization representing growers, processors, certifiers, farmers associations, distributors, importers, exporters, consultants, retailers, and others involved in the organic sector. The GRO Organic Core Committee is a subset of OTA's larger Organic Research and

Promotion Program Steering Committee. It included OTA subcommittee chairs and other industry leaders who built on the outreach and input from the larger committee to guide the development of a proposed Order.

This proposed rule also announced AMS's intent to request approval from OMB of new information collection requirements to implement the program.

The 60-day comment period provided in the proposed rule published in the **Federal Register** on January 18, 2017 (82 FR 5746) was set to end on March 20, 2017. AMS has extended the end of comment period by 30 days to April 19, 2017 to ensure that interested persons have sufficient time to review and comment on the proposed rule.

**Authority:** 7 U.S.C. 7411-7425; 7 U.S.C. 7401.

Dated: February 22, 2017.

**Bruce Summers,**

*Acting Administrator, Agricultural Marketing Service.*

[FR Doc. 2017-03825 Filed 2-24-17; 8:45 am]

**BILLING CODE 3410-02-P**

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

#### 7 CFR Part 1255

[Doc. No. AMS-SC-16-0112]

#### Organic Research, Promotion, and Information Order; Referendum Procedures

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

**ACTION:** Extension of comment period.

**SUMMARY:** Notice is hereby given that Agricultural Marketing Service (AMS) is extending the comment period for the proposed rule published in the **Federal Register** on January 18, 2017 (82 FR 5438), until April 19, 2017. The proposed rule invited comments on the proposed procedures for conducting a referendum to determine whether the issuance of a proposed Organic Research, Promotion, and Information Order (proposed Order) is favored by certified organic producers, certified organic handlers, and importers of certified organic products. The procedures would also be used for any subsequent referendum under the proposed Order. This proposed rule also announced the Agricultural Marketing Service's (AMS) intent to request approval by the Office of Management and Budget (OMB) of new information collection requirements to implement the program. The proposed Order was

published separately in the **Federal Register** on January 18, 2017 (82 FR 5746).

**DATES:** Comments received by April 19, 2017, will be considered prior to issuance of a final rule.

**ADDRESSES:** Interested persons are invited to submit written comments concerning this proposal. Comments may be submitted on the Internet at: <http://www.regulations.gov> or to the Promotion and Economics Division, Specialty Crops Program, AMS, USDA, 1400 Independence Avenue SW., Room 1406-S, Stop 0244, Washington, DC 20250-0244; facsimile: (202) 205-2800. All comments should reference the docket number and the date and page number of this issue of the **Federal Register** and will be made available for public inspection, including name and address, if provided, in the above office during regular business hours or it can be viewed at <http://www.regulations.gov>.

Pursuant to the Paperwork Reduction Act (PRA), comments regarding the accuracy of the burden estimate, ways to minimize the burden, including the use of automated collection techniques or other forms of information technology, or any other aspect of this collection of information, should be sent to the above address. In addition, comments concerning the information collection should also be sent to the Desk Office for Agriculture, Office of Information and Regulatory Affairs, OMB, New Executive Office Building, 725 17th Street NW., Room 725, Washington, DC 20503.

**FOR FURTHER INFORMATION CONTACT:** Heather Pichelman, Division Director, Promotion and Economics Division, Specialty Crops Program, AMS, USDA, 1400 Independence Avenue SW., Room 1406-S, Stop 0244, Washington, DC 20250-0244; facsimile: (202) 205-2800; or electronic mail: [Heather.Pichelman@ams.usda.gov](mailto:Heather.Pichelman@ams.usda.gov).

**SUPPLEMENTARY INFORMATION:** A proposed rule was published in the **Federal Register** on January 18, 2017 (82 FR 5438). This proposed action invited comments on a proposed procedures for conducting a referendum to determine whether covered domestic certified organic producers, certified organic handlers and importers of organic products favor issuance of a proposed Order. Accordingly, this proposed rule would add subpart B to part 1255 that would establish procedures for conducting the referendum. The procedures would cover definitions, voting instructions, use of subagents, ballots, the referendum report, and confidentiality