

or your authorized representative.

Send your completed complaint form or letter to USDA by mail, fax, or email:

*Mail:* U.S. Department of Agriculture Director, Office of Adjudication, 1400 Independence Avenue SW, Washington, DC 20250-9410, Fax: (202) 690-7442, Email: [program.intake@usda.gov](mailto:program.intake@usda.gov)

Persons with disabilities who require alternative means for communication (Braille, large print, audiotape, etc.), should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD).

Done at Washington, DC.

**Paul Kiecker,**

*Acting Administrator.*

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## DEPARTMENT OF AGRICULTURE

### Food and Nutrition Service

#### Agency Information Collection

#### Activities: Proposed Collection; Comment Request—Generic Clearance To Conduct Formative Research or Development of Nutrition Education and Promotion Materials and Related Tools and Grants for FNS Population Groups

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

**ACTION:** Notice.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, this notice invites the general public and other interested parties to comment on a proposed information collection. This collection is an extension of a currently approved collection. This information collection will conduct research in support of FNS' goal of delivering science-based nutrition education to targeted audiences. This information collection will also conduct research that will assist FNS in identifying effective design and implementation approaches to use to develop and assess grants. From development through testing of materials and tools with the target audience, FNS plans to conduct data collections that involve formative research including focus groups, interviews (dyad, triad, telephone, etc.), surveys and Web-based collection tools.

**DATES:** Written comments must be received on or before February 19, 2019.

**ADDRESSES:** 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 has 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 use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Comments may be sent to Rachele Ragland-Greene, Food and Nutrition Service, U.S. Department of Agriculture, 3101 Park Center Drive, Room 1014, Alexandria, VA 22302. Comments will also be accepted through the Federal eRulemaking Portal. Go to <http://www.regulations.gov> and follow the online instructions for submitting comments electronically. All written comments will be open for public inspection at the Office of the Food and Nutrition Service during regular business hours (8:30 a.m. to 5 p.m., Monday through Friday) at 3101 Park Center Drive, Alexandria, Virginia 22302, Room 1014.

All responses to this notice will be summarized and included in the request for Office of Management and Budget (OMB) approval. All comments will be a matter of public record.

#### FOR FURTHER INFORMATION CONTACT:

Requests for additional information should be directed to Rachele Ragland-Greene at 703-305-2586.

#### SUPPLEMENTARY INFORMATION:

*Title:* Generic Clearance to Conduct Formative Research for Development of Nutrition Education, Promotion Materials and Related Tools, and Grants for FNS Population Groups.

*OMB Number:* 0584-0524.

*Expiration Date:* September 30, 2019.

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

*Abstract:* This information collection is based on Section 19 of the Child Nutrition Act of 1966 (42 U.S.C. 1787), Section 5 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1754) and Section 11(f) of the Food and Nutrition Act of 2008 (7 U.S.C. 2020). This request for approval of information collection is necessary to obtain input into the development of nutrition education interventions for population groups served by the U.S. Department of Agriculture, Food and Nutrition Service (USDA-FNS). FNS also uses this collection to obtain input that can be used to develop and assess grants. Interventions need to be designed so that they can be delivered through different types of media and in a variety of formats for diverse audiences.

FNS develops a variety of resources to support nutrition education and promotion activities. These resources are designed to convey science-based, behavior-focused nutrition messages about healthy eating and physical activity to children and adults eligible to participate in FNS nutrition assistance programs and to motivate them to consume more healthful foods as defined by the Dietary Guidelines for Americans (DGA). This includes education materials, messages, promotion tools and interventions for the diverse population served by the Federal nutrition programs as well as WIC, Team Nutrition, Food Distribution and other programs.

Obtaining formative input and feedback is fundamental to FNS' success in delivering science-based nutrition messages and reaching diverse segments of the population in ways that are meaningful and relevant. This includes conferring with the target audience, individuals who serve the target audience, and key stakeholders on the communication strategies and interventions that will be developed and on the delivery approaches that will be used to reach consumers. The formative research and testing activities described will help in the development of effective education and promotion tools and communication strategies. Collection of this information will increase FNS' ability to formulate nutrition education interventions that resonate with the intended target population, particularly low-income families.

FNS also uses formative input and feedback to determine how best to develop and assess grants so that grant recipients can successfully meet their goals under these grants. To do this, FNS confers with grant recipients to obtain input regarding their experiences, expectations, challenges, and lessons learned while implementing the grant.

Formative research methods and information collection will include focus groups, interviews (dyad, triad, telephone, etc.), surveys and Web-based data collection. The data obtained will provide input regarding the potential use of materials and products during both the developmental and testing stages, in addition to the development of grants. Key informant interviews will be conducted in order to determine future nutrition education and grant needs, tools and dissemination strategies. This task involves collecting a diverse array of information from a variety of groups including: People familiar with the target audiences; individuals delivering nutrition

education intervention materials and projects; program providers at State and local levels; program participants; grant recipients, and other relevant informants associated with FNS programs.

Findings from all data collection will be included in summary reports submitted to USDA–FNS. The reports will describe the data collection methods, findings, conclusions, implications, and recommendations for the development and effective dissemination of nutrition education materials and related tools for FNS population groups. There will be no

specific quantitative analysis of data. No attempt will be made to generalize the findings to be nationally representative or statistically valid. There are no recordkeeping or third party disclosure burden requirements.

**Reporting Burden**

FNS estimates the total annual burden hours are 16,003 x 3 year approval for a total of 48,010 burden hours for 3 years. Additionally, the total annual responses are 34,166.66 x 3 year approval for a total of 102,500 total responses for 3 year approval. See the 3 year approval estimates below.

*Affected Public:* State, Local and Tribal Government; Individuals and Households; and Business or Other for Profit.

*Estimated Number of Respondents:* 102,500 respondents.

*Estimated Number of Responses per Respondent:* 1 response.

*Estimated Total Annual Responses:* 102,500.

*Estimate of Time per Respondent:* .46839024 hours.

*Estimated Total Annual Reporting Burden Hours:* 48,010 hours.

Collection instruments	Estimated number respondents	Responses annually per respondent	Total annual responses	Estimated average number of hours per response	Estimated total hours
Focus Group Screeners .....	10,000	1	10,000	0.167	1,670
Interview Screeners/Surveys .....	5,000	1	5,000	0.167	835
Focus Groups .....	5,500	1	5,500	2.00	11,000.00
Intercept Interviews .....	5,000	1	5,000	0.50	2,500.00
Dyad/Triad Interviews .....	2,000	1	2,000	1.00	2,000.00
Telephone Interviews .....	10,000	1	10,000	0.25	2,500.00
Surveys .....	10,000	1	10,000	0.50	5,000.00
Web-based Collections .....	40,000	1	40,000	0.50	20,000.00
Confidentiality Agreements .....	15,000	1	15,000	0.167	2,505.00
<b>Total Reporting Burden .....</b>	<b>102,500</b>	<b>1</b>	<b>102,500</b>	<b>.468</b>	<b>48,010</b>

Dated: December 11, 2018.  
**Brandon Lipps,**  
*Administrator, Food and Nutrition Service.*  
 [FR Doc. 2018–27443 Filed 12–19–18; 8:45 am]  
**BILLING CODE 3410–30–P**

**DEPARTMENT OF COMMERCE**

**Bureau of Industry and Security**

**Order Relating to Eric Baird**

**In the Matter of: Eric Baird, 647 Norsota Way Sarasota, FL 34242; Respondent; 16–BIS–0002.**

The Bureau of Industry and Security, U.S. Department of Commerce (“BIS”), has notified Eric Baird, of Sarasota, Florida (“Baird”), that it has initiated an administrative proceeding against Baird pursuant to Section 766.3 of the Export Administration Regulations (the “Regulations”),<sup>1</sup> through the issuance of

an Amended Charging Letter to Baird that alleges that Baird committed one hundred sixty-six (166) violations of the Regulations.<sup>2</sup> Specifically, the charges are:

**Charges 1–166 15 CFR 764.2(b)—Causing, Aiding or Abetting a Violation**

1. On at least one hundred sixty-six (166) occasions beginning on or about August 1, 2011, and continuing through on or about January 7, 2013, Baird caused, aided, abetted, commanded, induced and/or permitted (“caused, aided or abetted”) the doing of an

act prohibited by, or the omission of an act required by, the Regulations. As further alleged below, Baird caused, aided or abetted the filing of false or misleading export control documents, namely Shipper’s Export Declarations and Automated Export System filings (“SED/AES filings”), and the failure to make required SED/AES filings, in connection with the export or attempted export of items subject to the Regulations. Baird also caused, aided or abetted the export and attempted export without the required BIS licenses of items subject to the Regulations and listed on the Commerce Control List (“CCL”).

2. At all times pertinent hereto, Baird was Chief Executive Officer (“CEO”) of Access USA Shipping, LLC, d/b/a *MyUS.com* and f/k/a Access USA Shipping, Inc. (“Access”), a company originally registered in Florida that he founded in 1997. Baird was directly or indirectly Access’s primary shareholder until on or about August 28, 2012. After a partial sale of Access on or about August 28, 2012, Baird continued to serve as its CEO and maintained a minority equity stake in the company with the right to appoint two members of Access’s board of directors. Baird was replaced as CEO of Access in or about September 2013. Baird’s interests, however, were not fully divested until on or about March 22, 2016, at which time he no longer had an equity interest in Access or the right to appoint board members.

3. Access provided foreign customers with a U.S. physical address for items purchased from U.S. merchants for ultimate export from the United States. For a fee, Access provided

<sup>1</sup> The Regulations originally issued under the Export Administration Act of 1979, as amended, 50 U.S.C. 4601–4623 (Supp. III 2015) (“the EAA”), which lapsed on August 21, 2001. The President, through Executive Order 13,222 of August 17, 2001 (3 CFR, 2001 Comp. 783 (2002)), which has been extended by successive Presidential Notices, the most recent being that of August 8, 2018 (83 FR 39,871 (Aug. 13, 2018)), continued the Regulations in full force and effect under the International Emergency Economic Powers Act, 50 U.S.C. 1701, *et seq.* (2012) (“IEEPA”). On August 13, 2018, the

President signed into law the John S. McCain National Defense Authorization Act for Fiscal Year 2019, which includes the Export Control Reform Act of 2018, Public Law 115–232, tit. 17, subtitle B, 132 Stat. 2208 (2018) (“ECRA”). While Section 1766 of ECRA repeals the EAA (except for three sections which are inapplicable here), Section 1768 of ECRA provides, in pertinent part, that all rules and regulations that were made or issued under the EAA, including as continued in effect pursuant to IEEPA, and were in effect as of ECRA’s date of enactment (August 13, 2018), shall continue in effect according to their terms until modified, superseded, set aside, or revoked through action undertaken pursuant to the authority provided under ECRA.

<sup>2</sup> The Regulations are currently codified in the Code of Federal Regulations at 15 CFR parts 730–774 (2018). The charged violations occurred in 2011–2013. The Regulations governing the violations at issue are found in the 2011–2013 versions of the Code of Federal Regulations (15 CFR parts 730–774). The 2018 Regulations set forth the procedures that apply to this matter.