

of 1946 (7 U.S.C. 1621 *et. seq.*) (amended Act) to require USDA to establish a national, mandatory standard for disclosing any food that is or may be bioengineered. In accordance with the amended Act, USDA published final regulations to implement the Standard on December 21, 2018 (83 FR 65814). The regulations became effective on February 19, 2019, with a mandatory compliance date of January 1, 2022.

Foods that do not contain detectable modified genetic material are not bioengineered foods and do not require disclosure under the Standard. Under the definition of *bioengineered food* at 7 CFR 66.1, food does not contain modified genetic material if the genetic material is not detectable pursuant to § 66.9. The recordkeeping requirements for detectability at 7 CFR 66.9 specify the standards of performance for detectability testing. Paragraph (c) of 7 CFR 66.9 requires that analytical testing meet the following standard: (1) Laboratory quality assurance must ensure the validity and reliability of test results; (2) analytical method selection, validation, and verification must ensure that the testing method used is appropriate (fit for purpose) and that the laboratory can successfully perform the testing; (3) the demonstration of testing validity must ensure consistent accurate analytical performance; and (4) method performance specifications must ensure analytical tests are sufficiently sensitive for the purposes of the detectability requirements of this part.

In the preamble to the final regulations, USDA indicated that it would provide instructions regarding acceptable testing methodology used to satisfy that a food does not contain detectable modified genetic material. A draft of those instructions is now available on the AMS bioengineered food disclosure website at <https://www.ams.usda.gov/rules-regulations/be>. With this notice, AMS is seeking comments on these draft instructions.

USDA previously provided an opportunity to comment on draft instructions to validate a refining process. At this time, we are only seeking feedback on the instructions on testing methods referenced in this notice. Any comments not directly related to these draft instructions will not be considered.

After reviewing the comments on these draft instructions, AMS will publish final instructions on its website. The final instructions will be maintained and available on the AMS website. These final instructions pertain to the requirements of the existing regulations, which can be found at <https://www.federalregister.gov/>

[documents/2018/12/21/2018-27283/national-bioengineered-food-disclosure-standard](https://2018/12/21/2018-27283/national-bioengineered-food-disclosure-standard)

Authority: 7 U.S.C. 1639.

Dated: January 28, 2020.

Bruce Summers,

Administrator, Agricultural Marketing Service.

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DEPARTMENT OF AGRICULTURE

Submission for OMB Review; Comment Request

January 28, 2020.

The Department of Agriculture has submitted the following information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104-13. Comments are required regarding, whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; the accuracy of the agency's estimate of burden including the validity of the methodology and assumptions used; ways to enhance the quality, utility and clarity of the information to be collected; and 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 regarding this information collection received by March 4, 2020 will be considered. Written comments should be addressed to: Desk Officer for Agriculture, Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), New Executive Office Building, 725—17th Street NW, Washington, DC 20502. Commenters are encouraged to submit their comments to OMB via email to: *OIRA_Submission@OMB.EOP.GOV* or fax (202) 395-5806 and to Departmental Clearance Office, USDA, OCIO, Mail Stop 7602, Washington, DC 20250-7602. Copies of the submission(s) may be obtained by calling (202) 720-8958.

An agency may not conduct or sponsor a collection of information unless the collection of information displays a currently valid OMB control number and the agency informs potential persons who are to respond to the collection of information that such persons are not required to respond to the collection of information unless it

displays a currently valid OMB control number.

Farm Service Agency

Title: Application for Payment of Amounts Due Persons Who Have Died, Disappeared or Declared Incompetent.

OMB Control Number: 0560-0026.

Summary of Collection:

Representatives or survivors of persons who die, disappear, or are declared incompetent must be afforded a method of obtaining any payment intended for the person. 7 CFR 707 provides that form, FSA-325, be used as the form of application for person desiring to claim such payments. It is necessary to collect information recorded on FSA-325 in order to determine whether representatives or survivors of a person are entitled to receive payments earned by a person who dies, disappears, or is declared incompetent before receiving the payments due.

Need and Use of the Information: FSA will collect information using the FSA-325 form to determine if the survivors have rights to the existing payments or to the unpaid portions of the person's payments. Survivors must show proof of death, disappearance, or incompetency.

Description of Respondents:

Individuals or households.

Number of Respondents: 2,000.

Frequency of Responses: Reporting; Other (when necessary).

Total Burden Hours: 1,000.

Ruth Brown,

Departmental Information Collection Clearance Officer.

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DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[Docket No. APHIS-2017-0069]

International Trade Data System: Timeline for Enforcing APHIS Core Message Set Flags in the Automated Commercial Environment

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice and request for comments.

SUMMARY: The Animal and Plant Health Inspection Service (APHIS) is announcing full implementation of the APHIS Core Message Set in the Automated Commercial Environment/ International Trade Data System (ACE/ITDS) for the electronic submission of data required by APHIS Animal Care, Biotechnology Regulatory Services,

Plant Protection and Quarantine, and Veterinary Services. APHIS intends to begin applying Harmonized Tariff Schedule flags, which will alert filers who opted to submit electronically using ACE. Full implementation of the message set will bring APHIS into compliance with the mandates of the Security and Accountability For Every Port Act of 2006 and Executive Order 13659. The information collected will enhance APHIS' ability to make data-driven policy decisions, improve risk analysis/assessments, and enhance ability to respond to changing pest/disease conditions.

DATES: We will consider all comments that we receive on or before March 4, 2020.

ADDRESSES: You may submit comments by either of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov/#!docketDetail;D=APHIS-2017-0069>.
- *Postal Mail/Commercial Delivery:* Send your comment to Docket No. APHIS-2017-0069, Regulatory Analysis and Development, PPD, APHIS, Station 3A-03.8, 4700 River Road Unit 118, Riverdale, MD 20737-1238.

Supporting documents and any comments we receive on this docket may be viewed at <http://www.regulations.gov/#!docketDetail;D=APHIS-2017-0069> or in our reading room, which is located in room 1141 of the USDA South Building, 14th Street and Independence Avenue SW, Washington, DC. Normal reading room hours are 8 a.m. to 4:30 p.m. Monday through Friday, except holidays. To be sure someone is there to help you, please call (202) 799-7039 before coming.

FOR FURTHER INFORMATION CONTACT: Mr. Richard Leshin, APHIS Liaison for Automated Commercial Environment, International Trade Data System, Management and Program Analyst, Quarantine Policy, Analysis and Support, PPQ, APHIS, 4700 River Road Unit 60, Riverdale, MD 20737; (301) 851-2085; *Richard.Leshin@usda.gov*.

SUPPLEMENTARY INFORMATION:

Background

The National Customs Automation Program (NCAP) was established in Subtitle B of Title VI—Customs Modernization, in the North American Free Trade Agreement Implementation Act (Pub. L. 103-182, 107 Stat. 2057, 2170, December 8, 1993; see 19 U.S.C. 1411). Through NCAP, the initial thrust of customs modernization was on trade compliance and the development of the Automated Commercial Environment (ACE), the planned successor to the

Automated Commercial System (ACS). ACE is an automated and electronic system for commercial trade processing intended to streamline business processes, facilitate growth in trade, ensure cargo security, and foster participation in global commerce, while ensuring compliance with U.S. laws and regulations and reducing costs for U.S. Customs and Border Protection (CBP) and all of its communities of interest. The ability to meet these objectives depends on successfully modernizing CBP's business functions and the information technology that supports those functions.

The International Trade Data System (ITDS) is authorized by section 405 of the Security and Accountability For Every Port Act of 2006 (SAFE Port Act, Pub. L. 109-347). The purpose of ITDS, as defined by section 405 of the SAFE Port Act, is to eliminate redundant information filing requirements, efficiently regulate the flow of commerce, and effectively enforce laws and regulations relating to international trade, by establishing a single portal system, operated by CBP, for the collection and distribution of standard electronic import and export data required by all participating Federal agencies.

From March 1, 2016, through August 15, 2016, the Animal and Plant Health Inspection Service (APHIS) conducted pilots of ACE/ITDS using the message set data for Animal Care, Biotechnology Regulatory Services, Plant Protection and Quarantine, and Veterinary Services (known collectively as APHIS Core).¹ The pilots were available for any stakeholder interested in participating. During the pilot phase, APHIS conducted an analysis and provided feedback on each initial filing. APHIS continues to provide an analysis of the data submissions for stakeholders who request feedback.

APHIS intends to fully implement this change on August 3, 2020. On that date, APHIS intends to begin applying Harmonized Tariff Schedule (HTS) flags, which will alert filers who opt to submit data electronically whether APHIS import data is or may be required. Importers or brokers using ACE must enter APHIS-required import data when they receive an APHIS-specific HTS flag in order to complete their entry in the system.

We invite public comment on the timeline for full implementation of the APHIS Core Message Set in ACE/ITDS.

After the close of the comment period we will publish another notice in the **Federal Register** confirming the date when APHIS will begin applying HTS flags.

Importers and brokers are required to submit APHIS-required information at the first U.S. port of arrival and are responsible for knowing what to file, regardless of whether a tariff code is flagged in ACE. The APHIS Core Message Set does not allow for de minimis exceptions. Importers and brokers must submit required data for APHIS-regulated products regardless of the size or value of the shipment. Any exceptions to filing APHIS Core data in ACE will be noted on the APHIS ACE website at <http://www.aphis.usda.gov/ace>.

To view APHIS Core Message Set guidance, visit the APHIS ACE website at <http://www.aphis.usda.gov/ace/>. The latest APHIS Core Message Set implementation guide can be viewed on the CBP website at <https://www.cbp.gov/document/guidance/aphis-pga-message-set-adapted-data-element-record-layout>. A complete list of documents and approved submission options is available on the CBP website at <http://www.cbp.gov/document/guidance/ace-november-1-pga-forms>.

For questions about the APHIS Core Message Set, please email ace.itds@usda.gov. For questions related to APHIS' import requirements, please visit APHIS' import/export website at <https://www.aphis.usda.gov/aphis/ourfocus/importexport> or call APHIS' Customer Service Center at (844) 820-2234.

Done in Washington, DC, this 28th day of January 2020.

Kevin Shea,

Administrator, Animal and Plant Health Inspection Service.

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DEPARTMENT OF AGRICULTURE

U.S. Codex Office

Codex Alimentarius Commission: Meeting of the Codex Committee on Pesticide Residues

AGENCY: U.S. Codex Office, USDA.

ACTION: Notice of public meeting and request for comments.

SUMMARY: The U.S. Codex Office is sponsoring a public meeting on February 27, 2020. The objective of the public meeting is to provide information and receive public comments on agenda items and draft United States (U.S.)

¹ To view the notices announcing the beginning and end of the pilots, go to <http://www.regulations.gov/#!docketDetail;D=APHIS-2015-0063>.