

# Notices

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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

### Agricultural Marketing Service

(Docket No. FV97-33-1 NC)

#### Notice of 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 notice announces the Agricultural Marketing Service's (AMS) intention to request an extension for and revision to a currently approved information collection for the Export Fruit Acts, Apple and Pear Act and the Export Grape and Plum Act.

**DATES:** Comments on this notice must be received February 17, 1998 to be assured of consideration.

**ADDITIONAL INFORMATION OR COMMENTS:** Contact Caroline C. Thorpe, Marketing Order Administration Branch, F & V, AMS, USDA, P.O. Box 96456, Room 2525-S, Washington, D.C., 20090-6456, Telephone (202) 720-8139 or Fax (202) 720-5698.

#### SUPPLEMENTARY INFORMATION:

*Title:* Export Fruit Regulations—Export Apple and Pear Act (7 CFR part 33) and the Export Grape and Plum Act (7 CFR part 35).

*OMB Number:* 0581-0143.

*Expiration Date of Approval:* June 30, 1998.

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

*Abstract:* Fresh apples, pears and grapes grown in the United States shipped to any foreign destination must meet minimum quality and other requirements established by regulations issued under the Export Apple and Pear

Act (7 U.S.C. 581-590) and the Export Grape and Plum Act (7 U.S.C. 591-599). Currently, plums are not regulated under the Export Grape and Plum Act. The regulations issued under the Export Grape and Plum Act (7 CFR part 35) cover fresh grapes grown in the United States and shipped to foreign destinations, except Canada and Mexico. The regulations issued under the Export Apple and Pear Act (7 CFR part 3) cover fresh apples and pears grown in the United States shipped to foreign destinations. The Secretary of Agriculture is authorized to oversee the implementation of the export fruit acts and issue regulations regarding these commodities.

The information collection requirements in this request are essential to carry out the intent and administration of the export fruit acts. The Export Apple and Pear Act and the Export Grape and Plum Act have been in effect since 1933 and 1960 respectively.

Both Acts were designed to promote the foreign trade of the United States in apples, pears, grapes and plums; to protect the reputation of these American-grown commodities; and to prevent deception or misrepresentation of the quality of such products moving in foreign commerce.

The regulations issued under the Acts (§ 33.11 for apples and pears, and § 35.12 for grapes) require that the U.S. Department of Agriculture (USDA) officially inspect and certify that each shipment of fresh apples, pears, and grapes is in compliance with all pertinent regulatory requirements effective under the Acts. Persons who ship fresh apples, pears, and grapes grown in the United States to foreign destinations must have such shipment inspected and certified by Federal or Federal-State Inspection Service (FSIS) inspectors. The FSIS is administered by the Agricultural Marketing Service.

The forms covered under this information collection require the minimum information necessary to effectively carry out the export fruit acts, and their use is necessary.

The information collection requirements in this request is primarily in the form of recordkeeping. Information needed by USDA is available on official Federal-State Inspection Service (FSIS) inspection certificates, and on phytosanitary

inspection certificates issued by USDA's Animal Plant Health Inspection Service.

Export carriers are required to keep on file for three years copies of inspection certificates for apples, pears, and grapes transported by them. Export shippers are required to label certain containers of apples, pears, and grapes used for export shipments.

The number of exporters has remained fairly constant in recent years. There are an estimated 115 exporters who use the required forms and the corresponding forms have remained constant.

The information collection requirements in this request are periodically reviewed to ensure that they place as small a burden on the exporter as possible. Procedures have been streamlined to assure efficiency in administering the Acts.

*Estimate of Burden:* Public reporting burden for this collection of information is estimated to average 4.9528 hours per response.

*Respondents:* Fruit export shippers and export carriers.

*Estimated Number of Respondents:* 115.

*Estimated Number of Responses per Respondent:* 3.96.

*Estimated Total Annual Burden on Respondents:* 2,204.

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.

Comments may be sent to Docket Clerk, Fruit and Vegetable Programs, AMS, USDA, P.O. Box 96456, Room 2525-S, Washington, D.C., 20090-6456. Comments should reference the docket number and the date and page number of this issue of the **Federal Register**. All comments received will be available for public inspection during regular business hours at the same address.

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

Dated: December 15, 1997.

**Robert C. Keeney,**

*Deputy Administrator, Fruit and Vegetable Programs.*

[FR Doc. 97-33166 Filed 12-18-97; 8:45 am]

BILLING CODE 3410-02-P

## DEPARTMENT OF AGRICULTURE

### Food and Consumer Service<sup>1</sup>

#### Food Stamp Program: Quality Control Provisions of the Mickey Leland Childhood Hunger Relief Act

**AGENCY:** Food and Consumer Service, USDA.

**ACTION:** Request for comments on proposed collection of information.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, this action invites the general public and other public agencies to comment on proposed information collections. Requirements in changes to the Food Stamp Program regulations based on the Mickey Leland Childhood Hunger Relief Act are the basis for information collection in the areas of arbitration and good cause. This action revises the information collection burden that currently includes the Quality Control (QC) sampling plan by adding to it the burdens for the QC arbitration and good cause processes. While these processes have existed since 1981, they have not been included in the burden previously. A notice for the development of the QC sampling plan, as required by Food Stamp Program regulations, was published March 4, 1997 and has been approved through July 31, 2000. The Department of Agriculture published a final rule on June 2, 1997, entitled Food Stamp Program: Quality Control Provisions of the Mickey Leland Childhood Hunger Relief Act, which implements changes to the arbitration and good cause processes.

**DATES:** Written comments must be submitted on or before February 17, 1998.

**ADDRESSES:** Send comments and requests for copies of this information collection to: Retha Oliver, Chief, Quality Control Branch, Program Accountability Division, Food and Nutrition Service, U.S. Department of

Agriculture, 3101 Park Center Drive, Alexandria, VA 22302.

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, or other technological collection techniques or other forms of information technology.

All responses to this action will be summarized and included in the request for Office of Management and Budget (OMB) approval. All comments will also become a matter of public record. The Food and Consumer Service (FCS) will publish a document in the rules section of the **Federal Register** announcing the effective and implementation dates of the provisions contained in 7 CFR §§ 275.3(c)(4) and 275.23(e)(7) of the Leland Rule after the approval of the provisions by OMB under the Paperwork Reduction Act of 1995.

**FOR FURTHER INFORMATION CONTACT:** Retha Oliver, (703) 305-2474.

#### SUPPLEMENTARY INFORMATION:

**Title:** Food Stamp Program Regulations, Part 275—Quality Control.  
**OMB Number:** 0584-0303.  
**Expiration Date:** July 31, 2000.  
**Type of Request:** Revision of a currently approved collection of information.

**Abstract:** Pursuant to Section 13951 of the Mickey Leland Childhood Hunger Relief Act (Pub. L. 103-66), the final rule entitled Quality Control Provisions of the Mickey Leland Childhood Hunger Relief Act, ("The "Leland Rule"), published June 2, 1997 (62 FR 29652), contains information collections which are subject to review by OMB under the Paperwork Reduction Act of 1995 (44 U.S.C. 3507). The reporting and recordkeeping burden associated with the Food Stamp Program QC sampling plan is approved through July 31, 2000, under OMB No. 0584-0303. This notice proposes to add the burdens for the QC arbitration and good cause processes to the burden that currently includes the QC sampling plan. The burden approved for the QC sampling plan is 266 hours per year. The annual burdens associated with the QC arbitration and

good cause processes are estimated to total 1647 and 1917 respectively. The total annual burden for the QC sampling plan, arbitration and good cause processes is estimated to be 3630 hours. The increase of 3564 hours is solely the result of adding the arbitration and good cause processes to the burden.

The QC system contains procedures for resolving differences in review findings between State agencies and FNS. This is referred to as the arbitration process. The QC system also contains procedures which provide relief for State agencies from all or a part of a QC liability when a State agency can demonstrate that a part or all of an excessive error rate was due to an unusual event which had an uncontrollable impact on the State agency's payment error rate. In the past, information collections associated with the QC arbitration or good cause processes have not been included in the reporting and recordkeeping burden. However, since the good cause and arbitration processes have been implemented since 1981, in practice State agencies will not notice an actual increase in burden from current practice.

#### Quality Control Burden Associated With the Sampling Plan, Arbitration, and Good Cause

##### 1. Sampling Plan

**Affected Public:** State agencies.

**Estimated Number of Respondents:**

53.

**Estimated Number of Responses Per Respondent:** 1.

**Estimated Time Per Response:** 5.0236 hours.

**Estimated Total Annual Burden:** 266.

##### 2. Arbitration Process

**Affected Public:** State agencies.

**Estimated Number of Respondents:**

53.

**Estimated Number of Responses Per Respondent:** 3.1.

**Estimated Time Per Response:** 10.0236 hours.

**Estimated Total Annual Burden:** 1647.

##### 3. Good Cause Process

**Affected Public:** State agencies.

**Estimated Number of Respondents:**

53.

**Estimated Number of Responses Per Respondent:** 0.226.

**Estimated Time Per Response:** 160 hours.

**Estimated Total Annual Burden:** 1917.

##### 4. Combined Quality Control Burden Associated With the Sampling Plan,

<sup>1</sup> The agency name of the Food and Consumer Service was changed to the Food and Nutrition Service by order of the Secretary of Agriculture on November 25, 1997.