

DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration****Seafood Inspection Services**

ACTION: Proposed Collection; Comment Request.

SUMMARY: The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Pub. L. 104-13 (44 U.S.C. 3506(c)(2)(A)).

DATES: Written comments must be submitted on or before September 8, 1998.

ADDRESSES: Direct all written comments to Linda Engelmeier, Departmental Forms Clearance Officer, Department of Commerce, Room 5327, 14th and Constitution Avenue, NW, Washington DC 20230.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument(s) and instructions should be directed to Rita Creitz, 1315 East-West Highway, Silver Spring, MD, 301-713-2355.

SUPPLEMENTARY INFORMATION:**I. Abstract**

The National Marine Fisheries Service (NMFS) operates a voluntary fee-for-service seafood inspection program (Program) under the authorities of the Agricultural Marketing Act of 1946, as amended, the Fish and Wildlife Act of 1956, and Reorganization Plan No. 4 of 1970. The regulations for the Program are contained in 50 CFR Part 260. The program offers inspection grading, and certification services, including the use of official quality grade marks which indicate that specific products have been Federally inspected. In addition, the NMFS inspection program is the only Federal entity which establishes quality grade standards for seafood marketed in the United States. Qualified participants are permitted to use the program's official quality grade marks on their products to facilitate trade of fishery products.

Participants in the inspection program are requested to submit specific information pertaining to the type of inspection service requested [§ 260.15]. In all cases, applicants provide the program information regarding the type of products to be inspected, the quantity, and location of the product.

There are also application requirements if there is an appeal on previous inspection results [§ 260.36]. Participants requesting regular inspection services on a contractual basis also submit a contract [§ 260.96]. Participants interested in using official grade marks are required to submit product labels and specifications for review and approval to ensure compliance with mandatory labeling regulations established by the U.S. Food and Drug Administration as well as proper use of the Program's marks [§ 260.97(c)(12) and (13)].

Current regulations state requirements for approval of drawings and specifications prior to approval of facilities [§ 260.96(b) and (c)]. There are no respondents under this section. The Program will amend this part of the regulations in a future action.

In July 1992, NMFS announced new inspection services, which were fully based on guidelines recommended by the National Academy of Sciences, known as Hazard Analysis Critical Control Point (HACCP). The information collection requirements fall under § 260.15 of the regulations. These guidelines required that a facility's quality control system have a written plan of the operation, identification of control points with acceptance criteria and a corrective action plan, as well as identified personnel responsible for oversight of the system. HACCP requires continuing monitoring and recordkeeping by the facility's personnel.

Although HACCP involves substantial self-monitoring by the industry, the HACCP-based program is not a self-certification program. It relies on unannounced system audits by NMFS. The frequency of audits is determined by the ability of the firm to monitor its operation. By means of these audits, NMFS reviews the records produced through the program participant's self-monitoring. The audits determine whether the participant's HACCP-based system is in compliance by checking for overall sanitation, accordance with good manufacturing practices, labeling, and other requirements. In addition, in-process reviews, end-product sampling, and laboratory analyses are performed by NMFS at frequencies based on the potential consume risk associated with the product and/or the firm's history of compliance with the program's criteria.

The information collected is used to determine a participant's compliance with the program. The reported information, a HACCP plan, is needed only once. Other information is collected and kept by the participant as part of its routine monitoring activities.

NMFS audits the participant's records on unannounced frequencies to further determine compliance.

The U.S. Food and Drug Administration (FDA) implemented mandatory HACCP seafood safety requirements in December 1997. The burden hours identified are those beyond the FDA's mandatory HACCP requirements. HACCP-related burden hours are identified separately below and are based on an estimate of 30 new HACCP facilities a year and include annual monitoring and recordkeeping estimates for 100 facilities already in the Program.

II. Method of Collection

Information will be obtained via telephone, fax, or hard-copy submission or audit conducted by NMFS personnel.

III. Data

OMB Number: 0648-0266.

Form Number: N/A.

Type of Review: Regular Submission.

Affected Public: Business and other for-profit organizations (participants in the NMFS voluntary seafood inspection program).

Estimated Number of Respondents, Response Times, and Total Burden:

Section 260.15 Application for Inspection Services

Estimated Number of Respondents: 6,952.

Estimated Time Per Response: 5 minutes.

Estimated Total Annual Burden Hours: 571.

Estimated Total Annual Cost to Public: \$0.

Section 260.36 Application for Appeal

Estimated Number of Respondents: 75.

Estimated Time Per Response: 5 minutes.

Estimated Total Annual Burden Hours: 6.

Estimated Total Annual Cost to Public: \$0.

Section 260.96 Contract Completion

Estimated Number of Respondents: 35.

Estimated Time Per Response: 5 minutes.

Estimated Total Annual Burden Hours: 3.

Estimated Total Annual Cost to Public: \$0.

Section 260.96 (b) and (c) Drawing and Floor Plan Approval

Estimated Number of Respondents: 0.

Estimated Time Per Response: 0 minutes.

Estimated Total Annual Burden Hours: 0.

Estimated Total Annual Cost to Public: \$0.

Section 260.97(c) (12) and (13) Label and Specification Submission

Estimated Number of Respondents: 2,624.

Estimated Time Per Response: 16 minutes.

Estimated Total Annual Burden Hours: 700.

Estimated Total Annual Cost to Public: \$0.

HACCP Participants

New Respondents

Estimated Number of Respondents: 30.

Estimated Time Per Response: 105 hours.

Estimated Total Annual Burden Hours: 3,150.

Estimated Total Annual Cost to Public: \$0.

Current Respondents

Estimated Number of Respondents: 100.

Estimated Time Per Response: 80 hours.

Estimated Total Annual Burden Hours: 8,000.

Estimated Total Annual Cost to Public: \$0.

Total Respondents: 7,082.

Total Burden Hours: 12,430.

Total Cost: \$0—no capita expenditures required.

IV. Request for Comments

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 shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (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 respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: July 1, 1998.

Linda Engelmeier,

Departmental Forms Clearance Officer, Office of Management and Organization.

[FR Doc. 98-17981 Filed 7-7-98; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 051398B]

Marine Mammals

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Issuance of permit amendment.

SUMMARY: Notice is hereby given that the Southwest Fisheries Science Center, Honolulu Laboratory, NMFS, 2570 Dole Street, Honolulu, Hawaii 96822-2396, has been issued a permit to "take" Hawaiian monk seals (*Monachus schauinslandi*) for purposes of scientific research.

ADDRESSES: The amendment and related documents are available for review upon written request or by appointment in the following offices:

Permits Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13130, Silver Spring, MD 20910 (301/713-2289);

Regional Administrator, Southwest Region, NMFS, 501 West Ocean Boulevard, Suite 4200, Long Beach, CA 90802-4213 (310/980-4001); and

Protected Species Program Coordinator, Pacific Area Office, Southwest Region, NMFS, 2570 Dole Street, Room 106, Honolulu, HI 96822-2396 (808/973-2987).

SUPPLEMENTARY INFORMATION: On April 15, 1998, notice was published in the **Federal Register** (63 FR 18377) that an amendment of Permit No. 848-1335, issued June 10, 1997 (62 FR 32586), had been requested by the above-named organization. The requested amendment has been issued under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR Part 216), the Endangered Species Act (ESA) of 1973, as amended (16 U.S.C. 1531 *et seq.*), and the Regulations Governing the Taking, Importing, and Exporting of Endangered Fish and Wildlife (50 CFR part 222).

Issuance of this amendment, as required by the ESA, was based on a finding that such permit: (1) was applied for in good faith; (2) will not

operate to the disadvantage of the endangered species which is the subject of this permit; and (3) is consistent with the purposes and policies set forth in section 2 of the ESA.

Dated: June 30, 1998.

Ann D. Terbush,

Chief, Permits and Documentation Division, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 98-18120 Filed 7-7-98; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 062998A]

Marine Mammals

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Issuance of permit amendment.

SUMMARY: Notice is hereby given that Moana Productions, Inc., 311 Portlock Road, Honolulu, Hawaii 96825, has been issued an amendment to Permit No. 867-1388 to take by Level B harassment several species of non-threatened, non-endangered marine mammals for purposes of commercial photography.

ADDRESSES: The amendment and related documents are available for review upon written request or by appointment in the following offices:

Permits Division, Office of Protected Resources, NMFS,

1315 East-West Highway, Room 13130, Silver Spring, MD 20910 (301/713-2289);

Protected Species Program Manager, Pacific Area Office, NMFS, 2570 Dole Street, Room 106, Honolulu, HI 96822-2396 (808/973-2987);

Regional Administrator, Alaska Region, NMFS 709 W. 9th Street, Federal Building, Room 461, Box 21668, Juneau, Alaska 99802 (907/586-7012); and

Regional Administrator, Southwest Region, NMFS, 501 West Ocean Blvd., suite 4200, Long Beach, CA 90802 (562/980-4001).

FOR FURTHER INFORMATION CONTACT:

Trevor Spradlin, 301/713-2289.

SUPPLEMENTARY INFORMATION: On May 28, 1998, notice was published in the **Federal Register** (63 FR 29181), had been requested by the above-named organization. The requested amendment has been granted under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et*