

Secretary with jurisdiction will publish a **Federal Register** notice of the establishment of each new recreation fee area 6 months prior to its establishment.

The cooperating agencies will identify outreach efforts to encourage public involvement in establishment of new recreation fee areas. Outreach efforts may include recreation fee site visits, public meetings, focus groups, newsletters, and Web sites.

Public involvement opportunities will include sharing plans developed by the cooperating agencies for establishment of any recreation fee areas. These plans generally will contain (1) a description of the new recreation fee areas; (2) a financial analysis, including projected development, operating, and maintenance costs and projected income for the fee area; (3) an analysis of existing private and public facilities or services in the vicinity of the fee area that may compete with it, and (4) a description of how the cooperating agencies will inform the public as to how the fees collected at the area are spent.

In addition, each cooperating agency will determine specific public involvement opportunities based on local needs and interests. Detailed guidance on public involvement will be incorporated in each cooperating agency's directives, manuals, or orders.

### III. Demonstrating Annually How the Public Was Informed of the Use of Recreation Fee Revenues

The cooperating agencies annually will post notices at each recreation fee area informing the public of the use or anticipated use of recreation fees collected at that site during the previous year. In addition, in the triennial report to Congress on the recreation fee program required by Section 809 of REA (16 U.S.C. 6808), the cooperating agencies will describe how they have informed the public about the use of recreation fee revenues. This information will also be made available on cooperating agencies' Web sites.

Dated: September 15, 2005.

**Mark Rey,**

*Under Secretary, Natural Resources and Environment, Department of Agriculture.*

Dated: August 12, 2005.

**P. Lynn Scarlett,**

*Assistant Secretary, Policy, Management and Budget, Department of the Interior.*

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## DEPARTMENT OF AGRICULTURE

### Economic Research Service

#### Notice of Intent To Seek Approval To Collect Information

**AGENCY:** Economic Research Service, USDA.

**ACTION:** Notice and request for comments.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13) and Office of Management and Budget (OMB) regulations at 5 CFR part 1320 (60 FR 44978, August 29, 1995), this notice announces the Economic Research Service's (ERS) intention to request approval for a new information collection from the U.S. population. The study will collect data on consumers' food purchase decisions, consumers' knowledge of food safety and nutrition, and how safety and nutrition information is influencing purchase decisions. The information will be collected four times a year, about once per quarter.

**DATES:** Comments on this notice must be received by December 2, 2005 to be assured of consideration.

**ADDRESSES:** Requests for additional information concerning this notice should be directed to Abeyayehu Tegene, Food Markets Branch, Food and Rural Economics Division, Economic Research Service, U.S. Department of Agriculture, 1800 M St., NW., Washington, DC 20036-5831. Submit electronic comments to [ategene@ers.usda.gov](mailto:ategene@ers.usda.gov).

#### SUPPLEMENTARY INFORMATION:

**Title:** Rapid Consumer Response Survey.

**OMB Number:** Not yet assigned.

**Expiration Date:** Three years from date of issuance.

**Type of Request:** Approval for a new collection of information to be administered by AC Nielsen.

**Abstract:** The Economic Research Service (ERS), as the lead economic research arm of the U.S. Department of Agriculture, has the responsibility to conduct economic research supporting the mission of the Department. This responsibility includes conducting research and providing information to Department officials on economic issues related to food safety, nutrition and health (including factors related to food choices), expenditure and consumption patterns at and away from home, food prices, food assistance programs, nutrition education, and food industry structure.

USDA faces many demands where information about consumer behavior is

necessary. However, there are few sources of such data. These sources, such as the National Health and Nutrition Examination Survey (NHANES), are based on large-scale surveys. Large-scale surveys often take several years for planning, surveying, and data management. Consequently, data are a few years old when released. Policies guided by market conditions have to contend with the fact that markets may change quickly as consumers respond to emerging food safety issues or new nutrition messages.

To make best use of the large-scale surveys, researchers must be able to forecast important issues, sorting out which are transitory and which are more permanent. To better assess issues of importance to consumers and to agriculture, a pilot survey is being proposed that will address topical issues in consumer behavior. Each quarter a panel of consumers will be asked about one important issue they face. With this focused approach, knowledge will be gained about how to ask questions about safety, nutrition, and other issues without alarming consumers or guiding consumers' responses.

The quarterly surveys will be administered by AC Nielsen, a private data management and survey firm, to members of a pre-recruited panel of participants. The survey is to be completed online using the Internet. Administering the survey through the Internet will reduce the burden on respondents because the survey can be answered more quickly by computer than over the phone or in person, and because respondents can complete the survey at a time convenient to them. The panel participants have already provided AC Nielsen with household and personal characteristics such as family income, education, ethnicity, household composition, and region where they live. Thus, this information will not have to be obtained for the surveys. They also report all grocery purchases, including produce, meats and other random weight products, through the use of scanners that have been placed in their homes. By using the AC Nielsen panel of consumers, research can be conducted that links stated positions with actual market behavior. So, even if the panel members may not be representative of the U.S. population, the survey will give insight into how new issues influence markets. Such knowledge will help guide the design of large-scale surveys, and help sort out what issues ought to be addressed in this venue. The information gained from this pilot study will help researchers formulate their

hypotheses and provide key indicators on consumers' attitude or perception on dietary and safety issues.

Although ERS plans to have four surveys per year, unanticipated events, such as unforeseen food safety incidents, or large swings in sales volume, prices, or quantities of major food products, may demand out-of-cycle surveys be conducted to keep information current. For similar reasons, topics for future surveys cannot be determined with certainty.

*Estimate of Burden:* The reporting burden on each respondent completing a quarterly survey is estimated to be 7 minutes. Each quarterly survey will have 12–14 questions.

*Respondents:* The panel completing each survey is composed of consumers who have already been recruited by AC Nielsen and agree to report all grocery purchases and participate in several surveys through the Internet.

*Estimated Number of Respondents:* The sample size for AC Nielsen's online Internet survey is 6,600 respondents.

*Estimated Total Burden on Respondents:* 770 hours (7 minutes per survey x 6,600 respondents) for each quarterly survey. The annual burden for four surveys totals 3,080 hours.

*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 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 the use of appropriate automated, electronic, mechanical, or other technology. Comments should be sent to the address stated in the preamble. All responses to this notice 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.

Dated: September 19, 2005.

**Susan E. Offutt,**

*Administrator, Economic Research Service, USDA.*

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## DEPARTMENT OF AGRICULTURE

### Food Safety and Inspection Service

[Docket No. 04–037N]

#### Treatment of Live Poultry Before Slaughter

**AGENCY:** Food Safety and Inspection Service, USDA.

**ACTION:** Notice.

**SUMMARY:** The Food Safety and Inspection Service (FSIS) is reminding all poultry slaughter establishments that, under the Poultry Products Inspection Act (PPIA) and Agency regulations, live poultry must be handled in a manner that is consistent with good commercial practices, which means they should be treated humanely. Although there is no specific federal humane handling and slaughter statute for poultry, under the PPIA, poultry products are more likely to be adulterated if, among other circumstances, they are produced from birds that have not been treated humanely, because such birds are more likely to be bruised or to die other than by slaughter.

**FOR FURTHER INFORMATION CONTACT:** Lynn Dickey, PhD, Director, Regulations and Petitions Policy Staff, Office of Policy, Program, and Employee Development, Food Safety and Inspection Service, Cotton Annex Building, 300 12th Street, SW., Room 112, Washington, DC 20250–3700; (202) 720–5627.

#### Comments

FSIS invites interested persons to submit comments on this notice. Submit comments by October 28, 2005. Comments may be submitted by any of the following methods:

- Mail, including floppy disks or CD-ROM's, and hand- or courier-delivered items: Send to Docket Clerk, U.S. Department of Agriculture, Food Safety and Inspection Service, 300 12th Street, SW., Room 102 Cotton Annex, Washington, DC 20250.

All submissions received must include the Agency name and docket number 04–037N. All comments submitted in response to this notice, as well as research and background information used by FSIS in developing this document, will be available for public inspection in the FSIS Docket Room at the address listed above between 8:30 a.m. and 4:30 p.m., Monday through Friday. The comments also will be posted on the Agency's Web site at [http://www.fsis.usda.gov/regulations/2004\\_Notices\\_Index/Index.asp](http://www.fsis.usda.gov/regulations/2004_Notices_Index/Index.asp).

## SUPPLEMENTARY INFORMATION:

### The Poultry Products Inspection Act (PPIA) and Implementing Regulations

FSIS considers humane methods of handling animals and humane slaughter operations a high priority and takes seriously any violations of applicable laws and regulations. In poultry operations, employing humane methods of handling and slaughtering that are consistent with good commercial practices increases the likelihood of producing unadulterated product.

FSIS regulations describe the operating procedures that poultry processors must follow to ensure sanitary processing, proper inspection, and the production of poultry products that are not adulterated. Under 9 CFR 381.71, FSIS condemns poultry showing, on ante mortem inspection, certain diseases or conditions. Bruising is one condition that may result in condemnation (9 CFR 381.89). Bruises are likely to result when birds are not treated humanely.

Moreover, the PPIA (21 U.S.C. 453(g)(5)), as well as the Agency's regulations (9 CFR 381.90), provide that carcasses of poultry showing evidence of having died from causes other than slaughter are considered adulterated and condemned. The regulations also require that poultry be slaughtered in accordance with good commercial practices, in a manner that results in thorough bleeding of the poultry carcass, and ensures that breathing has stopped before scalding so that the birds do not drown (9 CFR 381.65(b)). Compliance with these requirements helps ensure that poultry are treated humanely.

### The Reason FSIS Is Issuing This Notice at This Time

FSIS is issuing this notice because there has been considerable congressional and public interest in the humane treatment of animals, including poultry. As FSIS explained in the September 9, 2004, **Federal Register**, in recent years, Congress has taken various actions to strengthen USDA's resources and to ensure that FSIS enforces the statutory provisions concerning the humane handling and slaughter of livestock (69 FR 54625). In addition, the U.S. Department of Agriculture has received several letters from members of Congress expressing concerns regarding the humane treatment of poultry and supporting legislation to include provisions for the humane treatment of poultry in the Humane Methods of Slaughter Act (HMSA). The HMSA of 1978 (7 U.S.C. 1901 *et seq.*) requires that humane methods be used for handling