

In the December 2015 notice, we mistakenly announced our intent to recognize Romania as a region of negligible risk for BSE. In December 2014, the OIE suspended Romania's status as a negligible risk region because Romania reported a case of atypical BSE. Since then, the OIE has announced its intent to reinstate Romania's status as a region of negligible risk for BSE. We will be seeking information to verify Romania's status and will announce our intent to concur with the OIE's designation in a future notice.

Also in the December 2015 notice, we announced our intent to recognize France as a region of negligible risk for BSE in concurrence with the OIE. Since then, France has confirmed a case of classical BSE in a 5-year-old cow. Accordingly, the OIE has suspended France's status as a region of negligible risk for BSE and reinstated its status as a region of controlled risk effective March 25, 2016. For this reason we have removed France from the list of regions of negligible risk for BSE in this document. We will continue to recognize France as a region of controlled risk for BSE.

Therefore, in accordance with the regulations in § 92.5, we are announcing our decision to concur with the OIE risk classifications of the following countries:

- Regions of negligible risk for BSE: Bulgaria, Cyprus, Czech Republic, Estonia, Hungary, India, Korea (Republic of), Latvia, Liechtenstein, Luxembourg, Malta, Portugal, Slovakia, and Switzerland.

**Authority:** 7 U.S.C. 1622 and 8301–8317; 21 U.S.C. 136 and 136a; 31 U.S.C. 9701; 7 CFR 2.22, 2.80, and 371.4.

Done in Washington, DC, this 4th day of August, 2016.

**Kevin Shea,**

*Administrator, Animal and Plant Health Inspection Service.*

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## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

[Docket No. APHIS–2016–0011]

#### Notice of Decision To Authorize the Importation of Fresh Figs From Peru Into the Continental United States

**AGENCY:** Animal and Plant Health Inspection Service, USDA.

**ACTION:** Notice.

**SUMMARY:** We are advising the public of our decision to authorize the

importation of fresh figs (*Ficus carica*) from Peru into the continental United States. Based on the findings of a pest risk analysis, which we made available for the public to review and comment through a previous notice, we have concluded that the application of designated phytosanitary measures will be sufficient to mitigate the risks of introducing or disseminating plant pests via the importation of fresh figs from Peru.

**DATES:** Effective August 10, 2016.

**FOR FURTHER INFORMATION CONTACT:** Ms. Claudia Ferguson, Senior Regulatory Policy Specialist, Regulatory Coordination and Compliance, Imports, Regulations, and Manuals, PPQ, APHIS, 4700 River Road, Unit 133, Riverdale, MD 20737–1231; (301) 851–2352; [Claudia.Ferguson@aphis.usda.gov](mailto:Claudia.Ferguson@aphis.usda.gov).

**SUPPLEMENTARY INFORMATION:** Under the regulations in “Subpart—Fruits and Vegetables” (7 CFR 319.56–1 through 319.56–75, referred to below as the regulations), the Animal and Plant Health Inspection Service (APHIS) prohibits or restricts the importation of fruits and vegetables into the United States from certain parts of the world to prevent plant pests from being introduced into or disseminated within the United States.

Section 319.56–4 contains a performance-based process for approving the importation of certain fruits and vegetables that, based on the findings of a pest risk analysis, can be safely imported subject to one or more of the designated phytosanitary measures listed in paragraph (b) of that section.

In accordance with that process, we published a notice<sup>1</sup> in the **Federal Register** on March 14, 2016 (81 FR 13310–13311, Docket No. APHIS–2016–0011), in which we announced the availability, for review and comment, of a pest risk assessment (PRA) that identifies pests of quarantine significance that could follow the pathway of importation of figs from Peru into the continental United States. Based on the PRA, a risk management document (RMD) was prepared to identify phytosanitary measures that could be applied to the figs to mitigate the pest risk. The RMD recommended that all of the following phytosanitary measures be applied to the importation of figs from Peru into the continental United States:

- The figs must be imported as commercial consignments only;

- Each consignment of figs must be accompanied by a phytosanitary certificate issued by the national plant protection organization (NPPO) of Peru;

- Each consignment of figs must be treated in accordance with 7 CFR part 305; and

- Each consignment of figs is subject to inspection upon arrival at the port of entry to the United States.

We solicited comments on the PRA and RMD for 60 days, ending on May 13, 2016. We received four comments by that date, from a State department of agriculture, the Peruvian Government, the Peruvian embassy, and a U.S. port of entry.

Three of the commenters supported the importation of fresh figs from Peru into the continental United States.

One commenter pointed out that the notice would allow figs from Peru to be irradiated in the United States. The commenter expressed concern that this could present a risk of introducing quarantine pests that could follow the pathway of figs from Peru into the United States, and that such introduction would present a significant risk to States in which the pests could become established. For this reason, the commenter stated that irradiation should either have to take place in Peru or in areas of the United States north of the 39th parallel, in which the pests could not become established.

We appreciate the commenter's concern regarding irradiation of the figs in areas of the United States where quarantine plant pests that could potentially follow the pathway of importation of the figs from Peru could become established. Indeed, our regulations governing the approval of irradiation facilities in the United States, which are found in 7 CFR 305.9, require that, if an irradiation facility is located in a State where quarantine pests that are targeted by irradiation could become established, then it must take additional safeguards, specified within that section, in order to address this pest risk. However, because § 305.9 also allows irradiation treatment for imported commodities to take place within the United States, and does not preclude it from taking place in States where establishment of quarantine pests is possible, such as areas south of the 39th parallel, we cannot grant the commenter's request.

Therefore, in accordance with § 319.56–4(c)(2)(ii), we are announcing our decision to authorize the importation of figs from Peru into the continental United States subject to all of the following phytosanitary measures:

<sup>1</sup> To view the notice, PRA, RMD, and comments we received, go to <http://www.regulations.gov/#/docketDetail;D=APHIS-2016-0011>.

- The figs must be imported as commercial consignments only;
- Each consignment of figs must be accompanied by a phytosanitary certificate issued by the NPPO of Peru;
- Each consignment of figs must be treated in accordance with 7 CFR part 305; and
- Each consignment of figs is subject to inspection upon arrival at the port of entry to the United States.

These conditions will be listed in the Fruits and Vegetables Import Requirements database (available at <http://www.aphis.usda.gov/favir/>). In addition to these specific measures, figs from Peru will be subject to the general requirements listed in § 319.56–3 that are applicable to the importation of all fruits and vegetables.

**Authority:** 7 U.S.C. 450, 7701–7772, and 7781–7786; 21 U.S.C. 136 and 136a; 7 CFR 2.22, 2.80, and 371.3.

Done in Washington, DC, this 4th day of August, 2016.

**Kevin Shea,**

*Administrator, Animal and Plant Health Inspection Service.*

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## DEPARTMENT OF AGRICULTURE

### Food and Nutrition Service

#### **Agency Information Collection Activities: Proposed Collection; Comment Request—Supplemental Nutrition Assistance Program: State Issuance and Participation Estimates—Recordkeeping for Forms FNS–388 and FNS–388A**

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

**ACTION:** Notice.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, the Food and Nutrition Service (FNS) is publishing for public comment a summary of a proposed information collection. This is a revision of a currently approved collection for the Supplemental Nutrition Assistance Program (SNAP), the forms FNS–388, State Issuance and Participation Estimates, and FNS–388A, Project Area Data Format. The reporting burden for forms FNS–388 and FNS–388A were merged in 2015 with the burden for the Food Programs Reporting System (OMB control number 0584–0594, expiration date June 30, 2019). This 60-day notice serves to renew the recordkeeping burden only for these two forms.

**DATES:** Written comments must be received on or before October 11, 2016.

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

Comments may be sent to Jane Duffield, Chief, State Administration Branch, Supplemental Nutrition Assistance Program, Food and Nutrition Service, U.S. Department of Agriculture, 3101 Park Center Drive, Room 818, Alexandria, VA 22302. Comments may also be submitted via email to [SNAPSAB@fns.usda.gov](mailto:SNAPSAB@fns.usda.gov). 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 responses to this notice will be summarized and included in the request for Office of Management and Budget approval. All comments will become a matter of public record.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of this information collection should be directed to Ralph Badette at 703–457–7717.

#### **SUPPLEMENTARY INFORMATION:**

*Title:* State Issuance and Participation Estimates.

*Form Number:* FNS–388 and FNS–388A.

*OMB Number:* 0584–0081.

*Expiration Date:* July 31, 2016.

*Type of Request:* Revision of a currently approved collection.

*Abstract:* Section 18(b) of the Food and Nutrition Act, (the Act) 7 U.S.C. 2027(b), limits the value of allotments paid to SNAP households to an amount not in excess of the appropriation for the fiscal year. If allotments in any fiscal year would exceed the appropriation, the Secretary of Agriculture is required to direct State agencies to reduce the value of SNAP allotments to the extent necessary to stay within appropriated funding limits. Timely State monthly issuance estimates are necessary for FNS to ensure that it remains within the appropriation. The estimates will also have a direct effect upon the manner in

which allotments would be reduced if necessary. While benefit reductions have never been ordered in the past under section 18(b) nor are they anticipated based on current data, the Department must continue to monitor actual program costs against the appropriation. The reporting burden for forms FNS–388 and FNS–388A was merged in 2015 with the burden for the Food Programs Reporting System (OMB control number 0584–0594, expiration date June 30, 2019). This 60-day notice serves to renew the recordkeeping burden only for these two forms.

Section 11(e)(12) of the Food and Nutrition Act, 7 U.S.C. 2020 (e)(12), requires that the State Plan of Operations provide for the submission of reports required by the Secretary of Agriculture. State agencies are required to report on a monthly basis on the FNS–388, State Issuance and Participation Estimates, estimated or actual issuance and participation data for the current month and previous month, and actual participation data for the second preceding month. The FNS–388 report provides the necessary data for an early warning system to enable the Department to monitor actual and estimated costs for all benefit types against the appropriation.

Disaster SNAP is authorized by sections 402 and 502 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 *et seq.*) and the temporary emergency provisions contained in Section 5 of the Food and Nutrition Act of 2008, and in 7 CFR part 280 of the SNAP regulations. State agencies may request FNS approval to operate a Disaster SNAP in an area that has received a Presidential declaration as a Major Disaster area eligible for Individual Assistance. In accordance with 7 CFR 274.4, State agencies shall keep records and report SNAP participation and issuance totals to FNS.

State agencies in general only submit one statewide FNS–388 per month, which covers benefits from their Electronic Benefit Transfer (EBT) system. The exception is State agencies that choose to operate an approved alternative issuance demonstration project such as a cash-out system submit a separate report for each additional type of issuance system. As a result of the reporting burden for these forms being merged with 0584–0594, the collective burden will be reduced by 5,187 hours. The remaining 17.28 hours represents the State recordkeeping burden for these forms. Per 7 CFR 272.1(f), State agencies are required to retain all records associated with the administration of SNAP for no less than