

# 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. FV96-981-1NC]

#### 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 Almonds Grown in California, Marketing Order 981.

**DATES:** Comments on this notice must be received by July 1, 1996, to be assured of consideration.

**ADDITIONAL INFORMATION OR COMMENTS:** Contact Kathleen M. Finn, Marketing Specialist, Marketing Order Administration Branch, Fruit and Vegetable Division, AMS, USDA, room 2530-S., P.O. Box 96456, Washington, DC 20090-6456; Tel: (202) 720-1509, Fax (202) 720-5698.

#### SUPPLEMENTARY INFORMATION:

*Title:* Almonds Grown in California, Marketing Order 981.

*OMB Number:* 0581-0071.

*Expiration Date of Approval:* August 31, 1996.

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

*Abstract:* Marketing order programs provide an opportunity for producers of fresh fruits, vegetables and specialty crops, in a specified production area, to work together to solve marketing problems that cannot be solved individually. Order regulations help

ensure adequate supplies of high quality product and adequate returns to producers. Under the Agricultural Marketing Agreement Act of 1937 (AMAA), as amended (7 U.S.C. 601-674), marketing order programs are established if favored in referendum among producers. The handling of the commodity is regulated. The Secretary of Agriculture is authorized to oversee the orders' operations and issue regulations recommended by a committee of representatives from each commodity industry.

The information collection requirements in this request are essential to carry out the intent of the AMAA, to provide the respondents the type of service they request, and to administer the California almond marketing order program, which has been operating since 1950.

The California almond marketing order authorizes the issuance of quality and market allocation regulations, as well as inspection requirements. Regulatory provisions apply to almonds shipped within and outside of the production area, except those specifically exempt. The order also has authority for production and marketing research and development projects, including paid advertising. Handlers who advertise may receive credit for their advertising expenses according to specific guidelines.

The order, and rules and regulations issued thereunder, authorize the Almond Board of California (Board), the agency responsible for local administration of the order, to require handlers and growers to submit certain information. Much of this information is compiled in aggregate and provided to the industry to assist in marketing decisions.

The Board has developed forms as a means for persons to file required information with the Board relating to almond supplies, shipments, dispositions, and other information needed to effectively carry out the purpose of the Act and order. As shipments of California almonds are normally year-round, these forms are utilized accordingly. A USDA form is used to allow growers to vote on amendments to or continuance of the marketing order. In addition, almond growers and handlers who are nominated by their peers to serve as

representatives on the Board must file nomination forms with the Secretary.

These forms require the minimum information necessary to effectively carry out the requirements of the order, and their use is necessary to fulfill the intent of the Act as expressed in the order.

The information collected is used only by authorized representatives of the USDA, including AMS, Fruit and Vegetable Division regional and headquarter's staff, and authorized employees of the Board. Authorized Board employees and the industry are the primary users of the information and AMS is the secondary user.

*Estimate of Burden:* Public reporting burden for this collection of information is estimated to average 0.2549 hours per response.

*Respondents:* California almond growers, handlers and accepted users of inedible almonds.

*Estimated Number of Respondents:* 7,658.

*Estimated Number of Responses per Respondent:* .7714.

*Estimated Total Annual Burden on Respondents:* 2,345 hours.

*Comments are invited on:* (1) Whether the proposed collection of information is necessary for the functioning of the California almond marketing order program and USDA's oversight of that program; (2) the accuracy of the collection burden estimate and the validity of methodology and assumptions used in estimating the burden on respondents; (3) ways to enhance the quality, utility, and clarity of the information requested; and (4) ways to minimize the burden, including use of automated or electronic technologies.

Comments should reference OMB No. 0581-0071 and the California Almond Marketing Order No. 981, and be sent to USDA in care of Kathleen Finn at the address above. 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 also become a matter of public record.

Dated: April 23, 1996.

Robert C. Keeney,

Director, Fruit and Vegetable Division.

[FR Doc. 96-10646 Filed 4-29-96; 8:45 am]

BILLING CODE 3410-02-P

[Docket No. STD-96-0002]

**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 (Pub. L. 104-13) and Office of Management and Budget (OMB) regulations at 5 CFR Part 1320 (60 FR 44978), this notice announces the Agricultural Marketing Service's (AMS) intention to request an extension for and revision to a currently approved information collection in support of its regulations, Recordkeeping Requirements for Certified Applicators of Federally Restricted Use Pesticides (7 CFR Part 110).

**DATES:** Comments on this notice must be received by July 1, 1996.

**FOR FURTHER INFORMATION CONTACT:** Bonnie Poli, Chief, Pesticide Records Branch, Science and Technology Division, AMS, 8700 Centreville Road, Suite 200, Manassas, VA 20110, (703) 330-7826.

**SUPPLEMENTARY INFORMATION:**

*Title:* Recordkeeping Requirements for Certified Applicators of Federally Restricted Use Pesticides.

*OMB Number:* 0581-0164.

*Expiration Date of Approval:* August 31, 1996.

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

*Abstract:* The regulations, "Recordkeeping Requirements for Certified Applicators of Federally Restricted Use Pesticides," require certified pesticide applicators to maintain records of federally restricted use pesticide applications for a period of 2 years. The regulations also provide for access to pesticide records or record information by Federal or State officials, or by licensed health care professionals when needed to treat an individual who may have been exposed to restricted use pesticides, and penalties for enforcement of the recordkeeping and access provisions.

The Food, Agriculture, Conservation, and Trade Act of 1990 (Pub. L. 101-624; 7 U.S.C. 136i-1), referred to as the FACT Act, directs and authorizes the Department to develop regulations which establish requirements for recordkeeping by all certified applicators of federally restricted use pesticides. A certified applicator is an

individual who is certified by the Environmental Protection Agency (EPA) or a State under cooperative agreement with EPA to use or supervise the use of restricted use pesticides.

Section 1491 of the FACT Act directs and authorizes the Secretary of Agriculture to ensure compliance with regulations as the Secretary may prescribe, including levying penalties, for failure to comply with such regulations.

Because this is a regulatory program with enforcement responsibility, USDA must ensure that certified applicators are maintaining restricted use pesticide application records for the 2 year period required by the FACT Act. To accomplish this, USDA must collect information through personal inspections of certified applicator's restricted use pesticide application records.

The information collected is used only by authorized representatives of the USDA (AMS, Science and Technology Division's national staff, other designated Federal employees, and designated State supervisors and their staffs), which are designated access to the record information through section 1491, subsection (b) of the FACT Act. The information is used to administer the Federal Pesticide Recordkeeping Program. The Agency is the primary user of the information, and the secondary user is each designated State agency which has a cooperative agreement with AMS.

*Estimate of Burden:* Public reporting burden for this collection of information is estimated as follows:

(a) Approximately 760,000 certified private applicators (recordkeepers) apply restricted use pesticides. It is estimated that on an average certified private applicators have a total annual burden of .35 hours per recordkeeper.

(b) There are approximately 384,000 certified commercial applicators nationally who are required to provide copies of restricted use pesticide application records to their clients. It is estimated that certified commercial applicators have a total annual burden of 1,892,352 hours.

(c) It is estimated that State agency personnel who work through cooperative agreements with AMS, to inspect certified private applicator's records have a total annual burden of 9,280 hours.

*Respondents:* Certified private and commercial applicators, State governments or employees, and Federal agencies or employees.

*Estimated Number of Respondents:* 1,144,064—The total number of respondents includes approximately

384,000 certified commercial applicators, 760,000 certified private applicators (recordkeepers) and designated state agency personnel utilized to inspect certified private applicator's records.

*Estimated Number of Responses per Respondent:* The estimated number of responses per respondent is as follows:

(a) It is estimated that certified private applicators (recordkeepers), record on an average 5 restricted use pesticide application records annually.

(b) It is estimated that certified commercial applicators provide 616 copies of restricted use pesticide records to their clients annually.

(c) State agency personnel, who work under cooperative agreements with AMS to conduct restricted use pesticide record inspections have approximately 4,832 responses annually.

*Estimated Total Annual Burden on Respondents:* 2,171,712 hours.

Copies of this information collection can be obtained from Bonnie Poli, Pesticide Records Branch, at (703) 330-7826.

*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 through the use of appropriate automated, electronic, mechanical, or other technological collection techniques, or other forms of information technology. Comments may be sent to: Bonnie Poli, Chief, Pesticide Records Branch, Science and Technology Division, AMS, U.S. Department of Agriculture, 8700 Centreville Rd, Suite 200, Manassas, VA 20110. All responses to this notice will be summarized and included in the request for OMB approval. All comments will also become a matter of public record.

Dated: April 24, 1996.

Lon Hatamiya,

Administrator.

[FR Doc. 96-10647 Filed 4-29-96; 8:45 am]

BILLING CODE 3410-02-P