

Dated: March 29, 2007.

Lloyd C. Day,

Administrator, Agricultural Marketing Service.

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## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

[Docket No. DA-07-04]

#### 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 report forms under the Federal milk marketing order program.

**DATES:** Comments on this notice must be received by June 4, 2007 to be assured of consideration.

**ADDRESSES:** Interested persons are invited to submit written comments on the Internet at <http://www.regulations.gov> or to the Office of the Deputy Administrator, Dairy Programs, AMS, USDA, 1400 Independence Avenue, SW., Room 2968 South, Stop 0225, Washington, DC 20250-0225. Comments should make reference to the date and page number of this issue of the **Federal Register**. All comments will be made available for public inspection in the above office during regular business hours.

**FOR FURTHER INFORMATION CONTACT:** Contact William F. Newell, Chief, Order Operations Branch, Dairy Programs, (202) 690-2375, FAX: (202) 720-2454.

**SUPPLEMENTARY INFORMATION:**

*Title:* Report Forms Under Federal Milk Orders (From Milk Handlers and Milk Marketing Cooperatives).

*OMB Number:* 0581-0032.

*Expiration Date of Approval:* September 30, 2007.

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

*Abstract:* Federal milk marketing order regulations authorized under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), require milk handlers to report in detail the receipts and utilization of milk and

milk products handled at each of their plants that are regulated by a Federal order. The data are needed to administer the classified pricing system and related requirements of each Federal order.

A Federal milk marketing order (hereinafter, Order) is a regulation issued by the Secretary of Agriculture that places certain requirements on the handling of milk in the area it covers. Each Order is established under the authority of the Act. The Order requires that handlers of milk for a marketing area pay not less than certain minimum class prices according to how the milk is used. These prices are established under each Order after a public hearing at which evidence is received on the supply and demand conditions for milk in the market. An Order requires that payments for milk be pooled and paid to individual farmers or cooperative associations of farmers on the basis of a uniform or average price. Thus, all eligible farmers (producers) share in the market wide use-values of milk by regulated handlers.

Milk Orders help ensure adequate supplies of milk and dairy products for consumers and adequate returns to producers.

The Orders also provide for the public dissemination of market statistics and other information for the benefit of producers, handlers, and consumers.

Formal rulemaking amendments to the Orders must be approved in referenda conducted by the Secretary.

During 2006, 52,725 dairy farmers delivered over 120 billion pounds of milk to handlers regulated under the milk orders. This volume represents 67 percent of all milk marketed in the U.S. and 68 percent of the milk of bottling quality (Grade A) sold in the country. The value of this milk delivered to Federal milk order handlers at minimum order blend prices was nearly \$16.0 billion. Producer deliveries of milk used in Class I products (mainly fluid milk products) totaled 45 billion pounds—38 percent of total producer deliveries. More than 239 million Americans reside in Federal milk order marketing areas—80 percent of the total U.S. population.

Each Order is administered by a market administrator who is an agent of the Secretary of Agriculture. The market administrator is authorized to levy assessments on regulated handlers to carry out the market administrator's duties and responsibilities under the Orders. Additional duties of the market administrators are to prescribe reports required of each handler, to assure that handlers properly account for milk and milk products, and to assure that such handlers pay producers and associations

of producers according to the provisions of the Order. The market administrator employs a staff that verifies handlers' reports by examining records to determine that the required payments are made to producers. Most reports required from handlers are submitted monthly to the market administrator.

The forms used by the market administrators are required by the respective Orders that are authorized by the Act. The forms are used to establish: The quantity of milk received by handlers, the pooling status of the handler, the class-use of the milk used by the handler, and the butterfat content and amounts of other components of the milk.

The forms covered under this information collection require the minimum information necessary to effectively carry out the requirements of the Orders, and their use is necessary to fulfill the intent of the Act as expressed in the Orders and in the rules and regulations issued under the Orders.

The information collected is used only by authorized employees of the market administrator and authorized representatives of the USDA, including AMS Dairy Programs' headquarters staff.

*Estimate of Burden:* Public reporting burden for this collection of information is estimated to average 1.07 hours per response.

*Respondents:* Milk handlers and milk marketing cooperatives.

*Estimated Number of Respondents:* 740.

*Estimated Number of Responses:* 20,565.

*Estimated Number of Responses per Respondent:* 28.

*Estimated Total Annual Burden on Respondents:* 21,818 hours.

*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.

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: March 29, 2007.

**Lloyd C. Day,**

*Administrator, Agricultural Marketing Service.*

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## DEPARTMENT OF AGRICULTURE

### Food Safety and Inspection Service

[Docket No. FSIS-2007-0012]

#### Risk-Based Inspection System

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

**ACTION:** Notice of public meetings on risk-based inspection

**SUMMARY:** The Food Safety and Inspection (FSIS) will hold a series of public meetings on specific topics relating to risk-based inspection in processing. The first meeting will focus on the algorithm that the Agency intends to use to compute risk-based inspection levels for processing establishments. A second meeting will address the issue of attributing illness to food. Production volume will be discussed at the third meeting, and industry data will be the focus of the fourth meeting. The expert elicitation process will be discussed at the fifth meeting.

**DATES:** FSIS will hold the meetings on the following dates:

*Monday, April 2, 2007 from 9 a.m. to 1 p.m.* The first meeting will focus on the algorithm the Agency intends to use to compute risk-based inspection levels for processing establishments.

*Thursday, April 5, 2007 from 8:30 a.m. to 4 p.m.* This meeting will discuss the issue of attributing illness to food.

*Wednesday, April 25, 2007 from 9 a.m. to 1 p.m.* Production volume will be discussed at the third meeting.

*Monday, April 30, 2007 from 9 a.m. to 1 p.m.* The topic of industry data is the focus of the fourth meeting. A technical meeting on the expert elicitation process is also planned as the fifth meeting. The date of this meeting will be announced at a later time. Any changes in meeting dates or times will be posted on the FSIS Web site at <http://www.fsis.usda.gov>.

**ADDRESSES:** The meetings will be held in Room 244 at George Mason University, 3401 N. Fairfax Drive, Arlington, VA 22201. Directions to the site, the agenda, and other meeting materials will be posted on the FSIS Web site at <http://www.fsis.usda.gov>.

All meetings will be accessible through conference call. Specific

information concerning connections and the telephone number will also be posted on the FSIS Web site. Members of the public should pre-register for the meetings (see Background). Online registration information is also located on the Web site.

FSIS welcomes comments on the topics to be discussed at the public meetings. An issue paper concerning the respective topics will be posted on the FSIS Web site, <http://www.fsis.usda.gov>, a week prior to each meeting, with the exception of the meeting on attribution. Comments may be submitted on the meeting topics by any of the following methods for 30 days from the date of completion of each public meeting:

- **Electronic mail:** An e-mail box has been established specifically for comments for RBI. Comments can be submitted to: [riskbasedinspection@fsis.usda.gov](mailto:riskbasedinspection@fsis.usda.gov).
- **Mail, including floppy disks or CD-ROMs:** Send to: Elynn Blumberg, USDA, FSIS, Aerospace Building, 3rd floor, room 405, 14th and Independence Avenue, SW., Washington, DC 20250.
- **Hand or courier-delivered items:** Deliver to: Elynn Blumberg at 901 D Street, SW., Washington, DC 20024. Have security guard call (202) 690-6520 in order to hand deliver items.
- **Facsimile:** Fax comments to: (202) 690-6519.

All submissions received must include the Agency name and docket number FSIS-2007-0012 and meeting topic. The comments also will be posted on the Agency's Web site at <http://www.fsis.usda.gov>.

#### FOR FURTHER INFORMATION CONTACT:

Sally Fernandez for meeting information at (202) 690-6524, Fax (202) 690-6519, or e-mail [sally.fernandez@fsis.usda.gov](mailto:sally.fernandez@fsis.usda.gov). Keith Payne for technical information at (202) 690-6522 or e-mail at [keith.payne@fsis.usda.gov](mailto:keith.payne@fsis.usda.gov). Persons requiring a sign language interpreter or other special accommodations should notify the Agency contacts no later than two weeks before the meeting, at the numbers above or by e-mail.

#### SUPPLEMENTARY INFORMATION:

##### Background

FSIS is the public health regulatory agency in the U.S. Department of Agriculture (USDA) responsible for ensuring that the nation's commercial supply of meat, poultry, and egg products is safe, wholesome, and correctly labeled and packaged.

To better address the food safety and public health challenges it faces, FSIS is working to make its inspection system more risk-based and to continue to implement science-based policies.

Although the Agency acknowledges that some types of meat and poultry products pose greater health risks than others, and some establishments control risks better than others, under the current system of processing inspection, a Consumer Safety Inspector visits every plant at least once every shift to perform a variety of verification procedures scheduled by the Performance Based Inspection System (PBIS.) PBIS schedules inspection procedures the same way in all processing plants, regardless of the particular food safety hazard associated with the products produced or processes performed at one plant versus another.

In July 2004, the Agency outlined the basic features of a predictive model that would permit FSIS to improve resource allocation by considering the inherent risks and risk control effectiveness of the meat and poultry establishments under Federal inspection. Since that time, FSIS has continued to develop and refine these ideas. In November 2005, FSIS addressed the National Advisory Committee on Meat and Poultry Inspection (NAMCPI) on Agency progress toward a Risk-Based Inspection System (RBIS). In May 2006, the Agency again addressed NAMCPI—this time on ideas the Agency has on measuring risk control effectiveness for RBI.

Reductions in the number of illnesses attributed to the consumption of adulterated meat and poultry products can be achieved by placing greater inspection and verification emphasis on establishments whose processes, owing to the nature and volume of their production, require greater control of the risks. FSIS believes that it can improve public health by focusing its efforts on processing establishments that produce products presenting high inherent risk and that are less effective in controlling risks. At the same time, FSIS can focus less on processing establishments that produce products that present low inherent risk and that exercise effective risk control. In both cases, establishments will continue to be inspected on a per shift basis, although the intensity of inspection will vary, depending on risk factors.

In October 2006, FSIS held a public meeting to present ideas about how the Agency can develop these measures for federally-inspected meat and poultry processing establishments and to accept stakeholder input.

This series of technical meetings that the Agency is announcing will address various dimensions of RBI and protecting public health, and FSIS is seeking input from all stakeholders on these matters. Prior to each meeting, FSIS will post on its Web site an issue