

# 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

### Submission for OMB Review; Comment Request

December 18, 2006.

The Department of Agriculture has submitted the following information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104-13. Comments regarding (a) Whether the 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 burden including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility and clarity of the information to be collected; (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 should be addressed to: Desk Officer for Agriculture, Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), [OIRA\\_Submission@OMB.EOP.GOV](mailto:OIRA_Submission@OMB.EOP.GOV) or fax (202) 395-5806 and to Departmental Clearance Office, USDA, OCIO, Mail Stop 7602, Washington, DC 20250-7602. Comments regarding these information collections are best assured of having their full effect if received within 30 days of this notification. Copies of the submission(s) may be obtained by calling (202) 720-8681.

An agency may not conduct or sponsor a collection of information unless the collection of information displays a currently valid OMB control number and the agency informs potential persons who are to respond to the collection of information that such persons are not required to respond to

the collection of information unless it displays a currently valid OMB control number.

### Forest Service

*Title:* National Visitor Use Monitoring, and Customer and Use Survey Techniques for Operations, Management, Evaluation, and Research.

*OMB Control Number:* 0596-0110.

*Summary of Collection:* The National Forest Management Act (NFMA) of 1976 and the Government Performance and Results Act of 1993 (GPRA) require a comprehensive assessment of present and anticipated uses, demand for and supply of renewable resources from the nation's public and private forests and rangelands. An important element in the reporting is the number of visits to National Forests and Grasslands, as well as to Wilderness Areas that the agency manages.

*Need and Use of the Information:* The Forest Service (FS) is required to report to Congress and others in conjunction with these legislated requirements as well as the use of appropriated funds. FS plans to collect information from a variety of National Forests and other recreation areas. The Customer and Use Survey Techniques for Operations, Management, Evaluation and Research (CUSTOMER) study combines several different survey approaches to gather data describing visitors to and users of public recreation lands, including their trip activities, satisfaction levels, evaluations, demographic profiles, trip characteristics, spending, and annual visitation patterns. FS will use face-to-face interviewing for collecting information on-site as well as written survey instruments to be mailed back by respondents. Information gathered through the various Customer modules has been and will continue to be used by planners, researchers, managers, policy analyst, and legislators in resource management areas, regional offices, regional research stations, agency headquarters, and legislative offices.

*Description of Respondents:* Individuals or households.

*Number of Respondents:* 69,900.

*Frequency of Responses:* Reporting; Quarterly; Annually.

*Total Burden Hours:* 9,910.

**Charlene Parker,**

*Departmental Information Collection Clearance Officer.*

[FR Doc. E6-21833 Filed 12-20-06; 8:45 am]

**BILLING CODE 3410-11-P**

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

[Docket No. FV-05-308]

### United States Standards for Grades of Pea Pods

**AGENCY:** Agricultural Marketing Service, USDA.

**ACTION:** Notice.

**SUMMARY:** The Agricultural Marketing Service (AMS) of the Department of Agriculture (USDA) is establishing voluntary United States Standards for Grades of Pea Pods. The standards will provide industry with a common language and uniform basis for trading, thus promoting the orderly and efficient marketing of pea pods.

**DATES:** *Effective Date:* January 22, 2007.

**FOR FURTHER INFORMATION CONTACT:**

Cheri L. Emery, Standardization Section, Fresh Products Branch, Fruit and Vegetable Programs, Agricultural Marketing Service, U.S. Department of Agriculture, 1400 Independence Ave., SW., Room 1661, South Building, Stop 0240, Washington, DC 20250-0240, (202) 720-2185, fax (202) 720-8871, or e-mail [Cheri.Emery@usda.gov](mailto:Cheri.Emery@usda.gov).

The United States Standards for Grades of Pea Pods are available either from the above address or by accessing the AMS, Fresh Products Branch Web site at: <http://www.ams.usda.gov/standards/stanfrfv.htm>.

**SUPPLEMENTARY INFORMATION:** Section 203(c) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1621-1627), as amended, directs and authorizes the Secretary of Agriculture, "To develop and improve standards of quality, condition, quantity, grade and packaging and recommend and demonstrate such standards in order to encourage uniformity and consistency in commercial practices." AMS is committed to carrying out this authority in a manner that facilitates the marketing of agricultural commodities and provides copies of official standards upon request. The United States

Standards for Grades of Fruits and Vegetables not connected with Federal Marketing Orders or U.S. Import Requirements, no longer appear in the Code of Federal Regulations, but are maintained by USDA, AMS, Fruit and Vegetable Programs.

AMS established the voluntary United States Standards for Grades of Pea Pods using the procedures that appear in part 36, title 7 of the Code of Federal Regulations (7 CFR part 36).

### Background

AMS developed a proposed U.S. Standards for Grades of Pea Pods. The proposal would establish U.S. Fancy and U.S. No. 1 "Grades," "Tolerances," and "Application of Tolerances" sections. Additionally, this proposal defines: "Injury," "Damage," "Serious Damage," and basic requirements.

On January 24, 2006, a notice was published in the **Federal Register** (71 FR 3817), requesting comments on proposed voluntary United States Standards for Grades of Pea Pods, with the comment period ending on March 27, 2006.

A request was received from a packer/shipper of pea pods, expressing the need for additional time to review the proposed U.S. Standards. The packer/shipper requested an extension to the comment period to allow them the opportunity to submit comments. After reviewing the request, AMS reopened and extended the comment period by publishing a notice in the **Federal Register**, May 22, 2006 (71 FR 29606), extending the period for comment to June 22, 2006.

AMS received one other response to the proposed standards. The comment was from an industry group representing about 90 percent of the fresh vegetables produced in California and Arizona. The association expressed support for the development of the standards for pea pods.

The comments are available by accessing the AMS, Fresh Products Branch Web site at: <http://www.ams.usda.gov/fv/fpbdoctlist.htm>.

Based on the comment received, specifically concerning the development of the standards and information gathered, AMS believes the standards will provide a common language for trading and promote the orderly and efficient marketing of pea pods. The official grades of pea pod lots covered by these standards will be determined by the procedures set forth in the Regulations Governing Inspection, Certification, and Standards of Fresh Fruits, Vegetables, and Other Products (Sec. 51.1 to 51.61).

The United States Standards for Grades of Pea Pods will be effective 30 days after publication of this notice in the **Federal Register**.

Authority: 7 U.S.C. 1621-1627.

Dated: December 15, 2006.

**Lloyd C. Day**,

*Administrator, Agricultural Marketing Service.*

[FR Doc. E6-21840 Filed 12-20-06; 8:45 am]

**BILLING CODE 3410-02-P**

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

[Docket No. TM-07-04]

#### Notice of Release of National Organic Program Noncompliance and Adverse Action Records

**AGENCY:** Agricultural Marketing Service, USDA.

**ACTION:** Notice.

**SUMMARY:** The U.S. Department of Agriculture's (USDA) Agricultural Marketing Service (AMS) is publishing this notice to inform accredited certifying agents and producers and handlers certified to the National Organic Program (NOP) of AMS' intention to release notices of noncompliance, and the identity of each entity which has been suspended or revoked, as well as the reasons for these actions. The release of these materials complies with the Freedom of Information Act (FOIA) in which any information that is not protected from disclosure by a FOIA exemption must be provided to the public.

#### FOR FURTHER INFORMATION CONTACT:

Mark Bradley, Associate Deputy Administrator, National Organic Program, 1400 Independence Avenue, SW., Room 4008-S, Ag Stop 0268, Washington, DC, 20250-0268; Telephone: (202) 720-3252; Fax: (202) 205-7808; e-mail: [mark.bradley@usda.gov](mailto:mark.bradley@usda.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Statutory Authority

This notice is issued under the FOIA as amended, 5 U.S.C. 552, and the Organic Foods Production Act (OFPA) of 1990, as amended, 7 U.S.C. 6501 *et seq.*

##### II. Background

On April 12, 2006, AMS received a FOIA request for notices of noncompliance and records of suspension and revocation of certification and accreditation issued pursuant to the NOP. The Agency

maintains the records sought by the FOIA requester pursuant to its administration of the OFPA.

The FOIA provides for any person to request and access federal agency records except for those records, or portions of records, which are protected by one of the nine exemptions under the FOIA. The records collected and maintained under the OFPA are not statutorily exempt from disclosure, and therefore in accordance with the FOIA and USDA's FOIA implementing regulations, 7 CFR part 1, AMS is required to release responsive records, or portions of responsive records, that are not protected from disclosure by any FOIA exemption.

### III. Action

Pursuant to 7 CFR 205.662, accredited certifying agents are obligated to issue noncompliance notifications, notices of suspension, and notices of revocation regarding NOP certification when circumstances warrant such action. Likewise, pursuant to 7 CFR 205.665, the NOP is obligated to issue notifications of noncompliance and notices of suspension and revocation of accreditation as warranted.

Some of the information contained in these notification letters, in particular those issued to certified operations, may contain confidential business information. Therefore, the agency will conduct a thorough review of those notification documents issued since implementation of the NOP on October 21, 2002, pursuant to 7 CFR 205.662 and 205.665, and in accordance with 5 U.S.C. 552(b)(4), withhold confidential commercial or financial information. Examples of the information which may appear in responsive records and that is subject to withholding include: Product formulations; supply sources; amount paid or owed in certification fees; sales volumes; yield quantities; amount of acreage planted to a specific crop or designated as pasture; the number of livestock units; the identity of an entity for which a private label is produced.

Dated: December 15, 2006.

**Lloyd C. Day**,

*Administrator, Agricultural Marketing Service.*

[FR Doc. E6-21838 Filed 12-20-06; 8:45 am]

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