

NOTICE OF OFFICE OF MANAGEMENT AND BUDGET ACTION

Date 04/23/2007

Department of Commerce  
National Oceanic and Atmospheric Administration  
FOR CERTIFYING OFFICIAL: Barry West  
FOR CLEARANCE OFFICER: Diana Hynek

In accordance with the Paperwork Reduction Act, OMB has taken action on your request received 04/23/2007

ACTION REQUESTED: Revision of a currently approved collection  
TYPE OF REVIEW REQUESTED: Regular  
ICR REFERENCE NUMBER: 200704-0648-003  
TITLE: Processed Products Family of Forms  
LIST OF INFORMATION COLLECTIONS: See next page

OMB ACTION: Approved without change  
OMB CONTROL NUMBER: 0648-0018

The agency is required to display the OMB Control Number and inform respondents of its legal significance in accordance with 5 CFR 1320.5(b).

EXPIRATION DATE: 04/30/2010

DISCONTINUE DATE:

BURDEN:	RESPONSES	HOURS	COSTS
Previous	1,400	680	0
New	1,402	681	0
Difference			
Change due to New Statute	0	0	0
Change due to Agency Discretion	2	1	0
Change due to Agency Adjustment	0	0	0
Change Due to Potential Violation of the PRA	0	0	0

TERMS OF CLEARANCE:

OMB Authorizing Official: John F. Morrall III  
Acting Deputy Administrator,  
Office Of Information And Regulatory Affairs

List of ICs

IC Title	Form No.	Form Name	CFR Citation
Processed Products Family of Forms	88-13, 88-13C	Fisheries Product Report, U.S. Processors Annual, Fishery Products Report_Fish Meal and Oil Monthly	
Hagfish shoreside processor reporting requirements	NOAA 88-13	Fishery Products Report	

# PAPERWORK REDUCTION ACT SUBMISSION

**Please read the instructions before completing this form. For additional forms or assistance in completing this form, contact your agency's Paperwork Clearance Officer. Send two copies of this form, the collection instrument to be reviewed, the supporting statement, and any additional documentation to: Office of Information and Regulatory Affairs, Office of Management and Budget, Docket Library, Room 10102, 725 17th Street NW, Washington, DC 20503.**

1. Agency/Subagency originating request	2. OMB control number <span style="float: right;">b. <input type="checkbox"/> None</span> a. _____ - _____
3. Type of information collection ( <i>check one</i> ) a. <input type="checkbox"/> New Collection b. <input type="checkbox"/> Revision of a currently approved collection c. <input type="checkbox"/> Extension of a currently approved collection d. <input type="checkbox"/> Reinstatement, without change, of a previously approved collection for which approval has expired e. <input type="checkbox"/> Reinstatement, with change, of a previously approved collection for which approval has expired f. <input type="checkbox"/> Existing collection in use without an OMB control number For b-f, note Item A2 of Supporting Statement instructions	4. Type of review requested ( <i>check one</i> ) a. <input type="checkbox"/> Regular submission b. <input type="checkbox"/> Emergency - Approval requested by _____ / _____ / _____ c. <input type="checkbox"/> Delegated
7. Title	5. Small entities Will this information collection have a significant economic impact on a substantial number of small entities? <input type="checkbox"/> Yes <input type="checkbox"/> No
8. Agency form number(s) ( <i>if applicable</i> )	6. Requested expiration date a. <input type="checkbox"/> Three years from approval date b. <input type="checkbox"/> Other Specify: _____ / _____
9. Keywords	10. Abstract
11. Affected public ( <i>Mark primary with "P" and all others that apply with "x"</i> ) a. ___ Individuals or households d. ___ Farms b. ___ Business or other for-profit e. ___ Federal Government c. ___ Not-for-profit institutions f. ___ State, Local or Tribal Government	12. Obligation to respond ( <i>check one</i> ) a. <input type="checkbox"/> Voluntary b. <input type="checkbox"/> Required to obtain or retain benefits c. <input type="checkbox"/> Mandatory
13. Annual recordkeeping and reporting burden a. Number of respondents _____ b. Total annual responses _____ 1. Percentage of these responses collected electronically _____ % c. Total annual hours requested _____ d. Current OMB inventory _____ e. Difference _____ f. Explanation of difference 1. Program change _____ 2. Adjustment _____	14. Annual reporting and recordkeeping cost burden ( <i>in thousands of dollars</i> ) a. Total annualized capital/startup costs _____ b. Total annual costs (O&M) _____ c. Total annualized cost requested _____ d. Current OMB inventory _____ e. Difference _____ f. Explanation of difference 1. Program change _____ 2. Adjustment _____
15. Purpose of information collection ( <i>Mark primary with "P" and all others that apply with "X"</i> ) a. ___ Application for benefits e. ___ Program planning or management b. ___ Program evaluation f. ___ Research c. ___ General purpose statistics g. ___ Regulatory or compliance d. ___ Audit	16. Frequency of recordkeeping or reporting ( <i>check all that apply</i> ) a. <input type="checkbox"/> Recordkeeping b. <input type="checkbox"/> Third party disclosure c. <input type="checkbox"/> Reporting 1. <input type="checkbox"/> On occasion 2. <input type="checkbox"/> Weekly 3. <input type="checkbox"/> Monthly 4. <input type="checkbox"/> Quarterly 5. <input type="checkbox"/> Semi-annually 6. <input type="checkbox"/> Annually 7. <input type="checkbox"/> Biennially 8. <input type="checkbox"/> Other (describe) _____
17. Statistical methods Does this information collection employ statistical methods <input type="checkbox"/> Yes <input type="checkbox"/> No	18. Agency Contact (person who can best answer questions regarding the content of this submission)  Name: _____ Phone: _____

## 19. Certification for Paperwork Reduction Act Submissions

On behalf of this Federal Agency, I certify that the collection of information encompassed by this request complies with 5 CFR 1320.9

**NOTE:** The text of 5 CFR 1320.9, and the related provisions of 5 CFR 1320.8(b)(3), appear at the end of the instructions. *The certification is to be made with reference to those regulatory provisions as set forth in the instructions.*

The following is a summary of the topics, regarding the proposed collection of information, that the certification covers:

- (a) It is necessary for the proper performance of agency functions;
- (b) It avoids unnecessary duplication;
- (c) It reduces burden on small entities;
- (d) It used plain, coherent, and unambiguous terminology that is understandable to respondents;
- (e) Its implementation will be consistent and compatible with current reporting and recordkeeping practices;
- (f) It indicates the retention period for recordkeeping requirements;
- (g) It informs respondents of the information called for under 5 CFR 1320.8(b)(3):
  - (i) Why the information is being collected;
  - (ii) Use of information;
  - (iii) Burden estimate;
  - (iv) Nature of response (voluntary, required for a benefit, mandatory);
  - (v) Nature and extent of confidentiality; and
  - (vi) Need to display currently valid OMB control number;
- (h) It was developed by an office that has planned and allocated resources for the efficient and effective management and use of the information to be collected (see note in Item 19 of instructions);
- (i) It uses effective and efficient statistical survey methodology; and
- (j) It makes appropriate use of information technology.

If you are unable to certify compliance with any of the provisions, identify the item below and explain the reason in Item 18 of the Supporting Statement.

Signature of Senior Official or designee

Date

Agency Certification (signature of Assistant Administrator, Deputy Assistant Administrator, Line Office Chief Information Officer, head of MB staff for L.O.s, or of the Director of a Program or StaffOffice)

Signature

Date

Signature of NOAA Clearance Officer

Signature

Date

**SUPPORTING STATEMENT  
PROCESSED PRODUCTS FAMILY OF FORMS  
OMB CONTROL NO.: 0648-0018**

**INTRODUCTION**

This submission requests Office of Management and Budget (OMB) clearance of a collection of information associated with the Atlantic hagfish fishery. Specifically, this clearance is for hagfish processor reporting requirements. Observer coverage and dealer permit requirements are being cleared under a new PRA clearance and will eventually be merged (with appropriate changes) with OMB Control No.: 0648-0202. Dealer reporting requirements will also be revised as a result of the hagfish information collection program and submitted for clearance under OMB Control No.: 0648-0229. This collection of information for the hagfish fishery is being proposed under the provisions of section 402(a) of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), which allows for the collection of information on a fishery prior to its regulation under a Fishery Management Plan (FMP). A request for an information collection on Atlantic hagfish was received by the New England Fishery Management Council (Council) on October 3, 2006. This collection of information may become permanent through the development and implementation of the Atlantic hagfish FMP.

This information collection fulfills the requirements under section 402(a) of the Magnuson-Stevens Act (U.S.C. 16 1881a). This data collection program would continue only until an FMP is implemented (presumably sometime in 2008), and would involve a limited number of processors that are new to this reporting requirement (i.e., there are 2 hagfish dealers known to participate in shoreside processing activities).

**A. JUSTIFICATION**

**1. Explain the circumstances that make the collection of information necessary.**

Under the Magnuson-Stevens Act, the Secretary of Commerce has responsibility for the conservation and management of marine fishery resources off the coast of the U.S. The majority of this responsibility has been delegated to the Regional Fishery Management Councils and National Oceanic and Atmospheric Administration (NOAA) Fisheries Service. The New England Council develops management plans for northeast fishery resources. In order to develop appropriate management measures and to better understand the various aspect of a fishery that has been unregulated, section 402(a) of the Magnuson-Stevens Act allows NOAA Fisheries Service to collect information prior to development and implementation of an FMP.

The Atlantic Hagfish fishery is an unregulated fishery that relies on revenues from the export of whole frozen hagfish product overseas, primarily in South Korea. In recent years, this fishery, which is prosecuted primarily off the coast of Gloucester, MA, has changed from an inshore fishery comprised of small vessels to an offshore fishery that consists of large vessels. According to reports from a two-day workshop that was held to elucidate the challenges in collecting information on this fishery, the reason for this change in the way the fishery is being conducted is that the fishery has been fished-down in nearshore waters necessitating movement to areas not historically harvested for hagfish.

A control date of August 28, 2002, has been reaffirmed to forewarn participants that the Council and NOAA Fisheries Service will be considering the management of hagfish in the future. The Council has decided to prioritize the management of hagfish and to begin development of an FMP in 2007. The Northeast Regional Offices' Fisheries Statistics Office (FSO) determined through their research of this fishery that five vessels on the U.S. eastern seaboard participate in the hagfish fishery, and all these vessels are currently required to provide catch information on their Fishing Vessel Trip Reports (FVTRs) (i.e., they have other Federal fisheries permits that require catch reporting). Thus, their landings information is captured in existing databases. In addition, due to a relative equilibrium between supply and demand—the driving force being a South Korean market for hagfish meat, there is a stability in terms of participation in the NE hagfish fisheries that will likely remain unchanged. However, while the market forces are understood, there remains an inability to verify the vessel information that is recorded by way of FVTRs—while one dealer/processor is reporting its processing activities on the annual reports there is another dealer/processor that is not currently required to participate in the annual survey of seafood processors. Therefore, the information collection will begin to capture dealer/processor information to gain a better understanding of this fishery and its operations at the vessel and dealer level. Dealer permits, dealer reporting requirements, and observer coverage will also be required for dealers and vessel owners/operators who participate in the hagfish fishery (these are being cleared under separate PRA clearances). This information collection should enable the Council to proceed with development of a management plan for hagfish.

Section 303(a)(5) of the Magnuson-Stevens Act specifically identifies the kinds of data to be collected for FMPs. Data from the annual seafood processors survey are used in economic analyzes to estimate the capacity and extent of which U.S. fish processors, on an annual basis, will process that portion of the optimum yield harvested by domestic fishing vessels. Employment data are used in socioeconomic analyzes for determining potential impacts on processing employment due in part to management measures.

**2. Explain how, by whom, how frequently, and for what purpose the information will be used. If the information collected will be disseminated to the public or used to support information that will be disseminated to the public, then explain how the collection complies with all applicable Information Quality Guidelines.**

National Marine Fisheries Service (NMFS) and Regional Council economists use the data on volume and value to estimate processing capacity and to forecast and subsequently measure the economic impact of fishery management regulations on fish and shellfish supplies. The employment data are used to analyze the seasonality of a specific fishery. The data are also used for establishing negotiating positions on international trade by determining which seafood industries might be adversely affected by reducing or eliminating established tariffs.

It is anticipated that the information collected would be disseminated to the public or used to support publicly disseminated information. As explained in the preceding paragraphs, the information gathered has utility. NOAA Fisheries would retain control over the information and safeguard it from improper access, modification, and destruction, consistent with NOAA standards for confidentiality, privacy, and electronic information. See response #10 of this Supporting Statement for more information on confidentiality and privacy. The information collection is designed to yield data that meet all applicable information quality guidelines. Prior

to dissemination, the information would be subjected to quality control measures and a pre-dissemination review pursuant to Section 515 of Public Law 106-554.

**3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological techniques or other forms of information technology.**

In the current survey, NMFS provides each processor a unique pre-printed form that includes the products produced by the processor in the previous year. Processors have the option to use a web-based application that allows them to submit the data electronically. The processor only needs to fill in the quantities and value, and add any new products, before returning the form.

**4. Describe efforts to identify duplication.**

NOAA Fisheries Service is aware of all related fishery management activities and since the hagfish fishery is currently an unregulated fishery, these requirements do not duplicate any in existence.

**5. If the collection of information involves small businesses or other small entities, describe the methods used to minimize burden.**

The proposed collection of information requirements will not have a significant impact on small entities. Only the minimum data to meet the requirements of the above identified data needs are requested from all participants. Since all of the respondents are considered small businesses, separate requirements based on size of business have not been developed.

Processor reports will also be available to download on-line to aid in convenience of submission.

**6. Describe the consequences to the Federal program or policy activities if the collection is not conducted or is conducted less frequently.**

The reporting requirements to be implemented through the hagfish information collection pilot project are intended to improve upon the quality and quantity of information currently available on hagfish fishing operations. Specifically, the information provided by hagfish information collection pilot program participants (shoreside processors in this case) would help NOAA Fisheries and the Council tailor future hagfish management measures to reflect the unique aspects of this fishery and its interaction with other Federally-managed fisheries. Without this information, management measures may not capture accurately the geographic and seasonal aspects of this fishery, which help to characterize its demand in overseas markets and ensure that it may be sustained in future years. Increased knowledge of this fishery may also help managers and scientists understand the factors that may have contributed to this species' localized depletion. Localized depletion if left to continue may lead to negative economic impacts, as well overall depletion of the species.

**7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines.**

There are no special circumstances associated with this proposed rule that would require the collection of information to be conducted in a manner inconsistent with OMB guidelines.

**8. Provide a copy of the PRA Federal Register notice that solicited public comments on the information collection prior to this submission. Summarize the public comments received in response to that notice and describe the actions taken by the agency in response to those comments. Describe the efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.**

At the September 2006 Council meeting, the Council voted to recommend that NOAA Fisheries Service conduct a pilot information collection program on hagfish. In addition, NOAA Fisheries Service received feedback from industry representatives on the fishery's current operations and in doing so they helped contribute to the development of the proposed information collection requirements. The information collections contained in this submission are part of a proposed rule, RIN 0648-AU80, scheduled to publish in October 2006. Once public comments have been considered, a final rule outlining the measures that would be implemented, as modified by public comment, would be published in the Federal Register.

**9. Explain any decisions to provide payments or gifts to respondents, other than remuneration of contractors or grantees.**

Neither payments, nor gifts are given to the respondents of this information collection.

**10. Describe any assurance of confidentiality provided to respondents and the basis for assurance in statute, regulation, or agency policy.**

All data would be handled in accordance with NOAA Administrative Order 216-100, Confidentiality of Fisheries Statistics, and would not be released for public use except in aggregate statistical form (and without identifying the source of data, i.e., vessel name, owner, etc.). In addition, any information submitted in support of the Hagfish Information Collection Pilot Program implemented by NOAA Fisheries Service, would be considered confidential and would not be disclosed except as provided in section 402(b) of the Magnuson-Stevens Act.

**11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.**

There are no questions of a sensitive nature.

**12. Provide an estimate in hours of the burden of the collection of information.**

A summary of this burden estimate can be found in Table 1.

There are approximately 2 active participants in the hagfish fishery that would be subject to the information collection's shoreside processor reporting requirements. The annual time associated with the processor reporting requirement is 1.00 hr (2 respondents x 30 minutes/response).

**13. Provide an estimate of the total annual cost burden to the respondents or record-keepers resulting from the collection (excluding the value of the burden hours in #12 above).**

There are no start-up, capital, or maintenance costs associated with this collection. No new or specialized equipment is needed to respond to this collection. The forms are provided with postage-fee envelopes.

**14. Provide estimates of annualized cost to the Federal government.**

A summary of the annualized cost to the Federal Government associated with this collection of information can be found in Table 1.

The estimated Cost to Government is \$10.14

Estimated Cost of Printing: 2 forms at 4 cents per copy = \$0.08

Estimated Cost of Mailing: 2 forms at \$0.78 cents total = \$1.56

Estimated Staff Support: 0.5 hours at GS 7/1 salary (\$17.00/hour) = \$8.50

**15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB 83-I.**

Two additional processors are to be included in this information collection, adding two responses and one burden hour annually. There are no additional costs.

**16. For collections whose results will be published, outline the plans for tabulation and publication.**

Results from this collection may be used in scientific, management, technical or general informational publications such as Fisheries of the United States, which follows prescribed statistical tabulations and summary table formats and the annual Stock Assessment, and Fishery Evaluation (SAFE) Report prepared by the Council for the hagfish fishery. Data are available to the general public on request in summary form only; data are available to NOAA Fisheries Service employees in detailed form on a need-to-know basis only.

**17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons why display would be inappropriate.**

All forms will display the OMB control number and expiration date along with information relevant to the Paperwork Reduction Act of 1995.

**18. Explain each exception to the certification statement identified in Item 19 of the OMB 83-I.**

All instances of this submission comply with 5 CFR 1320.9.

**B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS**

**1. Describe (including a numerical estimate) the potential respondent universe and any sampling or other respondent selection method to be used. Data on the number of entities (e.g. establishments, State and local governmental units, households, or persons) in the universe and the corresponding sample are to be provided in tabular form. The tabulation must also include expected response rates for the collection as a whole. If the collection has been conducted before, provide the actual response rate achieved.**

The census of seafood processors (currently estimated at 1322) is based on known firms that responded in previous years with the addition of newly established firms identified by local agency personnel. Agency personnel review local trade directories and state licensing agencies to develop potential new contacts. New firms are provided a survey form and instructions for completing the survey. Lists of firms that are reported to have ceased operation are reviewed to establish certainty that a new company has not opened up in the same location. There have been cases in which a firm ceased operation for a year due to raw supply sourcing only to reopen in a subsequent year.

**2. Describe the procedures for the collection, including: the statistical methodology for stratification and sample selection; the estimation procedure; the degree of accuracy needed for the purpose described in the justification; any unusual problems requiring specialized sampling procedures; and any use of periodic (less frequent than annual) data collection cycles to reduce burden.**

No statistical stratification is employed in the census.

**3. Describe the methods used to maximize response rates and to deal with nonresponse. The accuracy and reliability of the information collected must be shown to be adequate for the intended uses. For collections based on sampling, a special justification must be provided if they will not yield "reliable" data that can be generalized to the universe studied.**

Approximately 50 percent of the survey forms are returned within a month of the initial mailing conducted in January. A second mailing to non-respondents is conducted in late February with follow-up calls initiated within 2 weeks to provide plant managers the option of providing the information over the phone or to ascertain if there is a problem. By late April, 85 percent of the surveyed firms have responded. In many cases the plant may not have been operational due to the seasonality of a fishery. The remaining 15 percent of non-respondents are contacted once again with a usual follow-up visit as time allows. On average, the final response rate by the end of September is 95 to 98 percent. In many cases the non-respondents are firms that have gone out of business, have merged with another firm, or have changed their business practice and are no longer considered to be a processing facility.

Federally permitted dealers in the Northeast Region are required to submit a completed survey.

*The regional permit office notifies a firm that fails to respond that their permit renewal will be held in abeyance or if necessary an existing permit may be revoked.*

Many of the processing facilities have a long-standing relationship with local NOAA Fisheries Service personnel conducting the survey. When necessary, NOAA Fisheries Service personnel may visit the plant to review a respondents completed survey or to assist in completing the survey.

NMFS personnel work closely with national, regional, and state industry trade associations. Periodically, personnel hold discussions with industry leaders to describe the necessity of their members to provide the information. Personnel also meet with industry members at both local and national trade shows to review new types of products that are being developed for inclusion in the survey.

**4. Describe any tests of procedures or methods to be undertaken. Tests are encouraged as effective means to refine collections, but if ten or more test respondents are involved OMB must give prior approval.**

The census has been conducted in the same manner for the past 20 years. No test has been conducted recently.

**5. Provide the name and telephone number of individuals consulted on the statistical aspects of the design, and the name of the agency unit, contractor(s), grantee(s), or other person(s) who will actually collect and/or analyze the information for the agency.**

Regional agency personnel conduct the census. Personnel at headquarters conduct tabulations of the data (contact: Steven Koplín, 301-713-2328).

**Table 1. Calculation of Public and Federal Estimate of Reporting Burden Hours and Costs.**

Requirement	# of Entities	Items Per Entity	Total # of Items	Response Time	Total Burden (Hours)	Cost to:	
						Public (labor)	Govt.
<b>Shoreside Processor Report— NOAA Form 88-13</b>							
Year 1            FY 2007	2	1	2	30 min.	1.00	\$0.00	\$10.00
Year 2            FY 2008	2	1	2	30 min.	1.00	\$0.00	\$10.00
Year 3            FY 2009	2	1	2	30 min.	1.00	\$0.00	\$10.00
<b>3 Year Average Burden</b>	<b>2</b>	<b>1</b>	<b>2</b>	30 min.	<b>1.00</b>	<b>\$0.00</b>	<b>\$10.00</b>
<b>Total</b>	<b>2</b>		<b>2</b>		<b>1.00</b>	<b>\$0.00</b>	<b>\$10.00</b>

Your cooperation is needed to make the results of this survey comprehensive, accurate, and timely and may increase the profitability of your business. Individual reports are confidential and only summary totals are published. This report is authorized by law, 16 U.S.C. 1854(e).

Form Approved OMB No. 0648-0018  
Expires: 05-31-09

YEAR		NOAA FORM 88-13 (REV 10/95)	U.S. DEPARTMENT OF COMMERCE NOAA-NMFS	<b>ARE YOU A:</b>
REGION		<b>FISHERY PRODUCTS REPORT U. S. PROCESSORS, ANNUAL</b>		PROCESSOR
STATE				WHOLESALER (Does Not Process)
PLANT NO.				COLD STORAGE
COUNTY				OTHER:

COMPANY PHONE \_\_\_\_\_ COMPANY FAX \_\_\_\_\_

MAIL ADDRESS \_\_\_\_\_

PLANT ADDRESS \_\_\_\_\_

**EMPLOYMENT DATA  
TO BE COMPLETED BY ALL FIRMS OR PLANTS**

**NOTE:** LIST BY MONTH THE NUMBER OF PERSONS WORKING AT THIS ESTABLISHMENT DURING THE PAYROLL PERIOD THAT INCLUDED THE 12TH OF THE MONTH.

JAN	FEB	MAR
APR	MAY	JUN
JUL	AUG	SEP
OCT	NOV	DEC
REPORT PREPARED BY _____		TITLE _____

	FOR NMFS USE	UNIT	QUANTITY	VALUE FOB PLANT	CHECK
FRESH SEAFOOD					/////
					/////
FROZEN SEAFOOD					/////
					/////
					/////

NEW PRODUCTS (1)	FOR NMFS USE	UNIT	QUANTITY	VALUE FOB PLANT	CHECK
1) SPECIFY: FRESH, FROZEN, CURED or INDUSTRIAL					

IF MORE LINES ARE NEEDED FOR PRODUCTS OTHER THAN CANNED, CONTINUE BELOW OR AFTER CANNED ENTRY LINES

CANNED SEAFOOD (1)	FOR NMFS USE	UNIT	OUNCES	PACK	# OF CASES	VALUE FOB PLANT
1) ANY PRODUCT RETORTED UNDER PRESSURE; RIGID OR POUCH CONTAINER						
		CS				
		CS				
		CS				
		CS				

**Excerpts from Magnuson-Stevens Fishery Conservation and Management Act,  
Public Law 94-265, as amended through October 11, 1996**

**J.Feder version (12/19/96)**

**104-297**

**SEC. 402. INFORMATION COLLECTION<sup>7</sup> 16 U.S.C. 1881a**

**(a) COUNCIL REQUESTS.**--If a Council determines that additional information (other than information that would disclose proprietary or confidential commercial or financial information regarding fishing operations or fish processing operations) would be beneficial for developing, implementing, or revising a fishery management plan or for determining whether a fishery is in need of management, the Council may request that the Secretary implement an information collection program for the fishery which would provide the types of information (other than information that would disclose proprietary or confidential commercial or financial information regarding fishing operations or fish processing operations) specified by the Council. The Secretary shall undertake such an information collection program if he determines that the need is justified, and shall promulgate regulations to implement the program within 60 days after such determination is made. If the Secretary determines that the need for an information collection program is not justified, the Secretary shall inform the Council of the reasons for such determination in writing. The determinations of the Secretary under this subsection regarding a Council request shall be made within a reasonable period of time after receipt of that request.