

date, valuable information possible. The following recommendations are designed to identify straightforward, simple steps that OIRA, RISC, and rulemaking agencies can take to enhance the predictive accuracy of the Unified Agenda and ensure that it remains a valuable resource for regulators, stakeholders, and the general public.

#### Recommendation

1. Federal agencies should take steps to provide on their Web sites and/or, where appropriate, through other media, periodic updates concerning rulemaking developments outside of the semiannual reporting periods connected with the Unified Agenda. These periodic updates would likely focus primarily on concrete actions undertaken in connection with particular rules (e.g., noting if a rule has been issued since the last Agenda), but could also include changes regarding rules still under development (e.g., revisions to predicted issuance dates or significance classification). Each agency's Unified Agenda entry should include a notice of where information about updates can be found; if updates are published on the agency's Web site, a link to the appropriate Web pages should be included in the Unified Agenda. OIRA and RISC should also facilitate sharing among agencies of best practices for providing periodic, digital updates on rulemaking developments.

2. OIRA and RISC should provide a mechanism for linking the information contained in the Unified Agenda and other regulatory data systems (e.g., the **Federal Register** and other parts of ROCIS) that would, where feasible, enable the Agenda information to be updated automatically. For example, if the Unified Agenda indicates that a proposed rule is forthcoming, and that rule is published in the **Federal Register** months before the next edition of the Agenda is issued, the **Federal Register** entry should result in an automatic update to the Agenda.

3. Federal agencies should not keep regulations that are still under active development in a "pending" category. The "pending" category should be included in the published Unified Agenda. OIRA should define the criteria distinguishing between "long term" and "pending" actions.

4. In instances in which a Unified Agenda entry has been in the "proposed rule" or "final rule" stage for three or more Agendas in a row, the agency should reexamine the entry to determine whether action on it is likely in the twelve months after the publication of the most recent Agenda. If not, the agency should reclassify the entry as a "long-term" action or, if the regulatory action is no longer in development, remove it from the Unified Agenda entirely, with the notation described in recommendation 7. If the agency is uncertain as to whether the proposed or final rule might be issued within twelve months, it should provide, where appropriate, an explanation in the associated Agenda entry.

5. To the extent feasible, agencies should ensure that any regulatory actions that are likely to occur in the ensuing twelve months (e.g., hearings or proposed or final rules) are included in the appropriate active "Stage of

Rulemaking" category (i.e., the "prerule," "proposed rule," or "final rule" stage), rather than in the "long-term" action category. Long-term actions are intended to reflect items that are under development but for which the agency does not expect to undertake a regulatory action in the twelve months after the publication of the most recent Agenda.

6. In instances in which a Unified Agenda entry has been in the "long-term" category for an extended period of time, the agency should reexamine the entry to ensure that it is still under development. If not, the agency should remove the entry from the Unified Agenda, with the notation described in recommendation 7.

7. Unified Agenda entries that have previously appeared in the Agenda should not simply disappear in the next edition. When an agency determines that it no longer intends to pursue any additional rulemaking activity with respect to such an entry, the agency should reclassify the entry as completed and indicate how the action was completed.

8. For rules expected to be jointly issued by more than one agency, the agencies should strive to ensure that the descriptive information provided in the Unified Agenda, including the timing of the rule's issuance and its classification as a "significant" or "major" regulatory action, is accurate across all of the agencies' entries. To the extent possible, OIRA and RISC should encourage agencies to publish a single Agenda entry for the joint rule. Where this is not possible, each agency's Unified Agenda entry should include a link to the other associated entry or entries.

9. At present, the Regulatory Flexibility Act (RFA) elements of the Unified Agenda and associated materials are ambiguous, making it difficult for agencies to know how to respond. For example, it is currently unclear if agencies should indicate whether an upcoming regulatory action is expected to have a significant economic impact on a substantial number of small entities or whether some type of RFA analysis will be conducted. OIRA should change the wording of the RFA elements in the Unified Agenda and associated materials to reflect the intent more clearly and should provide guidance to agencies to ensure that the meaning is clear.

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## DEPARTMENT OF AGRICULTURE

### Submission for OMB Review; Comment Request

June 22, 2015.

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.

Comments regarding this information collection received by July 27, 2015 will be considered. Written comments should be addressed to: Desk Officer for Agriculture, Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), New Executive Office Building, 725-17th Street NW., Washington, DC 20502. Commenters are encouraged to submit their comments to OMB via email to: [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. Copies of the submission(s) may be obtained by calling (202) 720-8958.

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.

### Animal Plant and Health Inspection Service

*Title:* Emergency Management Response System (EMRS).

*OMB Control Number:* 0579-0071.

*Summary of Collection:* The Animal Health Protection Act (AHPA) of 2002 is the primary Federal law governing the protection of animal health. The law gives the Secretary of Agriculture broad authority to detect, control, or eradicate pests or diseases of livestock or poultry. The Secretary may also prohibit or restrict import or export of any animal or related material if necessary to prevent the spread of any livestock or poultry pest or disease. Through the Foreign Animal Disease Surveillance Program, the Animal and Plant Health Inspection Service (APHIS) Veterinary Services compiles essential epidemiological and diagnostic data that are used to define foreign animal diseases (FAD) and their risk factors. The data is compiled through the

Veterinary Services Emergency Management Response System, a web-based database for reporting investigations of suspected FAD occurrences.

*Need and Use of the Information:*

APHIS collects information such as the purpose of the diagnostician's visit to the site, the name and address of the owner/manager, the type of operation being investigated, the number of and type of animals on the premises, whether any animals have been moved to or from the premises and when this movement occurred, number of sick or dead animals, the results of physical examinations of the affected animals, the results of postmortem examinations, and the number and kinds of samples taken, and the name of the suspected disease. APHIS uses the collected information to effectively prevent FAD occurrences and protect the health of the United States. Without the information, APHIS has no way to detect and monitor FAD outbreaks in the United States.

*Description of Respondents:* Business or other for-profit State, Local or Tribal Government.

*Number of Respondents:* 831.

*Frequency of Responses:* Reporting: On occasion.

*Total Burden Hours:* 3,516.

#### **Animal and Plant Health Inspection Service**

*Title:* Importation of Fruits and Vegetables.

*OMB Control Number:* 0579-0264.

*Summary of Collection:* Under the Plant Protection Act (7 U.S.C. 7701-7772), the Secretary of Agriculture is authorized to regulate the importation of plants, plant products, and other articles to prevent the introduction of injurious plant pests. Regulations contained in Title 7 of the Code of Federal Regulations, part 319 (Subpart-Fruit and Vegetables), sections 319.56 *et seq.* implement the intent of this Act by prohibiting or restricting the importation of certain fruits and vegetables into the United States from certain parts of the world to prevent the introduction and dissemination of fruit flies and other injurious plant pests that are new to the United States or not widely distributed within the United States. These regulations are enforced by the Plant Protection and Quarantine, a program with USDA's Animal and Plant Health Inspection Service (APHIS).

*Need and Use of the Information:* The use of certain information collection activities including phytosanitary certificates, trapping records, and cooperative agreements will be used to

allow the entry of certain fruits and vegetables into the United States. Without the information all shipment would need to be inspected very thoroughly, thereby requiring considerably more time and would slow the clearance of international shipments.

*Description of Respondents:* Business or other for-profit; Federal Government.

*Number of Respondents:* 65.

*Frequency of Responses:*

Recordkeeping; Reporting: On occasion.

*Total Burden Hours:* 239.

**Ruth Brown,**

*Departmental Information Collection Clearance Officer.*

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## **DEPARTMENT OF AGRICULTURE**

### **Submission for OMB Review; Comment Request**

June 22, 2015.

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* 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) 720-8958.

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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.

#### **Food Safety and Inspection Service**

*Title:* Professional Services to Support Requirements Gathering Sessions for Safe Food Handling.

*OMB Control Number:* 0583-New.

*Summary of Collection:* The Food Safety and Inspection Service (FSIS) has been delegated the authority to exercise the functions of the Secretary of Agriculture (7 CFR 2.18, 2.53) as specified in the Federal Meat Inspection Act and the Poultry Products Inspection Act (21 U.S.C. 453 *et seq.*, 601 *et seq.*). FSIS protects the public by verifying that meat and poultry products are wholesome, not adulterated, and properly marked, labeled, and packaged. The FSIS Office of Public Affairs and Consumer Education (OPACE) ensures that all segments of the farm-to-table chain receive valuable food safety information. Through its consumer education programs developed by OPACE's Food Safety Education Staff, the public is educated on how to safely handle, prepare, and store meat, poultry, and egg products to minimize incidence of foodborne illness. Safe-handling instructions (SHI) are required on a product if the product's meat or poultry component is raw or partially cooked (*i.e.*, not considered ready-to-eat) and if the product is destined for household consumers or institutional uses (9 CFR 317.2(1) [meat]; 9 CFR 381.125(b) [poultry]).

*Need and Use of the Information:*

FSIS has contracted with RTI International to conduct six consumer focus groups to gather information on consumers' understanding and use of the current SHI and responses to possible revisions to the SHI. Participants will be asked to complete pre- and post-discussion questionnaires. The purpose of each questionnaire is to collect information on participants' current awareness and use of the SHI and the likelihood they would change their behaviors if the SHI label is revised. FSIS will use the findings of the focus groups to understand consumers' knowledge and use of the current SHI for raw and partially cooked meat and poultry products and consumers' responses to possible revisions to the SHI. The lack of understanding would impede the Agency's ability to provide more useful information to consumers to help reduce foodborne illness in the United States.