DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[Docket No. APHIS–2017–0003]

Notice of Request for Reinstatement of an Information Collection; Federal Plant Pest and Noxious Weeds Regulations

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Reinstatement of an information collection; comment request.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces the Animal and Plant Health Inspection Service’s intention to request the reinstatement of an information collection associated with the Federal plant pest and noxious weeds regulations.

DATES: We will consider all comments that we receive on or before April 14, 2017.

ADDRESSES: You may submit comments by either of the following methods:

• Postal Mail/Commercial Delivery: Send your comment to Docket No. APHIS–2017–0003, Regulatory Analysis and Development, PPD, APHIS, Station 3A–03.8, 4700 River Road Unit 118, Riverdale, MD 20737–1238.

Supporting documents and any comments we receive on this docket may be viewed at http://www.regulations.gov/#docketDetail=D=APHIS-2017–0003 or in our reading room, which is located in Room 1141 of the USDA South Building, 14th Street and Independence Avenue SW., Washington, DC. Normal reading room hours are 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. To be sure someone is there to help you, please call (202) 799–7039 before coming.

FOR FURTHER INFORMATION CONTACT: For information regarding the Federal plant pest and noxious weeds regulations, contact Dr. Colin D. Stewart, Assistant Director, Pests, Pathogens, and Biocontrol Permits Branch, Plant Health Programs, PPQ, APHIS, 4700 River Road Unit 133, Riverdale, MD 20737–1236; (301) 851–2237. For copies of more detailed information on the information collection, contact Ms. Kimberly Hardy, APHIS’ Information Collection Coordinator, at (301) 851–2483.

SUPPLEMENTARY INFORMATION:

Title: Federal Plant Pest and Noxious Weeds Regulations

OMB Control Number: 0579–0054.

Type of Request: Reinstatement of an information collection.

Abstract: The Plant Protection Act (the Act, 7 U.S.C. 7701 et seq.) authorizes the Secretary of Agriculture to restrict the importation, entry, exportation, or interstate movement of plants, plant products, biological control organisms, noxious weeds, articles, or means of conveyance, if the Secretary determines that the prohibition or restriction is necessary to prevent the introduction of plant pests or noxious weeds into the United States or their dissemination within the United States. The associated regulations that were issued by the Animal and Plant Health Inspection Service (APHIS) are located in 7 CFR parts 330 and 360.

These regulations contain information collection activities that include, but are not limited to, applications, including applications for permits to import regulated articles (e.g., plant pests, noxious weeds, or soil) or to move regulated articles interstate; labels; compliance agreements; and appeal, denial, and cancellation of permits. These information collection activities allow APHIS to evaluate the risks associated with the importation or interstate movement of plant pests, noxious weeds, and soil, and also assists with developing risk mitigations, if necessary, for the importation or interstate movement of plant pests, noxious weeds, and soil.

We are asking the Office of Management and Budget (OMB) to approve our use of these information collection activities for 3 years.

The purpose of this notice is to solicit comments from the public (as well as affected agencies) concerning our information collection. These comments will help us:

(1) Evaluate 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;

(2) Evaluate the accuracy of our estimate of the burden of the collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, through use, as appropriate, of automated, electronic, mechanical, and other collection technologies; e.g., permitting electronic submission of responses.

Estimate of burden: The public reporting burden for this collection of

persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.

Animal and Plant Health Inspection Service

Title: Importation of Fresh Bananas from the Philippines into the Continental United States.

OMB Control Number: 0579–0394.

Summary of Collection: Under the Plant Protection Act (7 U.S.C. 7701 et seq.), the Secretary of Agriculture is authorized to carry out operations or measures to detect, eradicate, suppress, control, prevent, or retard the spread of plant pests new to the United States or not known to be widely distributed throughout the United States. The regulations in “Subpart-Fruit and Vegetables” (7 CFR 319.56, referred to as the regulations) prohibit or restrict the importation of fruits and vegetables into the United States from certain parts of the world to prevent the introduction and dissemination of plant pests that are new to or not widely distributed within the United States.

Need and Use of the Information: The Animal and Plant Health Inspection Service (APHIS) uses the following information collection activities to allow the import of fresh bananas from the Philippines into the continental United States in accordance with the requirements which will restrict any plant pests from entering the United States: (1) Bilateral Workplan; (2) Production Site Registration; (3) Monitoring and Oversight; (4) Maintain All Forms and Documents that Include Fruit Fly Detections and Updating Records; (5) Carton Marking with Production Site Number; (6) Hard Green Stage Harvest Certification; (7) Investigations; (8) Fruit Fly Trapping for Low Pest Prevalence; (9) Shipping Documents; and (10) Phytosanitary Certificates with Declaration. Failure to collect this information would cripple APHIS’ ability to ensure that bananas from the Philippines are not carrying plant pests.

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

Number of Respondents: 41.

Frequency of Responses: Recordkeeping; Reporting: Other: One time.

Total Burden Hours: 1,330.

Ruth Brown,
Departmental Information Collection Clearance Officer.
information is estimated to average 0.46 hours per response.

Respondents: Importers and shippers of plant pests, noxious weeds, and other regulated articles; State plant health officials; owners/operators of regulated garbage-handling facilities; Tribal groups; and individuals.

Estimated annual number of respondents: 4,805.

Estimated annual number of responses per respondent: 7.5.

Estimated annual number of responses: 36,173.

Estimated total annual burden on respondents: 16,723 hours. (Due to averaging, the total annual burden hours may not equal the product of the annual number of responses multiplied by the reporting burden per response.)

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.

Done in Washington, DC, this 7th day of February 2017.

Michael E. Gregoire,
Acting Administrator, Animal and Plant Health Inspection Service.

For Further Information Contact: Dr. Denise Brinson, DVM, Senior Coordinator, National Poultry Improvement Plan, VS, APHIS, USDA, 1506 Klondike Road, Suite 101, Conyers, GA 30094–5104; (770) 922–3496.

Supplementary Information: The National Poultry Improvement Plan (NPIP), also referred to below as “the Plan,” is a cooperative Federal-State-Industry mechanism for controlling certain poultry diseases. The Plan consists of a variety of programs intended to prevent and control poultry diseases. Participation in all Plan programs is voluntary, but breeding flocks, hatcheries, and dealers must first qualify as “U.S. Pullorum-Typhoid Clean” as a condition for participating in the other Plan programs.

The Plan identifies States, flocks, hatcheries, dealers, and slaughter plants that meet certain disease control standards specified in the Plan’s various programs. As a result, customers can buy poultry that has tested clean of certain diseases or that has been produced under disease-prevention conditions.

The regulations in 9 CFR parts 56, 145, 146, and 147 (referred to below as the regulations) contain the provisions of the Plan. The Animal and Plant Health Inspection Service (APHIS) of the U.S. Department of Agriculture (USDA) amends these provisions from time to time to incorporate new scientific information and technologies within the Plan.

In the past, APHIS has updated the regulations once every 2 years, following the Biennial Plan Conference of the NPIP General Conference Committee. The NPIP General Conference Committee advises the Secretary on poultry health and represents cooperating State agencies and poultry industry members. During its meetings and Biennial Conferences, the Committee discusses significant poultry health issues and makes recommendations to improve the NPIP.

However, while changes in diagnostic science, testing technology, and best practices for maintaining sanitation are continual, the rulemaking process can be lengthy. As a result, the regulations have, at times, become outdated. To remedy this problem, we determined that we needed a more flexible process for amending provisions of the Plan. On July 9, 2014, we published in the Federal Register (79 FR 38752–38768, Docket No. APHIS–2011–0101) a final rule 1 that, among other things, amended the regulations by removing tests and detailed testing procedures, as well as sanitation procedures, from part 147, and making these available in an NPIP Program Standards document.2 The rule also amended the regulations to provide for the Program Standards document to be updated through the issuance of a notice in the Federal Register followed by a period of public comment. The latter change was intended to enable us to make the NPIP program more effective by allowing us to update some of the Plan provisions without the need for rulemaking.

We are advising the public that we have prepared updates to the NPIP Program Standards document. The proposed updates would amend the Program Standards by establishing new standards for biosecurity principles. We are also proposing to amend the hemagglutination inhibition test procedures for Mycoplasma, clarify the laboratory procedure recommended for the bacteriological examination of Salmonella in birds, amend the laboratory procedure recommended for polymerase chain reaction (PCR) tests for Mycoplasma gallisepticum and M. synoviae, and add new diagnostic tests for Mycoplasma and Salmonella.

Finally, we note that the Program Standards are currently divided into subparts in the same way the regulations are. We are proposing to change the use of the word “Subpart” to “Standard” in the Program Standards for ease of distinguishing between references to the regulations and the Program Standards.

After reviewing any comments we receive on the proposed updates, we will publish a second notice in the Federal Register announcing our decision regarding the proposed changes.


1To view the final rule and related documents, go to http://www.regulations.gov/#!docketDetail;D=APHIS–2011–0101.

2This document may be viewed on the NPIP Web site at http://www.poultryimprovement.org/documents/ProgramStandards/August2014.pdf, or by writing to the Service at National Poultry Improvement Plan, APHIS, USDA, 1506 Klondike Road, Suite 101, Conyers, GA 30094.