

million in any year, or are novel, controversial, precedent-setting, or of significant interagency interest.

In order to ensure the objectivity and highest level of quality of such scientific information, APHIS arranges for these documents to be peer reviewed in accordance with the Office of Management and Budget's (OMB's) "Final Information Quality Bulletin for Peer Review," which is available on the Web at [http://www.whitehouse.gov/omb/fedreg/2005/011405\\_peer.pdf](http://www.whitehouse.gov/omb/fedreg/2005/011405_peer.pdf).

To ensure the effectiveness and integrity of the peer review process, APHIS pays careful attention to potential conflicts of interest when selecting peer reviewers. APHIS has developed a standard letter to prospective peer reviewers, which, among other things, asks them to consider whether they may have a conflict of interest related to review of a specific scientific document and, if no, asks them to sign a form certifying that they have no conflicting interests.

We are asking OMB to approve our use of this information collection activity for an additional 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 information is estimated to average 0.25 hours per response.

*Respondents:* Peer reviewers for agency scientific documents.

*Estimated Annual Number of Responses per Respondent:* 1.

*Estimated Annual Number of Responses:* 50.

*Estimated Total Annual Burden on Respondents:* 12.5 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 31st day of March 2009.

**Kevin Shea,**

*Acting Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. E9-7626 Filed 4-3-09; 8:45 am]

**BILLING CODE 3410-34-P**

## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

[Docket No. APHIS-2009-0012]

#### Notice of Request for Extension of Approval of an Information Collection; Specimen Submission

**AGENCY:** Animal and Plant Health Inspection Service, USDA.

**ACTION:** Extension of approval 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 an extension of approval of an information collection associated with livestock disease surveillance programs.

**DATES:** We will consider all comments that we receive on or before June 5, 2009.

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

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov/fdmspublic/component/main?main=DocketDetail&d=APHIS-2009-0012> to submit or view comments and to view supporting and related materials available electronically.

- *Postal Mail/Commercial Delivery:* Please send two copies of your comment to Docket No. APHIS-2009-0012, Regulatory Analysis and Development, PPD, APHIS, Station 3A-03.8, 4700 River Road Unit 118, Riverdale, MD 20737-1238. Please state that your comment refers to Docket No. APHIS-2009-0012.

*Reading Room:* You may read any comments that we receive on this docket in our reading room. The reading room 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) 690-2817 before coming.

*Other Information:* Additional information about APHIS and its programs is available on the Internet at <http://www.aphis.usda.gov>.

**FOR FURTHER INFORMATION CONTACT:** For information regarding livestock disease surveillance programs, contact Ms. Connie J. Osmundson, Financial Analyst, National Veterinary Services Laboratories, VS, APHIS, P.O. Box 844, Ames, IA 50010; (515) 663-7571. For copies of more detailed information on the information collection, contact Mrs. Celeste Sickles, APHIS' Information Collection Coordinator, at (301) 851-2908.

#### SUPPLEMENTARY INFORMATION:

*Title:* Specimen Submission.

*OMB Number:* 0579-0090.

*Type of Request:* Extension of approval of an information collection.

*Abstract:* Under the Animal Health Protection Act (7 U.S.C. 8301 *et seq.*), the Animal and Plant Health Inspection Service (APHIS) of the U.S. Department of Agriculture is authorized, among other things, to carry out activities to detect, control, and eradicate pests and diseases of livestock within the United States.

In connection with this mission, APHIS' Veterinary Services (VS) conducts disease surveillance programs. The VS form 10-4 and its supplemental sheet (VS form 10-4A) are critical components of these programs. They are routinely used whenever specimens (such as blood, milk, tissue, or urine) from any animal (including cattle, swine, sheep, goats, horses, and poultry) are submitted to our National Veterinary Services Laboratories for testing.

We are asking the Office of Management and Budget (OMB) to approve our use of these information collection activities for an additional 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 information is estimated to average 0.1680434 hours per response.

**Respondents:** State veterinarians or other State representatives, accredited veterinarians, animal owners, private laboratories, and research institutions.

**Estimated Annual Number of Respondents:** 2,762.

**Estimated Annual Number of Responses per Respondent:** 9.9927588.

**Estimated Annual Number of Responses:** 27,600.

**Estimated Total Annual Burden on Respondents:** 4,638 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 31st day of March 2009.

**Kevin Shea,**

*Acting Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. E9-7629 Filed 4-3-09; 8:45 am]

BILLING CODE 3410-34-P

## DEPARTMENT OF AGRICULTURE

### Food Safety and Inspection Service

[Docket No. 2009-0007]

#### Exemption for Retail Store Operations

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

**ACTION:** Notice of adjusted dollar limitations.

**SUMMARY:** The Food Safety and Inspection Service (FSIS) is announcing new dollar limitations on the amount of meat, meat food products, poultry, and poultry products that a retail store can sell to hotels, restaurants, and similar institutions without disqualifying itself for exemption from Federal inspection requirements. In accordance with FSIS' regulations, for calendar year 2009, the dollar limitation is increased for meat and meat food products from \$56,900 to \$60,200 and for poultry products from \$46,700 to \$49,400. FSIS is changing the dollar limitations from calendar year 2008 based on price changes for these products evidenced by the Consumer Price Index.

**DATES:** *Effective Date:* This notice is effective April 6, 2009.

**FOR FURTHER INFORMATION:** Contact John O'Connell, Policy Issuances Division, Office of Policy and Program Development, FSIS, U.S. Department of Agriculture, Room 3532 South Building, 1400 Independence Avenue, SW., Washington, DC 20250-3700; telephone (202) 720-0345, fax (202) 690-0486.

#### SUPPLEMENTARY INFORMATION:

##### Background

The Federal Meat Inspection Act (21 U.S.C. 601 *et seq.*) and the Poultry Products Inspection Act (21 U.S.C. 451 *et seq.*) provide a comprehensive statutory framework to ensure that meat, meat food products, poultry, and poultry products prepared for commerce are wholesome, are not adulterated, and are properly labeled and packaged. 21 U.S.C. 661(c)(2) and 454(c)(2) also provide that the statutory provisions requiring inspection of the preparation or processing of meat, meat food, poultry, and poultry products do not apply to the types of operations traditionally and usually conducted at retail stores and restaurants when those operations are conducted at any retail store or restaurant or similar retail-type establishment for sale in normal retail quantities. FSIS' regulations 9 CFR 303.1(d) and 381.10(d) elaborate on the conditions under which requirements for inspection do not apply to retail operations involving the preparation or processing of meat, meat food, poultry, and poultry products.

##### Sales to Hotels, Restaurants, and Similar Institutions

Under these regulations, sales to hotels, restaurants, and similar institutions (other than household consumers) disqualify a store for exemption if the product sales exceed either of two maximum limits: 25 percent of the dollar value of total product sales or the calendar year dollar limitation set by the Administrator. The dollar limitation is adjusted automatically during the first quarter of the year if the Consumer Price Index (CPI), published by the Bureau of Labor Statistics, shows an increase or decrease of more than \$500 in the price of the same volume of product for the previous year. FSIS publishes a notice of the adjusted dollar limitations in the **Federal Register**. (See 9 CFR 303.1(d)(2)(iii)(b) and 381.10(d)(2)(iii)(b).)

The CPI for 2008 revealed an average annual price increase for meat and meat food products of 5.8 percent and for poultry products of 5.8 percent. When

rounded off to the nearest \$100, the price increase for meat and meat food products is \$3,300, and the price increase for poultry products is \$2,700. Because the price of meat and meat food products has increased by more than \$500, and because the price of poultry products has increased by more than \$500, FSIS is increasing the dollar limitation on sales to hotels, restaurants, and similar institutions from \$56,900 to \$60,200 for meat and meat food products and from \$46,700 to \$49,400 for poultry products for calendar year 2009, in accordance with 9 CFR 303.1(d)(2)(iii)(b) and 381.10(d)(2)(iii)(b).

##### Additional Public Notification

Public awareness of all segments of rulemaking and policy development is important. Consequently, in an effort to ensure that the public and in particular minorities, women, and persons with disabilities, are aware of this notice, FSIS will announce it on-line through the FSIS Web page located at [http://www.fsis.usda.gov/regulations/2009\\_Notices\\_Index/index.asp](http://www.fsis.usda.gov/regulations/2009_Notices_Index/index.asp).

FSIS also will make copies of this **Federal Register** publication available through the FSIS Constituent Update, which is used to provide information regarding FSIS policies, procedures, regulations, **Federal Register** notices, FSIS public meetings, and other types of information that could affect or would be of interest to our constituents and stakeholders. The Update is communicated via Listserv, a free e-mail subscription service consisting of industry, trade, and farm groups, consumer interest groups, allied health professionals, scientific professionals, and other individuals who have requested to be included. The Update also is available on the FSIS Web page. Through Listserv and the Web page, FSIS is able to provide information to a much broader, more diverse audience.

In addition, FSIS offers an e-mail subscription service which provides automatic and customized access to selected food safety news and information. This service is available at [http://www.fsis.usda.gov/news\\_and\\_events/email\\_subscription/](http://www.fsis.usda.gov/news_and_events/email_subscription/). Options range from recalls to export information to regulations, directives and notices. Customers can add or delete subscriptions themselves, and have the option to password protect their accounts.