

Agreement Division, Fruit and Vegetable Program, AMS, USDA, 1400 Independence Avenue SW., STOP 0237, Room 1406-S, Washington, DC 20250-0237; Telephone (202) 720-6862 or Email: [andrew.hatch@ams.usda.gov](mailto:andrew.hatch@ams.usda.gov).

Small businesses may request information on this notice by contacting Jeffrey Smutny, Marketing Order and Agreement Division, Fruit and Vegetable Program, AMS, USDA, 1400 Independence Avenue SW., STOP 0237, Room 1406-S, Washington, DC 20250-0237; Telephone (202) 690-3919 or Email: [jeffrey.smutny@ams.usda.gov](mailto:jeffrey.smutny@ams.usda.gov).

*Comments:* Comments should reference the document number and the date and page number of this issue of the **Federal Register**, and be mailed to the Docket Clerk, Fruit and Vegetable Program, AMS, USDA, 1400 Independence Avenue SW., Room 1406-S, Washington, DC 20250-0237; Fax: (202) 720-8938; or submitted through the Internet at <http://www.regulations.gov>.

#### SUPPLEMENTARY INFORMATION:

*Title:* Export Fruit Regulations—Export Apple Act (7 CFR part 33) and the Export Grape and Plum Act (7 CFR part 35).

*OMB Number:* 0581-0143.

*Expiration Date of Approval:* December 31, 2013.

*Type of Request:* Request for Renewal of a Recordkeeping Burden.

*Abstract:* Fresh apples and grapes grown in the United States shipped to any foreign destination must meet minimum quality and other requirements established by regulations issued under the Export Apple Act (7 U.S.C. 581-590) and the Export Grape and Plum Act (7 U.S.C. 591-599)(Acts), which are found respectively at 7 CFR parts 33 and 35. Plum provision was terminated in 1991. The regulations issued under the Acts cover exports of fresh apples and grapes grown in the United States and shipped to foreign destinations, except Canada and Mexico. Certain limited quantity provisions may exempt some shipments and exporters from this information collection. The Secretary of Agriculture is authorized to oversee the implementation of the Acts and issue regulations regarding that activity.

The information collection requirements in this request are essential to carry out the intent and administration of the Acts. Both Acts were designed to promote foreign trade in the export of apples, grapes and plums grown in the United States; to protect the reputation of the American-grown commodities; and to prevent deception or misrepresentation of the

quality of such products moving in foreign commerce. The Acts have been in effect since 1933 (apples) and 1960 (grapes).

Specific regulations issued under the Acts (7 CFR 33.11 for apples, and 35.12 for grapes) require that the U.S. Department of Agriculture (USDA) officially inspect and certify that each export shipment of fresh apples and grapes is in compliance with quality and shipping requirements effective under the Acts. Shipments are inspected and certified by Federal or Federal-State Inspection Program (FSIP) inspectors. FSIP is administered by USDA.

The information collection requirements in this request impose the minimum burden necessary to effectively administer the Acts.

The information collection burden for this action is primarily in the form of recordkeeping. Export Form Certificates (certificates) issued by FSIP are used to facilitate the export process. The certificates are not completed by the exporters or carriers and are not filed with USDA. The certificates are retained by each exporter, and third party carrier which ships the commodity, to verify their compliance with the Acts. There are an estimated 82 exporters of apples and grapes and an estimated 20 carriers which transport those shipments. Pursuant to the Acts, exporters and carriers must retain inspection certificates for three (3) years.

*Estimate of Burden:* Public reporting burden for this collection of information is estimated to average .14 hours per response.

*Recordkeepers:* Apple and grape exporters and carriers.

*Estimated Number of Recordkeepers:* 102.

*Estimated Number of Responses per Respondent:* 1.

*Estimated Total Annual Burden on Respondents:* 26 hours.

Comments are invited on: (1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden of the proposed collection of information including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

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. All comments received will be available for public inspection at the street address in the "Comment" section and can be viewed at: [www.regulations.gov](http://www.regulations.gov).

Dated: April 16, 2013.

**Rex A. Barnes,**

*Acting Administrator, Agricultural Marketing Service.*

[FR Doc. 2013-09380 Filed 4-19-13; 8:45 am]

BILLING CODE 3410-02-P

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

[Doc. No. AMS-LS-13-0017]

#### Request for Extension and Revision of a Currently Approved Information Collection for Commodities Covered by the Livestock Mandatory Act of 1999

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

**ACTION:** Request for comments.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), this document announces the Agricultural Marketing Service's (AMS) intention to request approval, from the Office of Management and Budget, for an extension of and revision to the currently approved information collection used to compile and generate cattle, swine, lamb, wholesale pork, and boxed beef market news reports under the Livestock Mandatory Reporting Act of 1999.

**DATES:** Comments on this document must be received by June 21, 2013 to be assured of consideration.

**ADDRESSES:** Interested persons are invited to submit comments concerning this information collection document. Comments should be submitted online at [www.regulations.gov](http://www.regulations.gov) or sent to Kim Harmon, Assistant to the Director, Livestock, Poultry and Grain Market News Division, Livestock, Poultry and Seed Program, Agricultural Marketing Service, U.S. Department of Agriculture, 1400 Independence Ave. SW., Room 2619-S, Washington, DC 20250-0252, or by facsimile to (202) 690-3732. All comments should reference the docket number (AMS-LS-13-0017), the date, and the page number of this issue of the **Federal Register**. All comments received will be posted without change, including any personal information provided, online at <http://www.regulations.gov>.

[www.regulations.gov](http://www.regulations.gov) and will be made available for public inspection at the above physical address during regular business hours.

**FOR FURTHER INFORMATION CONTACT:** Kim Harmon at the above physical address, by telephone (202) 720-8054, or by email at [Kim.Harmon@ams.usda.gov](mailto:Kim.Harmon@ams.usda.gov).

**SUPPLEMENTARY INFORMATION:**

*Title:* Livestock Mandatory reporting Act of 1999.

*OMB Number:* 0581-0186.

*Expiration Date of Approval:* December 31, 2013.

*Type of Request:* Extension of a currently approved information collection.

*Abstract:* The 1999 Act was enacted into law on October 22, 1999, (Pub. L. 106-78; 7 U.S.C. 1635-1636i), as an amendment to the Agricultural Marketing Act of 1946 (7 U.S.C. 1621-1627). The 1999 Act as originally passed provided for the mandatory reporting of market information by federally inspected livestock processing plants that have slaughtered an average number of livestock during the immediately preceding 5 calendar years (125,000 for cattle and 100,000 for swine), including any processing plant that did not slaughter during the immediately preceding 5 calendar years if the Secretary determines that the plant should be considered a packer based on the plant's capacity. For entities that did not slaughter during the immediately preceding 5 calendar years, such as a new plant or existing plant that begins operations, AMS projects the plant's annual slaughter or production based upon the plant's estimate of annual slaughter capacity to determine which entities meet the definition of packer as defined in the regulation. The 1999 Act also gave the Secretary the latitude to provide for the reporting of lamb information. Federally inspected lamb processing plants that slaughtered an average of 75,000 head of lambs or processed an average of 75,000 lamb carcasses during the immediately preceding 5 calendar years were required to submit information to AMS. Additionally, a lamb processing plant that did not slaughter an average of 75,000 lambs or process an average of 75,000 lamb carcasses during the immediately preceding 5 calendar years was required to report information if the Secretary determined the processing plant should be considered a packer based on its capacity. In addition, the Act also established that for any calendar year, an importer of lamb that imported an average of 2,500 metric tons of lamb meat products during the immediately preceding 5 calendar years

was required to report information on the domestic sales of imported boxed lamb cuts. Additionally, an importer that did not import an average of 2,500 metric tons of lamb meat products during the immediately preceding 5 calendar years was required to report information if the Secretary determined that the person should be considered an importer based on their volume of lamb imports. The regulations implementing the Act appear at 7 CFR part 59.

The 1999 Act was reauthorized in October 2006, which re-established the regulatory authority and amended the swine reporting requirements to include swine packers that slaughtered an average of at least 200,000 sows, boars, and or combination thereof per year during the immediately preceding 5 calendar years. On May 16, 2008, AMS published a final rule (75 FR 28606) implementing the same.

September 28, 2010, the Mandatory Price Reporting Act reauthorized LMR for an additional 5 years and added a provision for mandatory reporting of wholesale pork cuts.

The reports that are generated by the 1999 Act are used by other Government agencies to evaluate market conditions and calculate price levels, such as USDA's Economic Research Service and World Agricultural Outlook Board. Economists at most major agricultural colleges and universities use the reports to make short and long-term market projections. Also, the Government is a large purchaser of livestock related products. A system to monitor the collection and reporting of data therefore is needed.

The information must be collected, compiled, and disseminated by an impartial third-party, in a manner which protects the confidentiality of the reporting entities. AMS is in the best position to provide this service.

*Estimate of Burden:* Public reporting burden for this collection of information is estimated to average .171 hours per response.

*Respondents:* Business or other for-profit entities, individuals or households, farms, and the Federal Government.

*Estimated Number of Respondents:* 422 respondents.

*Estimated Number Responses:* 138,684 responses.

*Estimated Number of Responses per Respondent:* 329 responses.

*Estimated Total Annual Burden on Respondents:* 23,779 hours.

Comments are invited on: (1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have

practical utility; (2) the accuracy of the agency's estimate of the burden of the proposed collection of information including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

All responses to this document will be summarized and included in the request for OMB approval. All comments will become a matter of public record.

Dated: April 16, 2013.

**David R. Shipman,**

*Administrator, Agricultural Marketing Service.*

[FR Doc. 2013-09383 Filed 4-19-13; 8:45 am]

**BILLING CODE 3410-02-P**

## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

[Docket No. APHIS-2013-0013]

#### **Monsanto Company and Forage Genetics International (FGI); Availability of Petition for Determination of Nonregulated Status of Genetically Engineered Alfalfa**

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

**ACTION:** Notice.

**SUMMARY:** We are advising the public that the Animal and Plant Health Inspection Service (APHIS) has received a petition from the Monsanto Company and Forage Genetics International (FGI) seeking a determination of nonregulated status of alfalfa designated as event KK179, which has been genetically engineered to express reduced levels of guaiacyl lignin. The petition has been submitted in accordance with our regulations concerning the introduction of certain genetically engineered organisms and products. We are making the Monsanto Company and FGI petition available for review and comment to help us identify potential environmental and interrelated economic issues and impacts that APHIS may determine should be considered in our evaluation of the petition.

**DATES:** We will consider all comments that we receive on or before June 21, 2013.