

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

[Document Number AMS–NOP–16–0003; NOP–15–09]

#### National Organic Program; Notice of Availability of National List Petition Guidelines

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

**ACTION:** Notice.

**SUMMARY:** The Agricultural Marketing Service (AMS) National Organic Program (NOP) is announcing the availability of NOP 3011, National List Petition Guidelines. These guidelines apply to petitions that request an amendment to the NOP's National List of Allowed and Prohibited Substances (National List). The National List identifies the synthetic substances that may be used and the nonsynthetic substances that may not be used in organic production. The National List also identifies the non-organic substances that may be used in organic handling. The National List Petition Guidelines are based upon the May 2, 2014, recommendations of the National Organic Standards Board and modify the information to be included in a petition. This notice also clarifies the information to be submitted for all types of petitions that request amendments to the National List. This notice and NOP 3011 replace the previous petition guidelines that were published in the *Federal Register* on January 18, 2007 (72 FR 2167).

**DATES:** *Effective Date:* The petition guidelines announced by this notice of availability are effective on March 11, 2016.

**ADDRESSES:** Petitions should be submitted to National List Manager, USDA–AMS–NOP, 1400 Independence Avenue SW., Room 2642–So., Ag Stop 0268, Washington, DC 20250–0268 or

via email to [nosb@ams.usda.gov](mailto:nosb@ams.usda.gov). Electronic submission by email is preferred.

**FOR FURTHER INFORMATION CONTACT:** National List Manager, National Organic Program, 1400 Independence Avenue SW., Room 2642–South, STOP 0268; Washington, DC 20250–0268; Telephone (202) 720–3252; Fax: (202) 205–7808.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

The Organic Foods Production Act of 1990 (OFPA), as amended (7 U.S.C. 6501 *et seq.*), authorizes the establishment of the National Organic Program including the National List of Allowed and Prohibited Substances (National List). This National List identifies the synthetic substances that may be used and the nonsynthetic substances that may not be used in organic production, and also identifies the non-organic substances that may be used in organic handling. The OFPA and USDA organic regulations, in section 205.105, specifically prohibit the use of any synthetic substance for organic production and handling unless the synthetic substance is on the National List. Section 205.105 also requires that any non-organic, nonsynthetic substance used in organic handling must also be on the National List. Since the USDA organic regulations became effective on October 21, 2002, the National List has been amended through rulemaking by the National List Petition Process and the National List Sunset Process. The guidelines contained in this notice apply only to the National List Petition Process.

The ability for any person to petition to amend the National List is authorized by the OFPA (7 U.S.C. 6518(n)) and the USDA organic regulations, in section 205.607. This authorization provides that any person may petition the National Organic Standards Board (NOSB) for the purpose of having a substance evaluated by the NOSB for recommendation to the Secretary for inclusion on or removal from the National List. The NOSB is authorized to review petitions under specified evaluation criteria in OFPA (7 U.S.C. 6518(m)), and forward recommendations for amending the National List to the Secretary.

At its April 29–May 2, 2014, public meeting in San Antonio, Texas, the NOSB issued two recommendations concerning the National List petition process. This notice announces the availability of revised petition guidelines which are based upon these NOSB recommendations.

##### II. NOSB Recommendations

###### *Confidential Business Information*

The NOSB issued a recommendation at its April 29–May 2, 2014, public meeting addressing the inclusion of confidential business information (CBI) in petitions.<sup>1</sup> The NOSB recommended that the National List petition process be revised to eliminate the provision for confidential business information. The NOSB indicated the importance of transparency in the petition process, the right of the public to fully know the materials included in or on certified organic products, and the potential for an untenable administrative burden of management of CBI. AMS has reviewed the recommendation and has accepted the recommendation. The updated petition guidelines do not contain the previous provision that allowed for the submission of confidential business information by petitioners.

###### *Update of Petition Process*

The NOSB also issued a recommendation at its April 29–May 2, 2014, public meeting that addressed other changes to the petition and technical review process.<sup>2</sup> The NOSB recommended several updates to clarify how to submit complete petitions, explain to petitioners what to expect in the petition process, make the review process for the NOSB clearer and more consistent, and provide transparency about these processes to the public. AMS has reviewed the recommendation and has updated the current guidelines to align with the NOSB recommendation. Updates in the NOSB recommendation that pertain to parts of

<sup>1</sup> NOSB Recommendation, Confidential Business Information in Petitions, May 2, 2014. Available on the NOP Web site at <http://www.ams.usda.gov/sites/default/files/media/NOP%20Materials%20Final%20Rec%20Confidential%20Business%20Info.pdf>.

<sup>2</sup> NOSB Recommendation, Update of the Petition and Technical Review Process, May 2, 2014. Available on the NOP Web site at <http://www.ams.usda.gov/sites/default/files/media/NOP%20Materials%20Final%20Rec%20Update%20on%20Petition%20and%20TR%20Process.pdf>.

the NOSB Policy and Procedures Manual and Technical Review Process will be addressed through separate actions. The changes affecting the National List petition guidelines include the following: (1) Requesting the petitioners indicate the OFPA category for substances used in organic production; (2) abbreviated requirements for petitions that request a change to annotations for substances already listed; (3) elimination of references to Confidential Business Information; (4) clarification of requirements for petitions requesting the addition, removal, or amendment of an annotation for a listed substance; and (5) other language changes for clarity. As part of the revision to the petition guidelines, NOP has also included within NOP 3011 answers to common questions about the petition process, such as the role of the NOP, role of the NOSB, and the criteria used to evaluate petitions.

### III. Availability of National List Petition Guidelines

The procedure document titled "National List Petition Guidelines" (NOP 3011) is now available from the NOP through "The Program Handbook: Guidance and Instructions for Certifying Agents and Certified Operations." This Handbook provides those who own, manage, or certify organic operations with guidance and instructions that can assist them in complying with the USDA organic regulations. The current edition of the Program Handbook is available online at <http://www.ams.usda.gov/>.

### IV. Electronic Access

Persons with access to Internet may obtain the petition guidelines at the NOP's Web site at <http://www.ams.usda.gov/nop>. Requests for hard copies of the petition guidelines can be obtained by submitting a written request to the person listed in the **ADDRESSES** section of this Notice.

**Authority:** 7 U.S.C. 6501–6522.

Dated: March 3, 2016.

**Elanor Starmer,**

*Acting Administrator, Agricultural Marketing Service.*

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**BILLING CODE 3410–02–P**

## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

[Docket No. APHIS–2015–0106]

#### Notice of Request for Revision to and Extension of Approval of an Information Collection; Importation of Sand Pears From China

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

**ACTION:** Revision to and 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 a revision to and extension of approval of an information collection associated with the regulations for the importation of sand pears from China into the United States.

**DATES:** We will consider all comments that we receive on or before May 9, 2016.

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

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov/#!docketDetail;D=APHIS-2015-0106>.

- *Postal Mail/Commercial Delivery:* Send your comment to Docket No. APHIS–2015–0106, 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-2015-0106> 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 on the regulations for the importation of sand pears from China, contact Mr. Marc Philips, Senior Regulatory Policy Specialist, RCC, IRM, PHP, PPQ, APHIS, 4700 River Road Unit 133, Riverdale, MD 20737; (301) 851–2114. For copies of more detailed information on the information collection, contact Ms. Kimberly Hardy, APHIS' Information Collection Coordinator, at (301) 851–2727.

**SUPPLEMENTARY INFORMATION:**

*Title:* Importation of Sand Pears From China.

*OMB Control Number:* 0579–0390.

*Type of Request:* Revision to and extension of approval of an information collection.

*Abstract:* The Plant Protection Act (PPA, 7 U.S.C. 7701 *et seq.*) authorizes the Secretary of Agriculture to restrict the importation, entry, or interstate movement of plants, plant products, and other articles to prevent the introduction of plant pests into the United States or their dissemination within the United States. Regulations authorized by the PPA concerning the importation of fruits and vegetables into the United States from certain parts of the world are contained in "Subpart—Fruits and Vegetables" (7 CFR 319.56–1 through 319.56–74).

Section 319.56–57 of the regulations provides the requirements for the importation of sand pears from China into the United States. The regulations require the use of information collection activities, including test and certification of propagative material, trapping system, operational workplan, recordkeeping, production site registration, inspection of registered production sites, investigation for recertification of production sites, packinghouse registration and inspection, packinghouse tracking system, certification of treatment and review of treatment records, handling procedures, notification of detections by registered production sites and packinghouses, audits, monitoring of treatment, mitigation measures at production sites and packinghouses, labeling, numbered seals, and phytosanitary certificates with an additional declaration.

When comparing the regulations to the information collection activities that were previously approved, we found that several of the information collection activities above were not included. We have adjusted the overall estimates of burden accordingly.

We are asking the Office of Management and Budget (OMB) to approve our use of these information collection activities, as described, 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