

# Notices

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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

[Doc. No. AMS–SC–17–0018; SC17–6/7–1]

#### Specified Commodities Imported Into the United States, Exempt From Import Regulations; Request for Extension of a Currently Approved Information Collection

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

**ACTION:** Notice and request for comments.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, this document announces the Agricultural Marketing Service's (AMS) intention to request an extension and revision to currently approved forms used by importers of commodities that are exempt from section 8e import regulations.

**DATES:** Comments on this notice are due by May 30, 2017 to be assured of consideration.

**ADDRESSES:** Interested persons are invited to submit written comments concerning this notice. Comments must be sent to the Docket Clerk, Marketing Order and Agreement Division, Specialty Crops Program, AMS, USDA, 1400 Independence Avenue SW., STOP 0237, Washington, DC 20250–0237; Fax: (202) 720–8938; or Internet: [www.regulations.gov](http://www.regulations.gov). Comments should reference the docket number and the date and page number of this issue of the **Federal Register** and will be available for public inspection in the Office of the Docket Clerk during regular business hours, or can be viewed at: [www.regulations.gov](http://www.regulations.gov). All comments submitted in response to this notice will be included in the record and will be made available to the public. Please be advised that the identity of individuals or entities submitting the comments will

be made public on the internet at the address provided above.

**FOR FURTHER INFORMATION CONTACT:** Weiya Zeng, Marketing Order and Agreement Division, Specialty Crops Program, AMS, USDA, 1400 Independence Avenue SW., STOP 0237, Room 1406–S, Washington, DC 20250–0237; Telephone: (202) 690–3870; Fax: (202) 720–8938; or Email: [weiya.zeng@ams.usda.gov](mailto:weiya.zeng@ams.usda.gov).

Small businesses may request information on this notice by contacting Richard Lower, Marketing Order and Agreement Division, Specialty Crops Program, AMS, USDA, 1400 Independence Avenue SW., STOP 0237, Room 1406–S, Washington, DC 20250–0237; Telephone (202) 720–2491; Fax: (202) 720–8938; or Email: [Richard.Lower@ams.usda.gov](mailto:Richard.Lower@ams.usda.gov).

#### SUPPLEMENTARY INFORMATION:

*Title:* Specified Commodities Imported Into the United States Exempt from Import Requirements.

*OMB Number:* 0581–0167.

*Expiration Date of Approval:* August 31, 2017.

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

*Abstract:* Section 8e of the Agricultural Marketing Agreement Act of 1937 as amended (7 U.S.C. 601–674; Act) requires that whenever the Secretary of Agriculture issues grade, size, quality, or maturity regulations under domestic marketing orders, the same or comparable regulations must be issued for imported commodities. Import regulations apply only during those periods when domestic marketing order regulations are in effect.

The following commodities are subject to section 8e import regulations: Avocados; grapefruit; kiwifruit; olives (other than Spanish-style); oranges; table grapes; Irish potatoes; onions; tomatoes; dates (other than dates for processing); walnuts; raisins; pistachios; and hazelnuts (filberts). Imports of these commodities are exempt from section 8e requirements if they are imported for such outlets as processing, charity, animal feed, seed, and distribution to relief agencies.

Safeguard procedures in the form of importer and receiver reporting requirements are used to ensure that the imported commodities are, in fact, shipped to authorized, exempt outlets. Reports required under the safeguard

procedure are similar to the reports currently required by most domestic marketing orders, and are required of importers and receivers under the following import regulations: (1) Fruits; import regulations (7 CFR 944.350); (2) vegetables; import regulations (7 CFR 980.501); and (3) specialty crops; import regulations (7 CFR 999.500).

Under these regulations, importers intending to import commodities for exempt purposes must complete the “Importer’s Exempt Commodity Form” form. In the previous renewal, the form was denoted as FV–6. As AMS’s program name has changed from Fruit and Vegetable Program (FV) to Specialty Crops Program (SC), the form will also change from FV–6 to SC–6. SC–6 is submitted to AMS through the Compliance and Enforcement Management System (CEMS). CEMS is an internet-based application which allows importers and receivers of fruit, vegetable, and specialty crops to complete the form online. If an importer correctly inputs their shipment data into CEMS, they will receive and be able to print a certificate that accompanies the shipment. Data elements are simultaneously transmitted to the receiver and to AMS, where they are reviewed for compliance purposes by Marketing Order and Agreement Division (MOAD) staff. The receiver retains a copy for recordkeeping purposes.

In rare instances a paper form SC–6 may be used. The hardcopy form has four parts, which are distributed as follows: Copy one is presented to the U.S. Customs and Border Protection, Department of Homeland Security; copy two is filed with MOAD within two days of the commodity entering the United States; copy three accompanies the exempt shipment to its intended destination, where the receiver certifies its receipt and that it will be used for exempt purposes, and files that copy with MOAD within two days of receipt; and copy four is retained by the importer.

In addition to renewing the SC–6 form, this information collection package does the same for the SC–7 form, “Civil Penalty Stipulation Agreement.” Title 7, United States Code, Section 601–674 of the Agricultural Marketing Agreement Act of 1937, authorizes the Secretary of Agriculture to assess a civil penalty of

not more than \$1,100 per violation against any person who violates the Section 8e regulations. Investigators complete the form identifying the violation committed by the produce importer. Produce importers sign the SC-7 form to agree to pay the sum in full settlement. There is no burden associated as only a signature is required.

The information collected through this package is used primarily by authorized representatives of the USDA, including AMS Specialty Crops Program regional and headquarters staff.

*Estimate of Burden:* The public reporting burden for this collection of information is estimated to average 5 minutes per response.

*Respondents:* Importers and receivers of exempt commodities. Based on the information collected on the frequency of use for the forms, AMS has revised estimates of respondents and responses. Estimates of respondents and responses are calculated by taking the raw annual data collected from inspections on Section 8e crops entering the U.S. market and finding the three-year averages. These numbers represent an approximation of the annual burden given the frequent changes in number of respondents and responses from year to year. These estimates differ from the 2014 renewal burden as the numbers were compiled based on the highest number of respondents who could use the form and their frequencies instead of averages.

*Estimated Number of Respondents:* 79.

*Estimated Number of Total Annual Responses:* 6,867.

*Estimated Number of Responses per Respondent:* 87.

*Estimated Total Annual Burden on Respondents:* 568 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 through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

All comments to this document will be summarized and included in the

request for OMB approval, and will become a matter of public record.

Dated: March 27, 2017.

**Bruce Summers,**

*Acting Administrator, Agricultural Marketing Service.*

[FR Doc. 2017-06336 Filed 3-30-17; 8:45 am]

**BILLING CODE 3410-02-P**

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

[Document No. AMS-ST-16-0120]

#### Renewal of the Plant Variety Protection Board Charter

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

**ACTION:** Notice.

**SUMMARY:** In accordance with the Federal Advisory Committee Act (FACA), this notice announces that the Secretary of Agriculture intends to renew the Plant Variety Protection Board (PVP Board) Charter.

**FOR FURTHER INFORMATION CONTACT:** Paul Zankowski, USDA, Agricultural Marketing Service (AMS), Plant Variety Protection Office; 1400 Independence Avenue SW., Room 4512; Washington, DC 20250, or by telephone at (202) 720-1128 or by internet: <http://www.regulations.gov>, or by Email: [paul.zankowski@ams.usda.gov](mailto:paul.zankowski@ams.usda.gov).

**SUPPLEMENTARY INFORMATION:** The Plant Variety Protection Act (PVPA) (7 U.S.C. 2321 *et seq.*) provides legal protection in the form of intellectual property rights to developers of new varieties of plants, which are reproduced sexually by seed or are tuber-propagated. A Certificate of Plant Variety Protection is awarded to an owner of a crop variety after an examination shows that it is new, distinct from other varieties, and genetically uniform and stable through successive generations. The term of protection is 20 years for most crops and 25 years for trees, shrubs, and vines.

The PVPA also provides for a statutory Board (7 U.S.C. 2327) to be appointed by the Secretary of Agriculture. The duties of the Board are to: (1) Advise the Secretary concerning the adoption of rules and regulations to facilitate the proper administration of the Act; (2) provide advisory counsel to the Secretary on appeals concerning decisions on applications by the PVP Office and on requests for emergency public-interest compulsory licenses; and (3) advise the Secretary on any other matters under the Regulations and Rules of Practice and on all questions under Section 44 of the Act, "Public Interest

in Wide Usage" (7 U.S.C. 2404).

Renewing the PVP Board is necessary and in the public interest.

The PVPA provides that "the Board shall consist of individuals who are experts in various areas of varietal development covered by this Act." The Board membership "shall include farmer representation and shall be drawn approximately equally from the private or seed industry sector and from the sector of government or the public." The Board consists of 14 members, each of whom is appointed for a 2-year period, with no member appointed for more than three 2-year periods. Nominations are made by farmers' associations, trade associations in the seed industry, professional associations representing expertise in seed technology, plant breeding, and variety development, public and private research and development institutions (13 members) and the USDA (one member).

Equal opportunity practices, in agreement with USDA nondiscrimination policies, will be followed in all membership appointments to the Board. To ensure that the suggestions of the Board have taken into account the needs of the diverse groups served by USDA, membership shall include, to the extent practicable, individuals with demonstrated ability to represent minorities, women, and persons with disabilities.

The Charter for the PVP Board will be available on the Web site at: <http://www.ams.usda.gov/PVPO> or may be requested by contacting the individual identified in the **FOR FURTHER INFORMATION CONTACT** section of this notice.

USDA prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, and marital or family status. Persons with disabilities who require alternative means for communication of program information (Braille, large print, or audiotope.) should contact USDA's Target Center at 202-720-2600 (voice and TTY).

To file a written complaint of discrimination, write USDA, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue SW., Washington, DC 20250-9410 or call 202-720-5964 (voice and TTY). USDA is an equal opportunity provider and employer.