



Billing Code 3410-DM-P

DEPARTMENT OF AGRICULTURE

Food Safety and Inspection Service

[Docket No. FSIS-2012-0004]

Notice of Request for Revision of a Current Information Collection (Petitions for Rulemaking)

AGENCY: Food Safety and Inspection Service, USDA.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 and Office of Management and Budget (OMB) regulations, the Food Safety and Inspection Service (FSIS) is announcing its intention to request a revision and extension of a currently approved information collection regarding petitions for rulemaking. FSIS is revising this information collection to increase the estimate of total burden hours. The Agency also is requesting an extension of the OMB approval for this information collection, which will expire on July 31, 2012.

DATES: Comments on this notice must be received on or before [INSERT DATE 60 DAYS AFTER PUBLICATION OF THIS NOTICE].

ADDRESSES: FSIS invites interested persons to submit comments on this notice. Comments may be submitted by either of the following methods:

- Federal eRulemaking Portal: This Web site provides the ability to type short comments directly into the comment field on this Web page or attach a file for lengthier comments. Go to <http://www.regulations.gov>. Follow the on-line instructions at that site for submitting comments.

- Mail, including floppy disks or CD-ROMs, and hand- or courier-delivered items: Send to Docket Clerk, U.S. Department of Agriculture, Food Safety and Inspection Service, Docket Clerk, Patriots Plaza 3, 1400 Independence Avenue SW, Room 8-163A, Mailstop 3782, Washington, DC 20250-3700.

Instructions: All items submitted by mail or electronic mail must include the Agency name and docket number FSIS-2012-0004. Comments received in response to this docket will be made available for public inspection and posted without change, including any personal information, to <http://www.regulations.gov>.

DOCKET: For access to background documents or comments received, go to the FSIS Docket Room at the address listed

above between 8:00 a.m. and 4:30 p.m., Monday through Friday.

FOR ADDITIONAL INFORMATION: Contact John O'Connell, Paperwork Reduction Act Coordinator, Food Safety and Inspection Service, USDA, 1400 Independence Avenue, SW, Room 6065, South Building, Washington, DC 20250; (202) 720-0345.

SUPPLEMENTARY INFORMATION:

Title: Petitions for Rulemaking.

OMB Control Number: 0583-0136

Type of Request: Revision of an approved information collection.

Abstract: FSIS has been delegated the authority to exercise the functions of the Secretary (7 CFR 2.18, 2.53) as specified in the Federal Meat Inspection Act (FMIA) (21 U.S.C. 601, et seq.), the Poultry Products Inspection Act (PPIA) (21 U.S.C. 451, et seq.), and the Egg Products Inspection Act (EPIA) (21 U.S.C. 1031, et seq.). FSIS protects the public by verifying that meat, poultry, and egg products are safe, wholesome, not adulterated, and correctly labeled.

The Administrative Procedure Act requires that Federal agencies give interested persons the right to petition for

issuance, amendment, or repeal of a rule (5 U.S.C. 553 (e)).

FSIS has regulations to govern the submission to the Agency of petitions for rulemaking (9 CFR Part 392). These regulations are designed to encourage the filing of well-supported petitions that contain information that the Agency needs to evaluate a requested rulemaking in a timely manner. FSIS uses the information associated with petitions to assess the merits of a requested action and to determine whether to issue, amend, or repeal regulations in response to a petition.

FSIS is requesting a revision of an approved information collection addressing paperwork requirements regarding the petitions submitted to the Agency. FSIS is increasing its estimate of the number of petitions for rulemaking that will be submitted to the Agency, and hence also the total number of burden hours, based on a review of the number of petitions submitted to FSIS in the last few years.

Estimate of Burden: FSIS estimates that it takes respondents an average of 40 hours per year to complete and to submit a petition.

Respondents: Official establishments, official plants, firms, trade associations, and public interest groups.

Estimated No. of Respondents: 10.

Estimated No. of Annual Responses per Respondent: 1.

Estimated Total Annual Burden on Respondents: 400 hours.

Copies of this information collection assessment can be obtained from John O'Connell, Paperwork Reduction Act Coordinator, Food Safety and Inspection Service, USDA, 1400 Independence, SW, Room 6065, South Building, Washington, DC 20250; (202)720-0345.

Comments are invited on: (a) whether the proposed collection of information is necessary for the proper performance of FSIS's functions, including whether the information will have practical utility; (b) the accuracy of FSIS's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques, or other forms of information

technology. Comments may be sent both to FSIS, at the addresses provided above, and to the Desk Officer for Agriculture, Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20253.

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.

USDA Nondiscrimination Statement

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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.

Additional Public Notification

FSIS will announce this notice online through the FSIS Web page located at

[http://www.fsis.usda.gov/regulations_&_policies/Federal Register Notices/index.asp](http://www.fsis.usda.gov/regulations_&_policies/Federal_Register_Notices/index.asp).

FSIS will also 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 constituents and stakeholders. The Update is communicated via Listserv, a free electronic mail subscription service for industry, trade groups, consumer interest groups, health professionals, and other individuals who have asked to be included. The Update is also available on the FSIS Web page. In addition, FSIS offers an electronic 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 & 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.

Done at Washington, DC, on: March 19, 2012

Alfred V. Almanza,

Administrator

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