

Notices

Federal Register

Vol. 74, No. 67

Thursday, April 9, 2009

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

Submission for OMB Review; Comment Request

April 6, 2009.

The Department of Agriculture has submitted the following information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104-13. Comments regarding (a) 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; (b) the accuracy of the agency's estimate of burden including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility and clarity of the information to be collected; (d) 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 should be addressed to: Desk Officer for Agriculture, Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), OIRA_Submission@OMB.EOP.GOV or fax (202) 395-5806 and to Departmental Clearance Office, USDA, OCIO, Mail Stop 7602, Washington, DC 20250-7602. Comments regarding these information collections are best assured of having their full effect if received within 30 days of this notification. Copies of the submission(s) may be obtained by calling (202) 720-8681.

An agency may not conduct or sponsor a collection of information unless the collection of information displays a currently valid OMB control number and the agency informs potential persons who are to respond to the collection of information that such persons are not required to respond to

the collection of information unless it displays a currently valid OMB control number.

National Agricultural Statistics Service

Title: Stocks Reports.

OMB Control Number: 0535-0007.

Summary of Collection: The primary function of the National Agricultural Statistics Service (NASS) is to prepare and issue current official State and national estimates of crop and livestock production. As part of this function, estimates are made for stocks of grain and including rice, oilseeds, potatoes, peanuts, hops, and dry beans. Grain and oilseed stocks in all positions are estimated quarterly. Grain stock estimates are one of the most important NASS estimates, which are watched closely by growers and industry groups. General authority for data collection is granted under U.S. Code Title 7, Section 2204. The Hop Growers of America provides the data collection for much of the production information because of sensitivity issues an impartial third party, NASS, collects stocks and price information.

Need and Use of the Information: NASS collects information to administer farm program legislation and make decisions relative to the export-import programs. Estimates of stocks provide essential statistics on supplies and contribute to orderly marketing. Farmers and agribusiness firms use these estimates in their production and marketing decisions. Collecting this information less frequently would eliminate data needed by government, industry and farmers to keep abreast of changes at the State and national level.

Description of Respondents: Business or other for profit; farms.

Number of Respondents: 12,400.

Frequency of Responses: Reporting: Monthly; quarterly; semi-annually; annually.

Total Burden Hours: 10,267.

Charlene Parker,

Departmental Information Collection Clearance Officer.

[FR Doc. E9-8104 Filed 4-8-09; 8:45 am]

BILLING CODE 3410-20-P

DEPARTMENT OF AGRICULTURE

Food Safety and Inspection Service

[Docket No. FSIS-2009-0003]

Draft FSIS Comparative Risk Assessment for *Listeria monocytogenes* in Ready-To-Eat Meat and Poultry Deli Meats

AGENCY: Food Safety and Inspection Service, USDA.

ACTION: Notice of request for comment.

SUMMARY: The Food Safety and Inspection Service (FSIS) is requesting public comment on a draft quantitative food safety risk assessment for *Listeria monocytogenes* (*L. monocytogenes*) that compares the risk of listeriosis from consumption of prepackaged ready-to-eat (RTE) deli meat versus RTE deli meat that is sliced and packaged at retail. The risk assessment analyzes the comparative risk of listeriosis from prepackaged RTE deli meat versus RTE deli meat that is sliced and packaged at retail using data from a study by the National Alliance for Food Safety and Security (NAFSS) and new consumer survey data from Research Triangle Institute (RTI) International, Tennessee State University, and Kansas State University.

DATES: Submit written comments by June 8, 2009.

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 online 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, FSIS, 1400 Independence Avenue, SW., Room 2534, South Agriculture Building, Washington, DC 20250-3700.

Instructions: All items submitted by mail or electronic mail must include the Agency name and docket number FSIS-2009-0003. 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>.

For access to background documents or comments received, go to the FSIS Docket Room at the address listed above between 8:30 a.m. and 4:30 p.m., Monday through Friday.

FOR FURTHER INFORMATION CONTACT: Dare Akingbade, Office of Public Health Science, FSIS, 1400 Independence Avenue, SW., Aerospace Center, Washington, DC. 20250-3700; Telephone: (202) 690-6462; Fax: (202) 690-6337; Electronic mail: dare.akingbade@fsis.usda.gov.

SUPPLEMENTARY INFORMATION:

I. Background

L. monocytogenes is estimated to cause approximately 2,500 illnesses, 2,300 hospitalizations, and 500 deaths each year in the United States (Mead *et al.*, 1999). *L. monocytogenes* is ubiquitous in nature. It is commonly found in the intestines of animals and humans without causing illness. It can survive for long periods of time in soil, leaf litter, sewage, silage dust, vegetation, and water. The organism has been found in many domestic and wild animals, fish, birds, insects, and snails. *L. monocytogenes* has been isolated from a variety of products, including raw milk, cheese made from unpasteurized milk, soft cheese, meat and poultry and their products, cole slaw, and cabbage. *L. monocytogenes* is found in the food-processing environment and can form biofilms on solid surfaces in food processing plants. *L. monocytogenes* can also survive adverse conditions on apparently smooth surfaces (<http://www.fsis.usda.gov/Frame/FrameRedirect.asp?main=http://www.fsis.usda.gov/oa/topics/lmguide.htm>).

Consumption of food contaminated with *L. monocytogenes* can cause listeriosis, a disease that results in high fever, severe headache, neck stiffness, and nausea. Listeriosis can also cause miscarriages and stillbirths, as well as fatal infections in those with weakened immune systems, such as infants, the elderly, and persons with HIV infection or undergoing chemotherapy (http://www.fsis.usda.gov/News_Events/Recall_051_2008_Release/index.asp).

To better understand the sources of foodborne *L. monocytogenes* infection, the Food and Drug Administration (FDA) and FSIS developed a quantitative risk assessment that compared the risk of listeriosis among 23 categories of RTE foods. The results of the risk assessment, completed in 2003, indicated deli meats pose the

greatest risk for listeriosis, accounting for approximately 1,600 illnesses per year (<http://www.foodsafety.gov/~dms/lmr2-toc.html>).

Because of these findings, FDA and FSIS conducted a preliminary analysis using the deli meat model component of the 2003 FDA and FSIS *Listeria monocytogenes* risk assessment. This analysis estimated the relative risk of illness from *Listeria monocytogenes* on deli meat sliced and packaged at Federally inspected processing establishments compared to deli meat sliced at retail facilities. The results of the preliminary analysis indicated that approximately 80% of listeriosis cases related to deli meats were associated with those sliced at retail. However, because these results were based on a retail survey not specifically designed to collect contamination data on deli meats (Gombas *et al.* 2003), FSIS sought to gather targeted contamination data for prepackaged and retail-sliced deli meats to further examine the relative risk of listeriosis.

In the risk assessment released today—the Comparative Risk Assessment for *Listeria monocytogenes* in Ready-To-Eat Meat and Poultry Deli Meats—FSIS reanalyzes the relative risk of illness from *Listeria monocytogenes* on deli meat sliced and packaged at Federally inspected processing establishments compared to deli meat sliced at retail facilities based on new data.

II. The Draft Risk Assessment

The Comparative *Listeria Monocytogenes* in Ready-to-Eat Meat and Poultry Deli Meats risk assessment has undergone an independent external peer review consistent with the requirements in the Office of Management and Budget's "Final Information Quality Bulletin for Peer Review" and review by various government agencies. This quantitative risk assessment provides a science-based, analytical approach to collate and incorporate available data into a mathematical model. It provides risk managers with a decision-support tool to understand and evaluate the relative risk of slicing and packaging deli meat in retail facilities versus slicing and packaging deli meat in federally inspected processing establishments.

The deli meat pathway model of the draft risk assessment consists of four distinct stages: (1) A retail stage that determines the level of *L. monocytogenes* in prepackaged deli meats and those deli meats sliced at retail; (2) a growth stage that uses an exponential growth rate function to model the growth of *L. monocytogenes*

in deli meat between purchase at retail and consumption; (3) a consumption stage that uses information about deli meat serving sizes and the number of servings consumed to estimate consumer exposure to the pathogen of concern; and (4) a dose-response stage that predicts the probability of death from consuming *L. monocytogenes*.

To update the deli meat pathway model of the 2003 risk assessment discussed above, FSIS obtained retail contamination data from the NAFSS study (Draughon, 2006) and used it in conjunction with new consumer survey data obtained by RTI International, Tennessee State University, and Kansas State University (Cates *et al.*, 2006).

The results from this comparative Lm risk assessment model indicate that approximately 83% of listeriosis cases and deaths attributed to deli meat consumption are from deli meat sliced and packaged at retail.

As part of an evaluation of the draft comparative *L. monocytogenes* risk assessment, FSIS seeks comments about:

- (1) The assumptions made,
- (2) The modeling techniques,
- (3) The data used, and
- (4) The clarity of the draft risk assessment document.

FSIS will review and evaluate all public comments on this draft comparative risk assessment and make modifications to the assessment based on comments, as appropriate. The draft risk assessment is available electronically on the FSIS Web site (http://www.fsis.usda.gov/Science/Risk_Assessments/index.asp#RTE).

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/. 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/. Options range from recalls, export information, 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 April 3, 2009.

Carol Maczka,

Assistant Administrator, ODIFP.

[FR Doc. E9-8056 Filed 4-8-09; 8:45 am]

BILLING CODE 3410-DM-P

DEPARTMENT OF AGRICULTURE

Forest Service

Information Collection; Urgent Removal of Timber

AGENCY: Forest Service, USDA.

ACTION: Notice; correction.

SUMMARY: The Forest Service published an Information Collection Request for Comment in the **Federal Register** of March 24, 2009. The document contained an incorrect e-mail address.

FOR FURTHER INFORMATION CONTACT: Lathrop Smith, Forest Management staff, at 202-205-0858. Individuals who use telecommunication devices for the deaf (TDD) may call the Federal Relay Service (FRS) at 1-800-877-8339 twenty-four hours a day, every day of the year, including holidays.

Correction

In the **Federal Register** of March 24, 2009, (73 FR 12303), on page 12303, in the **ADDRESSES** section, correct the e-mail address to read:

ADDRESSES: Comments concerning this notice should be addressed to Director, Forest Management, 1400 Independence Avenue, SW., Mailstop 1103, Washington, DC 20250-1103.

Comments also may be submitted via facsimile to 202-205-1045 or by e-mail to: urgent_removal@fs.fed.us.

Dated: April 2, 2009.

Richard W. Sowa,

Acting Assistant Deputy Chief, National Forest System.

[FR Doc. E9-8026 Filed 4-8-09; 8:45 am]

BILLING CODE 3410-11-P

COMMISSION ON CIVIL RIGHTS

Sunshine Act Notice

AGENCY: United States Commission on Civil Rights.

ACTION: Notice of meeting.

DATE AND TIME: Friday, April 17, 2009; 9:30 a.m. EDT.

PLACE: 624 9th St., NW., Room 540, Washington, DC 20425.

Meeting Agenda

This meeting is open to the public.

- I. Approval of Agenda.
- II. Approval of Minutes of February 20, 2009 and March 30, 2009 Meetings.
- III. Announcements.
- IV. Staff Director's Report.
- V. Program Planning.

- Update on Status of 2009 Statutory Report
- Approval of Findings and Recommendations for the Briefing Report on Department of Justice Voting Rights Enforcement for the 2008 Presidential Election
- Approval of Briefing Report on Provision of Supplemental Educational Services under the No Child Left Behind Act
- Approval of Concept Paper for a Commission Briefing on Health Disparities (Taylor)
- V. Management & Operations.
 - Update on the Status of Briefing Reports
 - Motion Regarding Evaluation of Staff Director Performance (Melendez)
 - Motion Regarding Staff Director's Provision of Quarterly Financial Reports to Commission (Melendez)
 - Motion Regarding Commission Preparation of a Public Service Announcement (Melendez)
 - Motion Regarding Review and Standardization of Agency Regulations, Administrative Instructions and Other Practices (Melendez)
- VI. State Advisory Committee Issues.
 - Tennessee SAC
- VII. Adjourn.

FOR FURTHER INFORMATION CONTACT:

Lenore Ostrowsky, Acting Chief, Public Affairs Unit (202) 376-8582. TDD: (202) 376-8116.

Persons with a disability requiring special services, such as an interpreter for the hearing impaired, should contact Pamela Dunston at least seven days prior to the meeting at 202-376-8105. TDD: (202) 376-8116.

Dated: April 7, 2009.

David P. Blackwood,

General Counsel.

[FR Doc. E9-8261 Filed 4-7-09; 4:15 pm]

BILLING CODE 6335-01-P

COMMISSION ON CIVIL RIGHTS

Membership of the USCCR Performance Review Board

AGENCY: U.S. Commission on Civil Rights.

ACTION: Notice of Membership of the USCCR Performance Review Board.

SUMMARY: This notice announces the appointment of the Performance Review Board (PRB) of the United States Commission on Civil Rights. Publication of PRB membership is required pursuant to 5 U.S.C. 4314(c)(4).

The PRB provides fair and impartial review of the U.S. Commission on Civil Rights' Senior Executive Service performance appraisals and makes recommendations regarding performance ratings and performance awards to the Staff Director, U. S. Commission on Civil Rights for the FY 2008 rating year.

FOR FURTHER INFORMATION CONTACT:

Tina Louise Martin, Director of Management, U.S. Commission on Civil Rights, 624 Ninth Street, NW., Washington, DC 20425, Telephone: (202) 376-8364.

USCCR Performance Review Board Members: William D. Spencer, Clerk of the Board, MSPB, David Capozzi, Acting Executive Director, U.S. Access Board, Mary Johnson, General Counsel, NMB.

Dated: April 6, 2009.

David P. Blackwood,

General Counsel.

[FR Doc. E9-8091 Filed 4-8-09; 8:45 am]

BILLING CODE 6335-01-P

DEPARTMENT OF COMMERCE

Bureau of Economic Analysis

Proposed Information Collection; Comment Request; Survey: Foreign Ocean Carriers' Expenses in the United States

ACTION: Notice.

SUMMARY: The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to comment on proposed and/or continuing information collections, as