

# 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

### Submission for OMB Review; Comment Request

July 8, 2021.

The Department of Agriculture will submit the following information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104–13 on or after the date of publication of this notice. Comments are requested regarding: 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; the accuracy of the agency's estimate of burden including the validity of the methodology and assumptions used; ways to enhance the quality, utility and clarity of the information to be collected; and 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.

Comments regarding these information collections are best assured of having their full effect if received by August 16, 2021. Written comments and recommendations for the proposed information collection should be submitted within 30 days of the publication of this notice on the following website [www.reginfo.gov/public/do/PRAMain](http://www.reginfo.gov/public/do/PRAMain). Find this particular information collection by selecting “Currently under 30-day Review—Open for Public Comments” or by using the search function.

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:* Hemp Acreage and Production Survey.

*OMB Control Number:* 0535–NEW.

*Summary of Collection:* As defined in the 2018 Farm Bill, the term “hemp” means the plant species *Cannabis sativa* L. and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than 0.3 percent on a dry weight basis. Delta-9 tetrahydrocannabinol, or THC, is the primary intoxicating component of cannabis. Cannabis with a THC level exceeding 0.3 percent is considered marijuana, which remains classified as a schedule I controlled substance regulated by the Drug Enforcement Administration (DEA) under the Controlled Substances Act (CSA). Under the Agricultural Act of 2014 (2014 Farm Bill), Public Law 113–79, State departments of agriculture and institutions of higher education were permitted to produce hemp as part of a pilot program for research purposes. The authority for hemp production provided in the 2014 Farm Bill was extended by the 2018 Farm Bill, which was signed into law on December 20, 2018.

Hemp is a commodity that can be used for numerous industrial and horticultural purposes including fabric, paper, construction materials, food products, cosmetics, production of cannabinoids (such as cannabidiol or CBD), and other products.

In determining the type of data that would need to be collected and the frequency of the data collections, NASS management attended a joint meeting with representatives from the USDA's Economic Research Service (ERS), Farm Service Agency (FSA), Risk Management Agency (RMA), Agricultural Marketing Service (AMS), and the Office of the Secretary.

*Need and Use of the Information:* The data will be collected under the authority of the Domestic Hemp Production Program, which is mandated by the Agriculture Improvement Act of 2018 (2018 Farm Bill). In addition the

data will be collected under the authority of Title 7 U.S.C. 2204(a). Individually identifiable data collected under this authority are governed by Section 1770 of the Food Security Act of 1985 as amended, 7 U.S.C. 2276, which requires USDA to afford strict confidentiality to non-aggregated data provided by respondents. This Notice is submitted in accordance with the Paperwork Reduction Act of 1995, Public Law 104–13 (44 U.S.C. 3501, *et seq.*), and Office of Management and Budget regulations at 5 CFR part 1320.

NASS also complies with OMB Implementation Guidance, “Implementation Guidance for Title V of the E-Government Act, Confidential Information Protection and Statistical Efficiency Act of 2002 (CIPSEA),” **Federal Register**, Vol. 72, No. 115, June 15, 2007, p. 33362.

*Description of Respondents:*

Businesses or other for-profits and Farms.

*Number of Respondents:* 20,000.

*Frequency of Responses:* Reporting: Annually.

*Total Burden Hours:* 7,531.

**Levi S. Harrell,**

*Departmental Information Collection Clearance Officer.*

[FR Doc. 2021–15063 Filed 7–14–21; 8:45 am]

**BILLING CODE 3410–20–P**

## DEPARTMENT OF AGRICULTURE

### Food Safety and Inspection Service

[Docket No. FSIS–2021–0017]

### Notice of Request for a New Information Collection: Overtime and Holiday Inspection Fees for Small and Very Small Establishments

**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 new information collection to reduce overtime and holiday inspection fees for small and very small meat, poultry, and egg products establishments. This is a new information collection with an

estimated annual burden of 724 hours. FSIS is reducing holiday and overtime fees under the American Rescue Plan Act, enacted on March 11, 2021. Through this legislation, Congress provided FSIS with \$100 million in budget authority to reduce the costs of overtime inspection for small and very small official meat and poultry establishments and egg products plants.

**DATES:** Submit comments on or before September 13, 2021.

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

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

- **Mail:** Send to Docket Clerk, U.S. Department of Agriculture, Food Safety and Inspection Service, 1400 Independence Avenue SW, Mailstop 3758, Washington, DC 20250–3700.

- **Hand- or Courier-Delivered Submittals:** Deliver to 1400 Independence Avenue SW, Washington, DC 20250–3700.

**Instructions:** All items submitted by mail or electronic mail must include the Agency name and docket number FSIS–2021–0017. Comments received in response to this docket will be made available for public inspection and posted without change, including any personal information, to <https://www.regulations.gov>.

**Docket:** For access to background documents or comments received, call (202) 205–0495 to schedule a time to visit the FSIS Docket Room at 1400 Independence Avenue SW, Washington, DC 20250–3700.

**FOR FURTHER INFORMATION CONTACT:** Gina Kouba, Office of Policy and Program Development, Food Safety and Inspection Service, USDA, 1400 Independence Avenue SW, Mailstop 3758, South Building, Washington, DC 20250–3700; (202) 720–5627.

**SUPPLEMENTARY INFORMATION:**

**Title:** Overtime and Holiday Inspection Fees for Small and Very Small Establishments.

**OMB Number:** 0583–NEW.

**Type of Request:** Request for a new 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.*). These statutes mandate that FSIS protect the public by verifying that meat, poultry, and egg products are safe, wholesome, unadulterated, and properly labeled and packaged.

As authorized under the American Plan Rescue Act, FSIS intends to reduce overtime and holiday inspection fees for small and very small meat, poultry, and egg products establishments. FSIS will collect information on FSIS Form 5200–16, *Overtime/Holiday Rate Reduction Form*, to determine whether an establishment inspected by FSIS qualifies for an overtime and holiday inspection fee reduction, and, if so, the amount of the reduction. If an establishment experiences any change in qualifying circumstances, it must notify FSIS by resubmitting the FSIS Form 5200–16, *Overtime/Holiday Rate Reduction Form*.

FSIS has made the following estimates based upon an information collection assessment:

**Estimate of burden:** The public reporting burden for this collection of information is estimated to average 10 minutes per response.

**Estimated total number of respondents:** 3,944.

**Estimated number of responses per respondent:** 1–2.

**Estimated annual number of responses:** 3,944.

**Estimated initial annual burden on respondents:** 724 hours.

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. Copies of this information collection assessment can be obtained from Gina Kouba, Office of Policy and Program Development, Food Safety and Inspection Service, USDA, 1400 Independence Avenue SW, Mailstop 3758, South Building, Washington, DC 20250–3700; (202) 720–5627.

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 method 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 to both FSIS, at the addresses provided above, and the Desk Officer for Agriculture, Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), Washington, DC 20253.

**Additional Public Notification**

Public awareness of all segments of rulemaking and policy development is important. Consequently, FSIS will announce this **Federal Register** publication on-line through the FSIS web page located at: <https://www.fsis.usda.gov/federal-register>.

FSIS will also announce and provide a link to this **Federal Register** publication 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 *Constituent Update* is available on the FSIS web page. Through the web page, FSIS can provide information to a much broader, more diverse audience. In addition, FSIS offers an email subscription service which provides automatic and customized access to selected food safety news and information. This service is available at: <https://www.fsis.usda.gov/subscribe>. Options range from recalls to export information, regulations, directives, and notices. Customers can add or delete subscriptions themselves and have the option to password protect their accounts.

**USDA Non-Discrimination Statement**

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign

Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at How to File a Program Discrimination Complaint and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992.

Submit your completed form or letter to USDA by: (1) Mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue SW, Washington, DC 20250-9410; (2) fax: (202) 690-7442; or (3) email: [program.intake@usda.gov](mailto:program.intake@usda.gov). USDA is an equal opportunity provider, employer, and lender.

Paul Kiecker,  
Administrator.

[FR Doc. 2021-15012 Filed 7-14-21; 8:45 am]

BILLING CODE 3410-DM-P

## DEPARTMENT OF AGRICULTURE

### Food Safety and Inspection Service

[Docket No. FSIS-2021-0014]

### Overtime and Holiday Inspection Fee Reductions for Small and Very Small Establishments

**AGENCY:** Food Safety and Inspection Service, USDA.

**ACTION:** Notice.

**SUMMARY:** In the American Rescue Plan Act, enacted on March 11, 2021, Congress provided the Food Safety and Inspection Service (FSIS) with \$100 million in budget authority to reduce the costs of overtime inspection for small and very small official meat and poultry establishments and egg products plants. FSIS will implement this provision by reducing overtime and holiday inspection fees for small establishments by 30 percent and very small establishments by 75 percent. FSIS has developed an Overtime/Holiday Rate Reduction form that official establishments will need to submit to request an overtime or holiday inspection fee reduction. FSIS will review the form to determine whether an establishment qualifies for the fee reduction. This notice contains information on how to complete and

submit the form to FSIS and describes the procedures FSIS will follow to implement the American Rescue Plan Act's overtime and holiday inspection fee reduction provisions.

**DATES:** Establishments are encouraged to submit their completed Overtime/Holiday Rate Reduction forms by August 16, 2021 to expedite the process. However, establishments may submit their forms at any time. All establishments that submit their forms by March 11, 2022, and that qualify for a fee reduction, will receive a partial refund for overtime and holiday inspection fees paid since October 11, 2020, *i.e.*, the first day of the pay period after beginning of Fiscal Year 2021.

**ADDRESSES:** Small and very small establishments should submit their completed forms to the FSIS inspection personnel assigned to their establishment or, alternatively, FAX the completed form to the appropriate FSIS District Office, "Attention Grant Curator." Contact information for the FSIS District Offices, including FAX numbers, is available at: <https://www.fsis.usda.gov/contactus/fsis-offices/office-field-operations-fo>.

**FOR FURTHER INFORMATION CONTACT:** Rachel Edelstein, Assistant Administrator, Office of Policy and Program Development by telephone at (202) 205-0495.

For billing issues and to request refunds contact the Financial Service Center Customer Contact Center: (515) 334-2000 option 1 or email at [fsis.billing@usda.gov](mailto:fsis.billing@usda.gov).

### SUPPLEMENTARY INFORMATION:

#### I. Background

The Federal Meat Inspection Act (FMIA) (21 U.S.C. 601 *et seq.*) and the Poultry Products Inspection Act (PPIA) (21 U.S.C. 451 *et seq.*) provide for mandatory Federal inspection of livestock and poultry slaughtered at official establishments and of meat (including *Siluriformes*) and poultry processed at official establishments. The Egg Products Inspection Act (EPIA) (21 U.S.C. 1031 *et seq.*) provides for mandatory inspection of egg products processed at official plants. Although firms that process egg products are defined as "plants" by the EPIA, when generally discussing businesses affected by the American Rescue Plan Act in this document, we will refer to them as "establishments." Under the FMIA, PPIA, and EPIA, FSIS bears the cost of mandatory inspection provided during non-overtime and non-holiday hours of operation, while official meat, poultry and egg product establishments are required to pay for inspection services

requested and performed on an overtime basis or on holidays (21 U.S.C. 468, 21 U.S.C. 695, and 21 U.S.C. 1053)).

FSIS' regulations (9 CFR 391.3, 590.126, and 590.128) contain formulas for calculating fees for overtime and holiday inspection. FSIS uses these formulas and publishes annual rates in the **Federal Register** before the start of each calendar year (see 85 FR 79992). FSIS applies the rates on the first FSIS pay period at the beginning of the calendar year. The overtime and holiday fees apply to all establishments regardless of their size and average annual sales.

The overtime and holiday inspection fees for all establishments may have a disproportionate financial impact on small and very small establishments compared to large establishments that can more easily absorb the extra charges due to their production volume. Additionally, large establishments often operate a full second shift, giving them a total of 16 hours instead of 8 hours of inspection per day before they would have to pay for overtime. Higher production volume and operation of a second shift without additional cost for large establishments may put smaller establishments at a competitive disadvantage. The resulting additional cost per pound of product caused by overtime and holiday fees is much higher for smaller establishments. Thus, the full fees may hamper their ability to continue to operate, be competitive, and expand operations.

#### II. Funding and Fee Reductions

In the American Rescue Plan Act of 2021 (Pub. L. 117-2, 135 Stat. 242), Congress provided FSIS with \$100 million in budget authority to reduce the costs of overtime inspection for federally-inspected small and very small meat, poultry, and egg products establishments. Under the American Rescue Plan Act, the definitions of "small establishment" and "very small establishment" have the meaning given to those terms in FSIS' final rule "Pathogen Reduction; Hazard Analysis and Critical Control Point (HACCP)" (PR/HACCP)(61 FR 38806, July 25, 1996). These definitions, and refinements for assessing the number of establishment employees and average annual sales that FSIS has made for purposes of implementing the overtime and holiday inspection fee reduction, are discussed in more detail in the "Eligibility" and "Overtime/Holiday Rate Reduction form" sections below.

Although the American Rescue Plan Act did not include specific amounts for the overtime and holiday fee reduction, in a March 15, 2021 letter to Secretary