

## DEPARTMENT OF AGRICULTURE

## Animal and Plant Health Inspection Service

[Docket No. APHIS–2020–0063]

## Notice of Decision To Revise Import Requirements for the Importation of Fresh Sand Pears From the Republic of Korea Into the United States

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

**ACTION:** Notice.

**SUMMARY:** We are notifying the public of our decision to revise requirements for the importation into the United States of sand pear (*Pyrus pyrifolia* var. *culta*) fruit from the Republic of Korea. Based on the findings of a pest risk analysis, which we made available to the public for review and comment through a previous notice, we have determined that the application of one or more designated phytosanitary measures will be sufficient to mitigate the risks of introducing or disseminating plant pests or noxious weeds via the importation of fresh, non-precleaned sand pear fruit from the Republic of Korea into all ports of the United States as an alternative to the preclearance program. All non-precleaned sand pear fruit intended for importation into the United States from the Republic of Korea will be subject to the systems approach required for precleaned fruit.

**DATES:** Imports may be authorized at all U.S. ports beginning September 27, 2022.

**FOR FURTHER INFORMATION CONTACT:** Ms. Claudia Ferguson, Senior Regulatory Policy Specialist, Regulatory Coordination and Compliance, Imports, Regulations, and Manuals, PPQ, APHIS, 4700 River Road, Unit 133, Riverdale, MD 20737–1231; (301) 851–2352.

## SUPPLEMENTARY INFORMATION:

## Background

Under the regulations in “Subpart L-Fruits and Vegetables” (7 CFR 319.56–1 through 319.56–12, referred to below as the regulations), the Animal and Plant Health Inspection Service (APHIS) of the U.S. Department of Agriculture (USDA) prohibits or restricts the importation of fruits and vegetables into the United States from certain parts of the world to prevent plant pests from being introduced into and spread within the United States.

Section 319.56–4 of the regulations provides requirements for authorizing the importation of fruits and vegetables into the United States and revising existing requirements for the

importation of fruits and vegetables. Paragraph (c) of that section provides that the name and origin of all fruits and vegetables authorized for importation into the United States, as well as the requirements for their importation, be listed on the internet in APHIS’ Fruits and Vegetables Import Requirements database, or FAVIR<sup>1</sup> (<https://epermits.aphis.usda.gov/manual>). It also provides that, if the Administrator of APHIS determines that any of the phytosanitary measures required for the importation of a particular fruit or vegetable are no longer necessary to reasonably mitigate the plant pest risk posed by the fruit or vegetable, APHIS will publish a notice in the **Federal Register** making its pest risk documentation and determination available for public comment.

In accordance with that process, we published a notice<sup>2</sup> in the **Federal Register** on March 15, 2021 (86 FR 14301–14302, Docket No. APHIS–2020–0063), in which we announced the availability, for review and comment, of a pest list and a commodity import evaluation document that evaluated the risks associated with allowing importation into all ports of the United States of non-precleaned fresh sand pear fruit from the Republic of Korea.

We solicited comments on the notice for 60 days ending May 14, 2021. We received one comment by that date, from a trade organization opposed to our proposal. The commenter stated that APHIS should not revise requirements for imports into all ports of the United States of fresh sand pear from the Republic of Korea because that country has not followed through on a pledge to open its markets to imports of U.S. pome fruit.

We are making no changes in response to the commenter. Import prohibitions based on trade reciprocity are beyond the scope of APHIS’ statutory authority under the Plant Protection Act (PPA, 7 U.S.C. 7701 *et seq.*). Under the PPA, APHIS will prohibit the importation of a fruit or vegetable into the United States only if we determine that the prohibition is necessary to prevent the introduction or dissemination of a plant pest or noxious weed within the United States. APHIS and trade offices within USDA continue to pursue new or expanded export

markets for U.S. agriculture, including the export of pome fruit to the Republic of Korea.

Therefore, in accordance with the regulations in § 319.56–4(c)(3)(iii), we are announcing our decision to authorize the importation of fresh, non-precleaned sand pear from the Republic of Korea into all ports of the United States subject to the following phytosanitary measures:<sup>3</sup>

- Sand pears must be imported as commercial consignments only.
- Sand pears must be grown in places of production and packed in packinghouses registered with the Republic of Korea national plant protection organization (NPPO).
- Places of production must be inspected for symptoms of quarantine pests and diseases. If such pests and diseases are found, adequate mitigations measures should be implemented.
- Sand pears must be bagged when the fruit is between 2.5 and 3.5 centimeters in diameter. All fruit must be bagged by June 30. Bagging is required to prevent all arthropod pests from infesting the fruits.
- Each sand pear consignment must be labeled to allow trace back.
- Each sand pear consignment must be accompanied by a phytosanitary certificate issued by the Republic of Korea NPPO stating that the consignment has been inspected and found free of quarantine pests.

These conditions will be listed in the Fruits and Vegetables Import Requirements database (available at <https://epermits.aphis.usda.gov/manual>). In addition to these specific measures, fresh sand pear from the Republic of Korea will be subject to the general requirements listed in § 319.56–3 that are applicable to the importation of all fruits and vegetables.

## Paperwork Reduction Act

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the recordkeeping and burden requirements associated with this action are included under the Office of Management and Budget control number 0579–0049.

## E-Government Act Compliance

The Animal and Plant Health Inspection Service is committed to compliance with the E-Government Act to promote the use of the internet and other information technologies, to provide increased opportunities for citizen access to Government

<sup>1</sup> On September 30, 2022, the FAVIR database will be replaced by the APHIS Agricultural Commodity Import Requirements (ACIR) database. The database can be accessed at <https://acir.aphis.usda.gov/s/>.

<sup>2</sup> To view the notice, supporting documents, and the comment we received, go to [www.regulations.gov](http://www.regulations.gov) and enter APHIS–2020–0063 in the Search field.

<sup>3</sup> Preclearance program exports of sand pear fruit from the Republic of Korea will still require a completed PPQ Form 203, which indicates the commodity has been inspected by APHIS at origin.

information and services, and for other purposes. For information pertinent to E-Government Act compliance related to this notice, please contact Mr. Joseph Moxey, APHIS' Paperwork Reduction Act Coordinator, at (301) 851-2483.

### Congressional Review Act

Pursuant to the Congressional Review Act (5 U.S.C. 801 *et seq.*), the Office of Information and Regulatory Affairs designated this action as not a major rule, as defined by 5 U.S.C. 804(2).

**Authority:** 7 U.S.C. 1633, 7701-7772, and 7781-7786; 21 U.S.C. 136 and 136a; 7 CFR 2.22, 2.80, and 371.3.

Done in Washington, DC, this 21st day of September 2022.

**Anthony Shea,**

*Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 2022-20810 Filed 9-26-22; 8:45 am]

**BILLING CODE 3410-34-P**

## DEPARTMENT OF AGRICULTURE

### Food and Nutrition Service

#### Agency Information Collection Activities: State Administrative Expense Funds

**AGENCY:** Food and Nutrition Service (FNS), USDA.

**ACTION:** Notice.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, this notice invites the general public and other public agencies to comment on this proposed information collection. This collection is a revision of a currently approved collection for State administrative expense funds expended in the operation of the Child Nutrition Programs administered under the Child Nutrition Act of 1966.

**DATES:** Written comments must be received on or before November 28, 2022.

**ADDRESSES:** Comments may be sent to Penny Burke, Chief, Operational Support Branch, Food and Nutrition Service, U.S. Department of Agriculture, 1320 Braddock Place, Alexandria, VA 22314. Comments will also be accepted through the Federal eRulemaking Portal. Go to <http://www.regulations.gov>, and follow the online instructions for

submitting comments electronically. All responses to this notice will be summarized and included in the request for Office of Management and Budget (OMB) approval and will become a matter of public record.

#### FOR FURTHER INFORMATION CONTACT:

Requests for additional information or copies of this information collection should be directed to Penny Burke at (703) 305-3223, [penny.burke@usda.gov](mailto:penny.burke@usda.gov).

**SUPPLEMENTARY INFORMATION:** Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions that were 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 on those who are to respond, including use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology. Comments are also invited on the revised form FNS-525 included as part of this notice.

**Title:** 7 CFR part 235—State Administrative Expense Funds.

**Form Number:** FNS-525.

**OMB Number:** 0584-0067.

**Expiration Date:** December 31, 2022.

**Type of Request:** Revision of a currently approved collection.

**Abstract:** Section 7 of the Child Nutrition Act of 1966 (Pub. L. 89-642), 42 U.S.C. 1776, authorizes the Department to provide Federal funds to State agencies (SAs) for administering the Child Nutrition Programs (7 CFR parts 210, 215, 220, 226 and 250). State Administrative Expense (SAE) Funds, 7 CFR part 235, sets forth procedures and recordkeeping requirements for use by SAs in reporting and maintaining records of their need and use of SAE funds. A summary of the reporting and recordkeeping burden associated with this revision is presented in the table below.

In addition to FNS-525 Financial Status Report, which is used by the State agencies to report information

related to the SAE funds, this collection has another form, FNS-777 Financial Status Report, associated with it. FNS-777 and its associated burden is approved under OMB# 0584-0594 Food Programs Reporting System (FPRS) (expiration date July 31, 2023) and therefore is not included in this collection. The recordkeeping requirements associated with FNS-777 and the burden for maintaining those records is included in this information collection.

For this revision, 245 hours of reporting burden is being reduced due to FNS-525 form revisions. The FNS-525 has been completely revised to eliminate duplication of effort. The information collected in the previous version is already available to FNS because it is collected in the FNS-777. The revised form was created to reflect the updated process for State Administrative Expense reallocation funding. It is included with this notice to allow for public comment. With these revisions, FNS estimates that the time to complete this form will decrease from 12 hours and 30 minutes to 2 hours and 15 minutes. The revised FNS-525 form is included with this Notice.

**Affected Public:** State, Local and Tribal Government. State Agencies are the respondents.

**Estimated Number of Respondents:** 83.

**Estimated Number of Responses per Respondent:** 39.651 across the entire collection. State agencies provide information on an annual basis.

**Estimated Total Annual Responses:** 3,291.

**Estimated Hours per Response:** 1.916 across the entire collection. The estimated time of response varies from 15 minutes to 8 hours.

**Estimated Total Hours Annual Reporting Burden:** 357.

**Estimated Total Hours Annual Recordkeeping Burden:** 5,949.

**Estimated Total Annual Burden:** 6,306.

**Current OMB Inventory:** 6,551.

**Difference (requested with this renewal):** -245.

Refer to the following table for estimated annual burden for each type of respondent:

Affected public	Estimated number of respondents	Number of responses per respondent	Estimated total annual responses	Estimated hours per response	Estimated total annual burden
<b>Reporting</b>					
State Agencies .....	83	2.036	169	2.112	357
Total Estimated Reporting Burden .....	83	.....	169	.....	357