

To: Margaret Malanowski  
Senior Desk Officer  
Office of Management and Budget

Through: Charlene Parker  
Departmental Clearance Officer  
Office of the Chief Information Office

From: Kenneth C. Clayton  
Associate Administrator  
Agricultural Marketing Service

Subject: Request for Emergency Review and Processing for Information Collection Requirement

We are requesting emergency review and processing of an information collection. A burden is being imposed on handlers for the collection of additional reporting requirements under the Idaho-Eastern Oregon onion marketing order, M.O. No. 958 (order). The order regulates the handling of Onions Grown in Idaho, and Malheur County, Oregon, and is administered by the Idaho-Eastern Oregon Onion Committee (Committee).

The Agricultural Marketing Service (AMS) is publishing an interim final rule which would establish a procedure for 35 handlers to apply and receive credit for assessments paid on onions intended for the fresh market, but subsequently sent to special purpose outlets. The rule would also change the requirements for reporting the handling of fresh onions for peeling, chopping, or slicing, and for reporting special purpose shipments, currently approved under OMB No. 0581-0178, Vegetable and Specialty Crop Marketing Orders. The 60-day notice is being embedded in the interim final rule.

The information collection under review pertains to two existing forms previously approved by the Office of Management and Budget, under OMB No. 0581-0178. **Form FV-34**, "Application to Make Special Purpose Shipments-Certificate of Privilege", authorized under §§ 958.56 and 958.328 of the order, was modified to add the following information to the form: Receiver phone; type of sale; total cwt., check box for container; name and phone." In addition, the responses per respondent increased from once annually, to three times annually. The change to this form would result in an increase in burden from the currently approved burden of 2.60 hours, to 7.80, or an increase of 5.20 burden hours.

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**Form FV-35**, “Onion Diversion Report”, authorized under §§ 958.56 and 958.328 of the order, was changed from a five-copy form, to one; the receiver will no longer be required to complete the form; and the frequency of responses was reduced from 170 responses per respondent (for each shipment), to 100 responses per respondent (for daily and weekly shipments). Information added to this form includes: Container and label of shipment; name of person signing for handler; title; phone; handler address; handler city; handler state; and handler zip. The change to this form would result in a decrease in burden from the currently approved burden of 442 hours, to 260 hours, or a decrease of 182 burden hours. As a result of the changes in burden for these two forms, the burden currently approved under **0581-0178** (18,161 hours) would decrease from 18,161 burden hours to 17,984 burden hours.

The form, “**Assessment Credit Report**”, authorized under §§ 958.42, 958.240 and 958.250 of the order, is a new form that would be used by handlers who would like to receive a credit for assessments onions that have been levied in accordance with sections 958.42 and 958.240, and are subsequently re-graded, resorted, repacked within the production area, or shipped in accordance with a special purpose shipment. There are approximately 35 handlers who would file this report 20 times annually, with an estimated burden of 8 minutes per response (.13) for a total burden of 91 hours.

We request that once approved, this information collection be merged into OMB No. 0581-0178, Vegetable and Specialty Crops Marketing Orders. Upon the merging of the new form for 91 burden hours and the change in reporting requirements under 0581-0178, the total burden will be 18,075 burden hours (17,984 + 91 = 18,075).

We are requesting emergency approval for this information collection by October 27, 2006, which is the beginning of regulation period. In compliance with OMB regulations (5 CFR part 1320) which implement the Paperwork Reduction Act of 1995 (Pub. L. 104-13), the information collection and recordkeeping requirements that may be imposed by this action are submitted to OMB for emergency review and approval. The additional reporting requirements would not become effective prior to OMB review.

Attached is the Form OMB 83-I and the Supporting Statement.

Attachment

AMS:F&V:MOAB:VLEmmmer-Scott:205-2829:07/17/06/07/19/06  
S:\Program Operations\Active\958\Forms\2006 Emergency memo