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Through: Charlene Parker  
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From: Kenneth C. Clayton  
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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 kiwifruit marketing order, M.O. No. 920 (order). The order regulates the handling of kiwifruit grown in California, and is administered by the Kiwifruit Administrative Committee (Committee).

The Agricultural Marketing Service (AMS) is publishing an interim final rule which exempts repacked kiwifruit from reinspection under a new verification process. Currently, kiwifruit that has been inspected, then subsequently repacked into new containers, must be reinspected by Federal-State Inspection Service (FSIS), because the positive lot identification number (PLI) cannot be applied to the new container, even if there is no change in fruit size or grade. This change reduces inspection costs, because handlers have the option of using the new verification process instead of having kiwifruit reinspected to conform to PLI requirements. In addition, having kiwifruit reinspected can delay shipments because kiwifruit cannot be shipped until FSIS completes the reinspection process. Under the new verification process, handlers would contact FSIS to obtain a verification number when repacking previously inspected kiwifruit where no changes in size or grade have occurred. The verification number would be linked to the PLI number, thus, providing a trace back to the original inspection. Handlers would still be given the option to have their kiwifruit re-inspected. The 60-day notice is embedded in the interim final rule.

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The information collection under review pertains to a new form, "Kiwifruit Verification Report", authorized under § 920.303. Handlers would use this form to report information from the original inspection certificate (PLI and inspection certificate numbers, handler name, grade and size, number and type of containers, and brand) and information for kiwifruit placed into new containers (number and type of container and brand), to FSIS. FSIS will assign a verification number for lots of such kiwifruit to provide a trace back to the original inspection certificate. This form is to be submitted within 3 days of shipment to FSIS. In addition, the Committee will use this form to assist in ensuring handler compliance with the kiwifruit marketing order.

There are approximately 30 handlers who would file this report 150 times annually, with an estimated burden of 15 minutes per response (.25 hours), for a total burden of 1125 hours.

We request that once approved, this information collection be merged into OMB No. 0581-0189, Generic Fruit Crops. Upon the merging of the new form for 1125 burden hours and the change in reporting requirements under 0581-0189, the total burden will be 9,887 burden hours ( $8,762 + 1125 = 9,887$ ).

We are requesting emergency approval for this information collection by October 11, 2006, because the season began August 1, 2006. 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:205-2829:08/09/06:8/15/06  
S:\Program Operations\Active\920\Forms\2006 Emergency memo