

National Agricultural Law Center

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Digest Updates

November 24 through December 5, 2008

Agriculture Department

73 Fed. Reg. 74130 (December 5, 2008) (notice). The Department of Agriculture has submitted the information collection requirement(s) for the Organic Production Survey to OMB for review and clearance.

<http://edocket.access.gpo.gov/2008/E8-28771.htm>

73 Fed. Reg. 71306 (November 24, 2008) (semiannual regulatory agenda). This agenda provides summary descriptions of significant and not significant regulations being developed in agencies of the U.S. Department of Agriculture, describes regulations affecting small entities, and identifies regulatory actions that are being reviewed.

<http://edocket.access.gpo.gov/ua081124/ua081102.txt>

73 Fed. Reg. 70915 (November 24, 2008) (proposed rule) (to be codified at 7 C.F.R. Part 3022). The U.S. Department of Agriculture proposes to establish regulations to implement the Federal Policy on Research Misconduct applicable to extramural research. <http://edocket.access.gpo.gov/2008/E8-27607.htm>

Agricultural Marketing Service

73 Fed. Reg. 73995 (December 5, 2008) (interim final rule with request for comments). This rule revises the administrative rules and regulations governing nominations for the California Walnut Board.

<http://edocket.access.gpo.gov/2008/E8-28673.htm>

73 Fed. Reg. 74078 (December 5, 2008) (proposed rule) (to be codified at 7 C.F.R. Part 1220). This rule would amend the regulations that provide for procedures to request a referendum under the Soybean Promotion, Research, and Consumer Information Program. <http://edocket.access.gpo.gov/2008/E8-28674.htm>

73 Fed. Reg. 74073 (December 5, 2008) (proposed rule) (to be codified at 7 C.F.R. Part 930). This proposed rule invites comments on the establishment of final free and restricted percentages for the 2008-2009 crop year tart cherries covered under the Federal marketing order regulating tart cherries grown in seven States. <http://edocket.access.gpo.gov/2008/E8-28769.htm>

73 Fed. Reg. 74130 (December 5, 2008) (notice of teleconference meeting). This notice sets forth the schedule and proposed agenda of a forthcoming teleconference meeting of the Plant Variety Protection Board.

<http://edocket.access.gpo.gov/2008/E8-28767.htm>

73 Fed. Reg. 73761 (December 4, 2008) (interim final rule with request for comments). This rule decreases the assessment rate established for the California Walnut Board for the 2008-09 and subsequent marketing years.

<http://edocket.access.gpo.gov/2008/E8-28766.htm>

73 Fed. Reg. 72747 (December 1, 2008) (notice of hearing on proposed rulemaking). Notice is hereby given of a public hearing to receive evidence on proposed amendments to the Cotton Research and Promotion Order. <http://edocket.access.gpo.gov/2008/E8-28569.htm>

73 Fed. Reg. 72023 (November 26, 2008) (notice). The Agricultural Marketing Service is revising the voluntary United States Standards for Grades of Beet Greens by removing the "Unclassified" category from the standards. <http://edocket.access.gpo.gov/2008/E8-28079.htm>

Agricultural Research Service

73 Fed. Reg. 70613 (December 5, 2008) (notice). The Agricultural Research Service is requesting nominations for qualified persons to serve as members of the Secretary's Advisory Committee on Biotechnology and 21st Century Agriculture. <http://edocket.access.gpo.gov/2008/E8-27724.htm>

73 Fed. Reg. 73901 (December 4, 2008) (notice of intent). Notice is hereby given that the Agricultural Research Service intends to grant to Cherokee Fabrication an exclusive license to U.S. Patent No. 7,078,913, "Multipath Resistant Microwave Moisture Sensor." <http://edocket.access.gpo.gov/2008/E8-28759.htm>

Animal and Plant Health Inspection Service

73 Fed. Reg. 74073 (December 5, 2008) (correction). This document corrects the proposed rule document regarding importation of eggplant from Israel published on November 12, 2008. <http://edocket.access.gpo.gov/2008/E8-26814.htm>

73 Fed. Reg. 74131 (December 5, 2008) (notice of public meetings; correction). This notice corrects the location in a prior notice advising the public of a series of public meetings regarding future tuberculosis control methods and eradication. <http://edocket.access.gpo.gov/2008/E8-28884.htm>

73 Fed. Reg. 73901 (December 4, 2008) (notice; correction). This notice corrects errors in the notice to request an extension of approval of an information collection associated with regulations for privately owned quarantine facilities for ruminants published in the Federal Register on November 5, 2008. <http://edocket.access.gpo.gov/2008/E8-28761.htm>

73 Fed. Reg. 70954 (November 24, 2008) (extension of approval of an information collection; comment request). This notice announces the intention to request an extension of approval of an information collection associated with regulations for the importation of swine and swine products from the European Union. <http://edocket.access.gpo.gov/2008/E8-27850.htm>

73 Fed. Reg. 70955 (November 24, 2008) (notice). This notice corrects errors in a prior notice to request an extension of approval of an information collection for the national veterinary accreditation program. <http://edocket.access.gpo.gov/2008/E8-27849.htm>

Commodity Credit Corporation

73 Fed. Reg. 73764 (December 4, 2008) (final rule) (to be codified at 7 C.F.R. Part 1430). This rule amends the regulations for the Milk Income Loss Contract Program to extend the program from October 1, 2007, through September 30, 2012; increases the percentage rate for the payment calculation after fiscal year 2008; increases the payment quantity limitation of eligible pounds of milk per operation beginning in FY 2009; and provides for an adjustment to the MILC payment rate if feed costs increase above a specified level. It also adjusts the milk price support program regulations to specify that support purchases will only be made from manufacturers and not from third parties such as brokers. <http://edocket.access.gpo.gov/2008/E8-28710.htm>

73 Fed. Reg. 73617 (December 3, 2008) (proposed rule) (to be codified at 7 C.F.R. Part 1487). This proposed rule would amend the regulations used to administer the Technical Assistance for Specialty Crops program by increasing the amount of funding per proposal, extending the allowable length of an activity, and by allowing up to five approved projects for any one TASC participant at any given time. <http://edocket.access.gpo.gov/2008/E8-28613.htm>

Commodity Futures Trading Commission

73 Fed. Reg. 71968 (November 26, 2008) (proposed rule) (to be codified at 17 C.F.R. Part 4). The Commodity Futures Trading Commission is proposing to amend its regulations applicable to the filing of Disclosure Documents by commodity pool operators and commodity trading advisors with the National Futures Association.
<http://edocket.access.gpo.gov/2008/E8-28177.htm>

Employment and Training Administration

73 Fed. Reg. 74197 (December 5, 2008) (notice of meeting). Employment & Training Administration and Employment Standards Administration are announcing that they will offer at least two public briefings to educate stakeholders, program users, and other interested members of the public on using the re-engineered H-2A agricultural labor certification program and new form ETA 9142. <http://edocket.access.gpo.gov/2008/E8-28847.htm>

Environmental Protection Agency

73 Fed. Reg. 73580 (December 3, 2008) (final rule) (to be codified at 40 C.F.R. Part 180). This regulation establishes tolerances for combined residues of chlorothalonil and its 4-hydroxy metabolite in or on various commodities. It also establishes a tolerance with regional registration for combined residues of chlorothalonil and its metabolite on various commodities. <http://edocket.access.gpo.gov/2008/E8-28597.htm>

73 Fed. Reg. 73586 (December 3, 2008) (final rule) (to be codified at 40 C.F.R. Part 180). This regulation establishes new tolerances for certain plant commodities and all animal commodities and revises other tolerances for glyphosate and its metabolite N-acetyl-glyphosate. <http://edocket.access.gpo.gov/2008/E8-28571.htm>

73 Fed. Reg. 73629 (December 3, 2008) (notice of extension of comment period). EPA is announcing that the comment period on the proposed rule for Performance Specification 17, "Specifications and Test Procedures for Continuous Parameter Monitoring Systems at Stationary Sources" and Procedure 4, "Quality Assurance Requirements for Continuous Parameter Monitoring Systems at Stationary Sources" published on October 9, 2008, is extended to February 5, 2009.
<http://edocket.access.gpo.gov/2008/E8-28677.htm>

73 Fed. Reg. 73632 (December 3, 2008) (proposed rule) (to be codified at 40 C.F.R. Part 180). This document proposes to establish tolerances for combined residues of chlorothalonil and its 4-hydroxy metabolite in or on lychee and starfruit.
<http://edocket.access.gpo.gov/2008/E8-28593.htm>

73 Fed. Reg. 73640 (December 3, 2008) (notice). This notice announces the Agency's receipt of several initial filings of pesticide petitions proposing the establishment or modification of regulations for residues of pesticide chemicals in or on various commodities. <http://edocket.access.gpo.gov/2008/E8-28666.htm>

73 Fed. Reg. 73644 (December 3, 2008) (notice). This notice announces the Agency's receipt of several initial filing of pesticide petitions proposing the establishment or modification of regulations for residues of pesticide chemicals in or on various commodities. <http://edocket.access.gpo.gov/2008/E8-28667.htm>

73 Fed. Reg. 73648 (December 3, 2008) (notice). This notice announces the Agency's receipt of several initial filings of pesticide petitions proposing the establishment or modification of regulations for residues of pesticide chemicals in or on various commodities. <http://edocket.access.gpo.gov/2008/E8-28668.htm>

73 Fed. Reg. 73652 (December 3, 2008) (notice). An Exposure Modeling Public Meeting will be held for one day on December 9, 2008. <http://edocket.access.gpo.gov/2008/E8-28665.htm>

73 Fed. Reg. 73652 (December 3, 2008) (notice). This notice announces receipt of applications to register pesticide products containing new active ingredients not included in any currently registered products.
<http://edocket.access.gpo.gov/2008/E8-28595.htm>

73 Fed. Reg. 73653 (December 3, 2008) (notice). This notice announces EPA's order for the amendments to terminate uses, voluntarily requested by the registrant and accepted by the Agency, of products containing the pesticide malathion. <http://edocket.access.gpo.gov/2008/E8-28664.htm>

73 Fed. Reg. 72796 (December 1, 2008) (notice). The Environmental Protection Agency Science Advisory Board Staff Office announces a public teleconference of the chartered Clean Air Scientific Advisory Committee to consider and approve the draft report regarding its peer review of EPA's Risk and Exposure Assessment for Review of the Secondary National Ambient Air Quality Standards for Oxides of Nitrogen and Oxides of Sulfur: First Draft. <http://edocket.access.gpo.gov/2008/E8-28453.htm>

73 Fed. Reg. 72352 (November 28, 2008) (final rule) (to be codified at 40 C.F.R. Part 180). This regulation establishes time-limited tolerances for combined residues of diflubenzuron and its metabolites p-chlorophenylurea and p-chloroaniline in or on alfalfa, forage and alfalfa, hay. <http://edocket.access.gpo.gov/2008/E8-28308.htm>

73 Fed. Reg. 72421 (November 28, 2008) (proposed rule) (to be codified at 40 C.F.R. Part 180). EPA is proposing an exemption to the phaseout of methyl bromide to meet the needs of 2009 critical uses. <http://edocket.access.gpo.gov/2008/E8-28328.htm>

73 Fed. Reg. 72478 (November 28, 2008) (extension of public comment period). On September 26, 2008, EPA Region 10 proposed to issue general permits to cover Offshore Seafood Processors in Alaska. EPA is extending the public comment period to December 10, 2008. <http://edocket.access.gpo.gov/2008/E8-28322.htm>

73 Fed. Reg. 72478 (November 28, 2008) (notice). This notice announces EPA's receipt of an application requesting an experimental use permit for the plant-incorporated protectants *Bacillus thuringiensis* proteins and the genetic material necessary for its production in certain corn varieties. The Agency is soliciting comments on this application. <http://edocket.access.gpo.gov/2008/E8-28296.htm>

73 Fed. Reg. 71940 (November 26, 2008) (partial withdrawal of direct final rule). Because EPA received adverse comment, it is withdrawing several provisions of the direct final rule to amend the Renewable Fuel Standard program requirements, published on October 2, 2008. <http://edocket.access.gpo.gov/2008/E8-28125.htm>

73 Fed. Reg. 71944 (November 26, 2008) (final rule) (to be codified at 40 C.F.R. Part 180). This final rule amends the pesticide tolerance regulation for diazinon by modifying the revocation of the tolerance for mushrooms. <http://edocket.access.gpo.gov/2008/E8-28188.htm>

73 Fed. Reg. 72001 (November 26, 2008) (proposed rule) (to be codified at 40 C.F.R. Part 52). EPA is proposing simultaneous limited approval and limited disapproval of revisions to the applicable implementation plan for the State of Texas which relate to public participation on air permits for new and modified sources. <http://edocket.access.gpo.gov/2008/E8-28162.htm>

73 Fed. Reg. 72047 (November 26, 2008) (notice of issuance of Notice of Intent to Suspend; suspension order). This Notice announces that EPA has issued a Notice of Intent to Suspend following issuance of a Section 4 Reregistration Data Requirements Notice and the failure of the registrant subject to the Notice to take appropriate steps. The Notice of Intent to Suspend has become an effective suspension order. <http://edocket.access.gpo.gov/2008/E8-28128.htm>

73 Fed. Reg. 71560 (November 25, 2008) (correction). This corrects a prior document related to modifications to the Renewable Fuel Standard Program requirements. <http://edocket.access.gpo.gov/2008/Z8-23131.htm>

73 Fed. Reg. 71644 (November 25, 2008) (notice). Notice is given that the Environmental Protection Agency has determined that the Gulf of Mexico Program Policy Review Board is a necessary committee which is in the public interest, and it will be renewed for an additional two-year period. <http://edocket.access.gpo.gov/2008/E8-27857.htm>

73 Fed. Reg. 71424 (November 24, 2008) (semiannual regulatory flexibility agenda; semiannual regulatory agenda). The Environmental Protection Agency is publishing its semiannual regulatory agenda to update the public about regulations and major policies currently under development, reviews of existing regulations and major policies, and rules and major policymakings completed or canceled since the last agenda. <http://edocket.access.gpo.gov/ua081124/ua081110.txt>

Farm Credit Administration

73 Fed. Reg. 71653 (November 25, 2008) (notice). The regular meeting of the Farm Credit Administration Board will be held at the offices of the Farm Credit Administration in McLean, Virginia, on December 11, 2008. <http://edocket.access.gpo.gov/2008/E8-28118.htm>

73 Fed. Reg. 70921 (November 24, 2008) (proposed rule) (to be codified at 12 C.F.R. Parts 619, 620, and 621). The Farm Credit Administration is proposing to amend and/or make revisions and technical changes to its regulations related to disclosure and reporting practices of Farm Credit System institutions. <http://edocket.access.gpo.gov/2008/E8-27654.htm>

Federal Crop Insurance Corporation

73 Fed. Reg. 70861 (November 24, 2008) (interim rule). The Federal Crop Insurance Corporation amends the Catastrophic Risk Protection Endorsement, the Group Risk Plan of Insurance Regulations, and the Common Crop Insurance Regulations, Basic Provisions to revise those provisions affected by the changes mandated by the Food, Conservation, and Energy Act of 2008. <http://edocket.access.gpo.gov/2008/E8-27845.htm>

Food and Drug Administration

73 Fed. Reg. 73936 (December 4, 2008) (notice). FDA has submitted a proposed collection of information associated with the Food Contact Substances Notification System to OMB for review and clearance. <http://edocket.access.gpo.gov/2008/E8-28694.htm>

73 Fed. Reg. 73939 (December 4, 2008) (notice). FDA has submitted a proposed collection of information associated with regulations under the Federal Import Milk Act to OMB for review and clearance. <http://edocket.access.gpo.gov/2008/E8-28692.htm>

73 Fed. Reg. 72714 (December 1, 2008) (final rule) (to be codified at 21 C.F.R. Parts 556 and 558). The Food and Drug Administration is amending the animal drug regulations to reflect approval of a new animal drug application providing for use of ractopamine hydrochloride Type A medicated articles to make Type B and Type C medicated feeds used for increased rate of weight gain and improved feed efficiency in finishing turkeys. <http://edocket.access.gpo.gov/2008/E8-28384.htm>

73 Fed. Reg. 71923 (November 26, 2008) (final rule; withdrawal). The Food and Drug Administration is revoking the order prohibiting the extralabel use of cephalosporin antimicrobial drugs in food-producing animals. <http://edocket.access.gpo.gov/2008/E8-28093.htm>

73 Fed. Reg. 72062 (November 26, 2008) (notice). The Food and Drug Administration is announcing the availability of a draft guidance for industry 195, entitled "Draft Guidance for Industry: Small Entities Compliance Guide for Renderers—Substances Prohibited From Use in Animal Food or Feed." <http://edocket.access.gpo.gov/2008/E8-28189.htm>

73 Fed. Reg. 71655 (November 25, 2008) (notice). The Food and Drug Administration is announcing the availability of revised Compliance Policy Guide Sec. 540.700 Processed and/or Blended Seafood Products. <http://edocket.access.gpo.gov/2008/E8-27969.htm>

Food Safety and Inspection Service

73 Fed. Reg. 73240 (December 2, 2008) (notice of request for comment). The Food Safety and Inspection Service is requesting public comment on a draft quantitative food safety risk assessment for highly pathogenic avian influenza virus associated with the consumption of poultry products, shell eggs, and egg products.

<http://edocket.access.gpo.gov/2008/E8-28598.htm>

Forest Service

73 Fed. Reg. 72442 (November 28, 2008) (notice; request for comments). The Forest Service is seeking comments from all interested individuals and organizations on the extension with no revision of a currently approved information collection, Grazing Permit Administration Forms. <http://edocket.access.gpo.gov/2008/E8-28346.htm>

73 Fed. Reg. 72443 (November 28, 2008) (notice; request for comments). The Forest Service is seeking comments from all interested individuals and organizations on the extension (with revision) of a currently approved information collection, Health Screening Questionnaire. <http://edocket.access.gpo.gov/2008/E8-28343.htm>

Grain Inspection, Packers and Stockyards Administration

73 Fed. Reg. 73242 (December 2, 2008) (notice). This notice announces the upcoming meeting of the Grain Inspection, Packers and Stockyards Administration Grain Inspection Advisory Committee. <http://edocket.access.gpo.gov/2008/E8-28532.htm>

73 Fed. Reg. 72761 (December 1, 2008) (notice; request for comments). GIPSA requests comments on the applicants for designation to provide official services in the unassigned areas of east Texas. <http://edocket.access.gpo.gov/2008/E8-28247.htm>

73 Fed. Reg. 72762 (December 1, 2008) (notice). GIPSA is announcing designation of the following organizations to provide official services under the United States Grain Standards Act: Alabama Department of Agriculture and Industries; Kankakee Grain Inspection, Inc.; Springfield Grain Inspection, Inc.; State Grain Inspection, Inc.; and Washington Department of Agriculture. <http://edocket.access.gpo.gov/2008/E8-28248.htm>

73 Fed. Reg. 72762 (December 1, 2008) (notice). The designations of the four official agencies listed in this notice will end on June 30, 2009. GIPSA is asking persons interested in providing official services in the areas served by these agencies to submit applications for designation. GIPSA is also asking for comments on the quality of services provided by these currently designated agencies. <http://edocket.access.gpo.gov/2008/E8-28246.htm>

International Trade Administration

73 Fed. Reg. 74141 (December 5, 2008) (notice). This notice announces the extension of the time limit for the final results of the eleventh (2006) countervailing duty administrative review regarding certain pasta from Italy. <http://edocket.access.gpo.gov/2008/E8-28869.htm>

73 Fed. Reg. 73638 (December 3, 2008) (notice). This notice announces the extension of the time limit for the preliminary results of the new shipper reviews covering fresh garlic from the People's Republic of China. <http://edocket.access.gpo.gov/2008/E8-28684.htm>

73 Fed. Reg. 72448 (November 28, 2008) (notice). This notice announces the amended final results pursuant to the final court decision regarding certain preserved mushrooms from the People's Republic of China. <http://edocket.access.gpo.gov/2008/E8-28321.htm>

International Trade Commission

73 Fed. Reg. 72833 (December 1, 2008) (notice). The United States International Trade Commission determines that revocation of the antidumping duty order on crawfish tail meat from China would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.

<http://edocket.access.gpo.gov/2008/E8-28410.htm>

73 Fed. Reg. 72837 (December 1, 2008) (notice). The Commission hereby gives notice of the scheduling of a full review to determine whether revocation of the antidumping duty order on saccharin from China would be likely to lead to continuation or recurrence of material injury within a reasonably foreseeable time.

<http://edocket.access.gpo.gov/2008/E8-28391.htm>

73 Fed. Reg. 72526 (November 28, 2008) (notice). Notice is given that the U.S. International Trade Commission has determined to review the final initial determination of the presiding administrative law judge in the investigation covering certain sucralose, sweeteners containing sucralose, and related intermediate compounds thereof.

<http://edocket.access.gpo.gov/2008/E8-28223.htm>

National Agricultural Statistics Service

73 Fed. Reg. 73906 (December 4, 2008) (notice). This notice announces the intention of the National Agricultural Statistics Service to request revision and extension of a currently approved information collection, the Agricultural Labor Survey. <http://edocket.access.gpo.gov/2008/E8-28758.htm>

73 Fed. Reg. 73906 (December 4, 2008) (notice). This notice announces the intention of the National Agricultural Statistics Service to request revision and extension of a currently approved information collection, the Mink Survey.

<http://edocket.access.gpo.gov/2008/E8-28760.htm>

Natural Resources Conservation Service

73 Fed. Reg. 71521 (November 25, 2008) (interim final rule with request for comments). This interim final rule adopts changes related to State Technical Committees. <http://edocket.access.gpo.gov/2008/E8-27657.htm>

Presidential Documents

73 Fed. Reg. 70857 (November 24, 2008) (proclamation). This proclamation announces that November 21 through November 27, 2008, is National Farm-City Week. <http://edocket.access.gpo.gov/2008/E8-28002.htm>

Rural Business-Cooperative Service

73 Fed. Reg. 74133 (December 5, 2008) (notice). The Rural Business-Cooperative Service announces the availability of approximately \$230,000 in funds for fiscal year 2009 for cooperative agreements to develop and implement pilot programs aimed at preventing and alleviating the problems facing African Americans in rural areas that are involved with real estate with clouded title due to unresolved interests of generations of heirs; establishing an outreach/educational program to assist farmers and homeowners with heir property issues in expanding ownership; and enabling farming heir property owners to develop economically viable agricultural operations and accrue homeownership.

<http://edocket.access.gpo.gov/2008/E8-28805.htm>

Rural Housing Service

73 Fed. Reg. 72444 (November 28, 2008) (notice). This notice announces a series of teleconference and/or Web conference meetings regarding the USDA Section 538 Guaranteed Rural Rental Housing Program, which will take place during the months of January, April, July and October in 2009. <http://edocket.access.gpo.gov/2008/E8-28244.htm>

U.S. Trade Representative, Office of the

73 Fed. Reg. 74210 (December 5, 2008) (notice). The Office of the United States Trade Representative is providing notice of its determination of the trade surplus in certain sugar and syrup goods and sugar-containing products of Chile, Morocco, the Dominican Republic, El Salvador, Guatemala, Honduras, and Nicaragua.

<http://edocket.access.gpo.gov/2008/E8-28857.htm>