

National Agricultural Law Center

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Digest Updates

May 18 through May 29, 2009

Agriculture Department

74 Fed. Reg. 25497 (May 28, 2009) (notice; comment request). The Department of Agriculture has submitted the following information collection requirement to OMB for review and clearance: Standards for Privately Owned Quarantine Facilities for Ruminants. <http://edocket.access.gpo.gov/2009/E9-12341.htm>

74 Fed. Reg. 25497 (May 28, 2009) (notice; comment request). The Department of Agriculture has submitted the following information collection requirement to OMB for review and clearance: Special Use Administration. <http://edocket.access.gpo.gov/2009/E9-12343.htm>

74 Fed. Reg. 25214 (May 27, 2009) (notice; comment request). The Department of Agriculture has submitted the following information collection requirement to OMB for review and clearance: BioRefinery Assistance Programs. <http://edocket.access.gpo.gov/2009/E9-12184.htm>

74 Fed. Reg. 23984 (May 22, 2009) (notice; comment request). The Department of Agriculture has submitted the following information collection requirement to OMB for review and clearance: Reporting Requirements for State Plans of Work for Agricultural Research and Extension Formula Funds. <http://edocket.access.gpo.gov/2009/E9-12015.htm>

74 Fed. Reg. 23984 (May 22, 2009) (notice; comment request). The Department of Agriculture has submitted the following information collection requirement to OMB for review and clearance: 7 CFR 1944-I, "Self-Help Technical Assistance Grants." <http://edocket.access.gpo.gov/2009/E9-12016.htm>

74 Fed. Reg. 23985 (May 22, 2009) (notice; comment request). The Department of Agriculture has submitted the following information collection requirements to OMB for review and clearance: Veterinary Accreditation Program; Foreign Quarantine Notices. <http://edocket.access.gpo.gov/2009/E9-12018.htm>

74 Fed. Reg. 23838 (May 21, 2009) (notice; comment request). The Department of Agriculture has submitted the following information collection requirements to OMB for review and clearance: Requirements for Request to Amend 7 CFR Part 319 Import Regulations; Importation of Baby Corn and Baby Carrots from Zambia. <http://edocket.access.gpo.gov/2009/E9-11838.htm>

74 Fed. Reg. 23167 (May 18, 2009) (notice; comment request). The Department of Agriculture has submitted the following information collection requirements to OMB for review and clearance: Rural Empowerment Zones and Enterprise Communities; 1890 Land Grant Institutions: Rural Entrepreneurial Program Outreach Initiative. <http://edocket.access.gpo.gov/2009/E9-11544.htm>

Agricultural Marketing Service

74 Fed. Reg. 25678 (May 29, 2009) (proposed rule) (to be codified at 7 C.F.R. Parts 948, 953, and 980). This rule invites comments on proposed modifications to the import regulations for Irish potatoes. <http://edocket.access.gpo.gov/2009/E9-12186.htm>

74 Fed. Reg. 23958 (May 22, 2009) (proposed rule) (to be codified at 7 C.F.R. Part 945). This proposed rule would relax the size requirements for potatoes handled under the marketing order for Idaho-Eastern Oregon potatoes and for long type potatoes imported into the United States. <http://edocket.access.gpo.gov/2009/E9-11968.htm>

74 Fed. Reg. 23986 (May 22, 2009) (notice with request for comments). This notice announces the Agricultural Marketing Service's intention to request approval for an extension of and revision to the currently approved information collection Specialty Crop Block Grant Program. <http://edocket.access.gpo.gov/2009/E9-11969.htm>

74 Fed. Reg. 23992 (May 22, 2009) (notice). The Agricultural Marketing Service announces the availability of approximately \$49,000,000 in grant funds to enhance the competitiveness of specialty crops. <http://edocket.access.gpo.gov/2009/E9-12094.htm>

74 Fed. Reg. 23359 (May 19, 2009) (proposed rule) (to be codified at 7 C.F.R. Part 1150). This document invites written comments on proposed amendments to the Dairy Promotion and Research Order. <http://edocket.access.gpo.gov/2009/E9-11492.htm>

74 Fed. Reg. 23128 (May 18, 2009) (withdrawal of proposed rule). The Agricultural Marketing Service is withdrawing the document soliciting comments on its proposal to amend the voluntary United States Standards for Grades of Table Grapes. <http://edocket.access.gpo.gov/2009/E9-11491.htm>

74 Fed. Reg. 23167 (May 18, 2009) (notice). The USDA intends to reestablish the Fruit and Vegetable Industry Advisory Committee and seeks nominations of individuals to be considered for selection as Committee members. <http://edocket.access.gpo.gov/2009/E9-11494.htm>

Animal and Plant Health Inspection Service

74 Fed. Reg. 23987 (May 22, 2009) (notice). This notice advises the public of the determination that a certain cotton line, which has been genetically engineered for tolerance to the herbicide glyphosate, is no longer considered a regulated article under the regulations governing the introduction of certain genetically engineered organisms. <http://edocket.access.gpo.gov/2009/E9-11972.htm>

74 Fed. Reg. 23991 (May 22, 2009) (notice). This is to notify all interested parties that a meeting will be held to provide specific regulatory guidance related to the Federal Select Agent Program. <http://edocket.access.gpo.gov/2009/E9-11970.htm>

74 Fed. Reg. 23990 (May 22, 2009) (notice). This notice informs the public of six upcoming meetings to discuss stakeholder concerns related to the implementation of the National Animal Identification System. <http://edocket.access.gpo.gov/2009/E9-12107.htm>

74 Fed. Reg. 23991 (May 22, 2009) (notice). This notice advises the public of a meeting of the National Wildlife Services Advisory Committee. <http://edocket.access.gpo.gov/2009/E9-11971.htm>

74 Fed. Reg. 23609 (May 20, 2009) (final rule) (to be codified at 7 C.F.R. Parts 305 and 319). This rule amends the regulations to allow the importation of commercial shipments of fresh longan with stems from Taiwan into the United States. <http://edocket.access.gpo.gov/2009/E9-11735.htm>

Commodity Credit Corporation

74 Fed. Reg. 25615 (May 29, 2009) (interim final rule; amendment; extension of comment period). The Commodity Credit Corporation previously published an interim final rule with request for comment amending the program regulations for the Environmental Quality Incentives Program. This document amends the interim final rule by expanding the ability of CCC to include an expansion of the exception regarding conservation practices on public land, and extends the comment period on the provisions in this amendment. <http://edocket.access.gpo.gov/2009/E9-12562.htm>

Commodity Futures Trading Commission

74 Fed. Reg. 23964 (May 22, 2009) (extension of comment period). On March 24, 2009, the Commodity Futures Trading Commission published a concept release on whether to eliminate the bona fide hedge exemption for certain swap dealers and create a new limited risk management exemption from speculative position limits. The Commission is extending the comment period to June 16, 2009. <http://edocket.access.gpo.gov/2009/E9-12000.htm>

74 Fed. Reg. 23962 (May 22, 2009) (advanced notice of proposed rulemaking; request for public comment). The Commodity Futures Trading Commission is seeking public comment on possible changes to its regulations regarding the investment of customer funds segregated pursuant to Section 4d of the Commodity Exchange Act and funds held in an account subject to Commission Regulation 30.7. <http://edocket.access.gpo.gov/2009/E9-12020.htm>

Employment and Training Administration

74 Fed. Reg. 25917 (May 29, 2009) (final rule; suspension of rule). The Department of Labor is suspending the H-2A Final Rule published on December 18, 2008 and in effect as of January 17, 2009, which amended the regulations governing the certification for temporary employment of nonimmigrant workers in agricultural occupations on a temporary or seasonal basis, and the enforcement of contractual obligations applicable their employers. The Department is republishing and reinstating the regulations in place on January 16, 2009 for a period of 9 months. <http://edocket.access.gpo.gov/2009/E9-12436.htm>

74 Fed. Reg. 26016 (May 29, 2009) (notice). The Employment and Training Administration of the Department of Labor is issuing this Notice to announce: the 2009 Adverse Effect Wage Rates for employers seeking to employ temporary or seasonal nonimmigrant foreign workers to perform agricultural labor or services (H-2A workers) or logging (H-2B logging workers); the allowable charges that employers seeking H-2A workers and H-2B logging workers may levy when three meals a day are provided by the employer; and the maximum travel subsistence reimbursement which a worker may claim in 2009. <http://edocket.access.gpo.gov/2009/E9-12434.htm>

Environmental Protection Agency

74 Fed. Reg. 25689 (May 29, 2009) (final rule) (to be codified at 40 C.F.R. Part 180). This document proposes minor revisions to the terminology of certain commodity terms listed under 40 C.F.R. Part 180, subpart C. <http://edocket.access.gpo.gov/2009/E9-12566.htm>

74 Fed. Reg. 25156 (May 27, 2009) (final rule) (to be codified at 40 C.F.R. Part 180). This regulation establishes tolerances for residues of etoxazole and deletes an existing tolerance on various commodities. <http://edocket.access.gpo.gov/2009/E9-12292.htm>

74 Fed. Reg. 25237 (May 27, 2009) (notice). EPA is issuing a notice of receipt of a request by the registrant to voluntarily amend a product registration to terminate use of ethoprop in or on pineapple. <http://edocket.access.gpo.gov/2009/E9-12287.htm>

74 Fed. Reg. 24705 (May 26, 2009) (final rule) (to be codified at 40 C.F.R. Part 180). This regulation establishes tolerances for residues of acibenzolar-S-methyl in or on onion, bulb, subgroup 3-07A; and vegetable, cucurbit, group 9. It also removes the section 18 time-limited tolerance on onion, bulb. <http://edocket.access.gpo.gov/2009/E9-12142.htm>

74 Fed. Reg. 24903 (May 26, 2009) (notice of proposed rulemaking) (to be codified at 40 C.F.R. Part 80). This action proposes regulations designed to ensure that refiners, blenders, and importers of gasoline and diesel would use enough renewable fuel each year so that the four volume requirements of the Energy Independence and Security Act would be

met with renewable fuels that also meet the required lifecycle greenhouse gas emissions performance standards. <http://edocket.access.gpo.gov/2009/E9-10978.htm>

74 Fed. Reg. 24851 (May 26, 2009) (notice). The Association of American Pesticide Control Officials/State FIFRA Issues Research and Evaluation Group will hold a 2-day meeting, beginning on June 22, 2009 and ending June 23, 2009. <http://edocket.access.gpo.gov/2009/E9-12141.htm>

74 Fed. Reg. 23640 (May 20, 2009) (final rule) (to be codified at 40 C.F.R. Part 180). This regulation establishes tolerances for residues of iodosulfuron-methyl-sodium in or on wheat, forage; wheat, grain; wheat, hay; and wheat, straw. <http://edocket.access.gpo.gov/2009/E9-11633.htm>

74 Fed. Reg. 23635 (May 20, 2009) (final rule) (to be codified at 40 C.F.R. Part 174). This regulation establishes an 18-month exemption from the requirement of a tolerance for residues of the Bacillus thuringiensis Cry1A.105 protein in or on certain food and feed commodities. <http://edocket.access.gpo.gov/2009/E9-11759.htm>

74 Fed. Reg. 23678 (May 20, 2009) (announcement of public hearing). The EPA is announcing a public hearing to be held for the proposed rule "Regulation of Fuels and Fuel Additives: Changes to Renewable Fuel Standard Program." <http://edocket.access.gpo.gov/2009/E9-11644.htm>

74 Fed. Reg. 23690 (May 20, 2009) (notice). This notice announces EPA's order for the amendments to terminate certain uses of certain pesticide products. <http://edocket.access.gpo.gov/2009/E9-11630.htm>

74 Fed. Reg. 23704 (May 20, 2009) (notice; extension of comment period). The EPA is extending the public comment period on the waiver application to increase the allowable ethanol content of gasoline to 15 percent. <http://edocket.access.gpo.gov/2009/E9-11785.htm>

74 Fed. Reg. 23708 (May 20, 2009) (notice). EPA is issuing a notice of receipt of requests by the registrants to voluntarily cancel or amend their registrations to terminate uses of certain products containing the pesticide malathion. <http://edocket.access.gpo.gov/2009/E9-11631.htm>

Federal Crop Insurance Corporation

74 Fed. Reg. 23660 (May 20, 2009) (proposed rule with request for comments) (to be codified at 7 C.F.R. Part 457). The Federal Crop Insurance Corporation proposes to add regulations that provide insurance for Florida avocados. <http://edocket.access.gpo.gov/2009/E9-11693.htm>

Fish and Wildlife Service

74 Fed. Reg. 23202 (May 18, 2009) (notice). The U.S. Fish and Wildlife Service will host a Wind Turbine Guidelines Advisory Committee meeting via webcast and teleconference, on June 12, 2009. <http://edocket.access.gpo.gov/2009/E9-11490.htm>

Food and Drug Administration

74 Fed. Reg. 25651 (May 29, 2009) (final rule) (to be codified at 21 C.F.R. Parts 129 and 165). The Food and Drug Administration is amending its bottled water regulations regarding testing of the source water and finished bottled water products for coliform and E. coli, the applicable adulteration provision, and appropriate measures to rectify or eliminate the causes of E. coli contamination. <http://edocket.access.gpo.gov/2009/E9-12494.htm>

74 Fed. Reg. 25752 (May 29, 2009) (notice). The Food and Drug Administration is announcing an opportunity for public comment on the following proposed collection of certain information: Recordkeeping Requirements for Microbiological Testing and Corrective Measures for Bottled Water--21 CFR 129.35(a)(3)(i), 129.80(g), and 129.80(h). <http://edocket.access.gpo.gov/2009/E9-12493.htm>

74 Fed. Reg. 23865 (May 21, 2009) (notice). The Food and Drug Administration is announcing that the following

proposed collection of information has been submitted to the Office of Management and Budget for review and clearance: Irradiation in the Production, Processing, and Handling of Food--Extension. <http://edocket.access.gpo.gov/2009/E9-11931.htm>

Internal Revenue Service

74 Fed. Reg. 25429 (May 28, 2009) (final regulations) (to be codified at 26 C.F.R. Part 1). This document contains final regulations that provide guidance regarding the information reporting requirements contained in section 6045(e) of the Internal Revenue Code on sales or exchanges of standing timber for lump-sum (outright) payments. <http://edocket.access.gpo.gov/2009/E9-12298.htm>

International Trade Administration

74 Fed. Reg. 25705 (May 29, 2009) (notice). This document announces the extension of the time limit for the final results of the third administrative review covering certain frozen warmwater shrimp from Thailand. <http://edocket.access.gpo.gov/2009/E9-12573.htm>

74 Fed. Reg. 25489 (May 28, 2009) (notice). This document announces the preliminary results of the 12th (2007) countervailing duty administrative review covering certain pasta from Italy. <http://edocket.access.gpo.gov/2009/E9-12405.htm>

74 Fed. Reg. 24796 (May 26, 2009) (notice). This notice announces the final results of the second new shipper review covering certain frozen warmwater shrimp from the Socialist Republic of Vietnam. <http://edocket.access.gpo.gov/2009/E9-12152.htm>

74 Fed. Reg. 23392 (May 19, 2009) (notice). The Department of Commerce initiated an administrative review of the antidumping duty order on certain pasta from Italy for the period of review July 1, 2007, through June 30, 2008. As a result of timely withdrawals of request for review, it is rescinding this review, in part, with respect to five parties. <http://edocket.access.gpo.gov/2009/E9-11669.htm>

National Agricultural Statistics Service

74 Fed. Reg. 23389 (May 19, 2009) (notice). This notice announces the intention of the National Agricultural Statistics Service to resume a currently approved information collection, the Fruit Chemical Use Survey, and its associated publication. <http://edocket.access.gpo.gov/2009/E9-11634.htm>

74 Fed. Reg. 23389 (May 19, 2009) (notice and request for stakeholder input). The National Agricultural Statistics Service is currently accepting stakeholder feedback in the form of content requests for the 2012 Census of Agriculture. <http://edocket.access.gpo.gov/2009/E9-11622.htm>

Natural Resources Conservation Service

74 Fed. Reg. 25487 (May 28, 2009) (notice of public meetings). NRCS will hold public meetings to gather stakeholder input on important natural resource concerns and program approaches to address these concerns in the next decade. <http://edocket.access.gpo.gov/2009/E9-12340.htm>

Reclamation Bureau

74 Fed. Reg. 25763 (May 29, 2009) (notice). The Bureau of Reclamation has forwarded the following Information Collection Request to the Office of Management and Budget for review and approval: Rural Water Supply Act. <http://edocket.access.gpo.gov/2009/E9-12525.htm>

Rural Business-Cooperative Service

74 Fed. Reg. 25617 (May 29, 2009) (interim rule; delay of the effective date). Rural Development is delaying the effective date of the interim rule for Rural Development Guaranteed Loans, which was published on December 17, 2008, to October 1, 2009. <http://edocket.access.gpo.gov/2009/E9-12560.htm>

74 Fed. Reg. 25698 (May 29, 2009) (notice). The Rural Business-Cooperative Service announces the availability of two individual grants: one single \$500,000 grant from the passenger transportation funds appropriated for the Rural Business Enterprise Grant program and another single \$250,000 grant for Federally Recognized Native American Tribes' from funds appropriated for the RBEG program. <http://edocket.access.gpo.gov/2009/E9-12496.htm>

74 Fed. Reg. 24769 (May 26, 2009) (notice). This notice announces that Rural Business-Cooperative Service is accepting applications for fiscal year 2009 to purchase renewable energy systems and make energy efficiency improvements and to conduct feasibility studies for renewable energy systems for agriculture producers and rural small businesses in eligible rural areas. <http://edocket.access.gpo.gov/2009/E9-12178.htm>

Rural Housing Service

74 Fed. Reg. 25617 (May 29, 2009) (interim rule; delay of the effective date). Rural Development is delaying the effective date of the interim rule for Rural Development Guaranteed Loans, which was published on December 17, 2008, to October 1, 2009. <http://edocket.access.gpo.gov/2009/E9-12560.htm>

74 Fed. Reg. 23838 (May 21, 2009) (notice). This notice announces the timeframe to submit pre-applications for Section 514 Farm Labor Housing loans and Section 516 Farm Labor Housing grants for the construction of new off-farm units and related facilities for domestic farm laborers. <http://edocket.access.gpo.gov/2009/E9-11833.htm>

Rural Utilities Service

74 Fed. Reg. 25617 (May 29, 2009) (interim rule; delay of the effective date). Rural Development is delaying the effective date of the interim rule for Rural Development Guaranteed Loans, which was published on December 17, 2008, to October 1, 2009. <http://edocket.access.gpo.gov/2009/E9-12560.htm>

74 Fed. Reg. 25480 (May 28, 2009) (notice of funding availability and solicitation of applications). The Rural Utilities Service announces additional Fiscal Year 2009 funding available through its Technical Assistance and Training Grant Program for water resource studies. <http://edocket.access.gpo.gov/2009/E9-12344.htm>

74 Fed. Reg. 25485 (May 28, 2009) (notice). The Rural Utilities Service intends to prepare an Environmental Impact Statement and hold public scoping meetings and in connection with possible impacts related to a project proposed by Dairyland Power Cooperative. <http://edocket.access.gpo.gov/2009/E9-12407.htm>

74 Fed. Reg. 25214 (May 27, 2009) (notice). The Rural Utilities Service invites comments on this information collection for which approval from the Office of Management and Budget will be requested: 7 CFR 1744-C, Advance and Disbursement of Funds--Telecommunications. <http://edocket.access.gpo.gov/2009/E9-12183.htm>

U.S. Trade Representative, Office of the

74 Fed. Reg. 24059 (May 22, 2009) (notice; request for comments). The Office of the United States Trade Representative is providing notice of additional requests for consultations under the Marrakesh Agreement Establishing the World Trade Organization concerning certain mandatory country of origin labeling requirements from Canada and Mexico. This document invites written comments from the public concerning the issues raised in these disputes. <http://edocket.access.gpo.gov/2009/E9-12004.htm>