

National Agricultural Law Center

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Digest Updates

July 20 through July31, 2009

Agriculture Department

74 Fed. Reg. 38295 (July 31, 2009) (notice of proposed rulemaking). The U.S. Department of Agriculture is proposing to establish a voluntary labeling program for biobased products. <http://edocket.access.gpo.gov/2009/E9-17610.htm>

74 Fed. Reg. 38165 (July 31, 2009) (notice, comment request). The Department of Agriculture has submitted the following information collection requirement to OMB for review and clearance: School Nutrition Dietary Assessment Study-IV. <http://edocket.access.gpo.gov/2009/E9-18245.htm>

74 Fed. Reg. 37687 (July 29, 2009) (notice, comment request). The Department of Agriculture has submitted the following information collection requirement to OMB for review and clearance: Survey of Customers of the Official Grain Inspection and Weighing System. <http://edocket.access.gpo.gov/2009/E9-18083.htm>

74 Fed. Reg. 37687 (July 29, 2009) (notice). The Secretary of Agriculture intends to establish the Eastern Region Resource Advisory Committees to review forest projects (Title II) and to recommend the proposed projects they deem to have merit. <http://edocket.access.gpo.gov/2009/E9-17977.htm>

74 Fed. Reg. 36997 (July 27, 2009) (notice, comment request). The Department of Agriculture has submitted the following information collection requirements to OMB for review and clearance: Day Use on the National Forests of Southern California; Urgent Removal of Timber; The Role of Local Communities in the Development of Agreement or Contract Plans through Stewardship Contracting. <http://edocket.access.gpo.gov/2009/E9-17834.htm>

74 Fed. Reg. 35840 (July 21, 2009) (notice). The United States Department of Agriculture announces solicitation for nominations to fill 11 vacancies on the National Agricultural Research, Extension, Education and Economics Advisory Board. <http://edocket.access.gpo.gov/2009/E9-17298.htm>

74 Fed. Reg. 35155 (July 20, 2009) (notice, comment request). The Department of Agriculture has submitted the following information collection requirements to OMB for review and clearance: Request for Approval to Sell Capital Assets; Certification of Authority; 7 C.F.R. 1717 subpart D, Mergers and Consolidations of Electric Borrowers; 7 C.F.R. part 1755, Telecommunications Standards and Specifications; Telecommunications Field Trials. <http://edocket.access.gpo.gov/2009/E9-17114.htm>

74 Fed. Reg. 35156 (July 20, 2009) (notice, comment request). The Department of Agriculture has submitted the following information collection requirement to OMB for review and clearance: Regulations Governing Inspection, Certification, and Standards for Fresh Fruit, Vegetables and Other Products--Audit Services. <http://edocket.access.gpo.gov/2009/E9-17181.htm>

74 Fed. Reg. 35157 (July 20, 2009) (notice, comment request). The Department of Agriculture has submitted the following information collection requirements to OMB for review and clearance: Egg, Chicken, and Turkey Surveys; List Sampling Frame Survey. <http://edocket.access.gpo.gov/2009/E9-17182.htm>

Agricultural Marketing Service

74 Fed. Reg. 37496 (July 29, 2009) (interim final rule with request for comments). This rule decreases the assessment rate established for the Washington Apricot Marketing Committee for the 2009-2010 and subsequent fiscal periods from \$2.00 to \$1.00 per ton of apricots handled. <http://edocket.access.gpo.gov/2009/E9-18108.htm>

74 Fed. Reg. 37495 (July 29, 2009) (affirmation of interim rule as final rule) (to be codified at 7 C.F.R. Parts 916 and 917). The Department of Agriculture is adopting, as a final rule, without change, an interim final rule that changed the handling requirements applicable to well matured fruit covered under the nectarine and peach marketing orders. <http://edocket.access.gpo.gov/2009/E9-18099.htm>

74 Fed. Reg. 36955 (July 27, 2009) (proposed rule) (to be codified at 7 C.F.R. Part 1218). This rule proposes to amend the Blueberry Promotion, Research, and Information Order to increase the assessment rate on producers and importers who produce or import more than 2,000 pounds of highbush blueberries annually from \$12 per ton to \$24 per ton. <http://edocket.access.gpo.gov/2009/E9-17802.htm>

74 Fed. Reg. 36952 (July 27, 2009) (proposed rule) (to be codified at 7 C.F.R. Part 1207). This rule proposes to amend the Potato Research and Promotion Plan to increase the assessment rate on handlers and importers of potatoes from 2.5 cents to 3 cents per hundredweight. <http://edocket.access.gpo.gov/2009/E9-17804.htm>

74 Fed. Reg. 36603 (July 24, 2009) (affirmation of interim final rule as final rule) (to be codified at 7 C.F.R. Part 925). The Department of Agriculture is adopting, as a final rule, without change, an interim final rule that decreased the assessment rate established for the California Desert Grape Administrative Committee. <http://edocket.access.gpo.gov/2009/E9-17602.htm>

74 Fed. Reg. 36616 (July 24, 2009) (proposed rule) (to be codified at 7 C.F.R. Part 924). This rule would increase the assessment rate established for the Washington-Oregon Fresh Prune Marketing Committee for the 2009-10 and subsequent fiscal periods. <http://edocket.access.gpo.gov/2009/E9-17601.htm>

74 Fed. Reg. 35159 (July 20, 2009) (notice). This notice announces that lamb producers, feeders, seedstock producers, and first handlers of lamb and lamb products have approved the continuation of the Lamb Promotion, Research, and Information Order. <http://edocket.access.gpo.gov/2009/E9-17032.htm>

Alcohol and Tobacco Tax and Trade Bureau

74 Fed. Reg. 35146 (July 20, 2009) (notice of proposed rulemaking). The Alcohol and Tobacco Tax and Trade Bureau proposes to establish the 9.7-square mile "Sierra Pelona Valley" American viticultural area in southern California. <http://edocket.access.gpo.gov/2009/E9-17179.htm>

Animal and Plant Health Inspection Service

74 Fed. Reg. 36998 (July 27, 2009) (notice). This is a notice to inform the public that the comment period for the submission of stakeholder concerns related to the implementation of the National Animal Identification System will be

closing on August 3, 2009. <http://edocket.access.gpo.gov/2009/E9-17797.htm>

74 Fed. Reg. 36999 (July 27, 2009) (notice). This notice advises the public of a request from the Government of the Republic of South Africa to recognize 16 additional magisterial districts in 3 provinces as pest-free areas for citrus black spot. <http://edocket.access.gpo.gov/2009/E9-17794.htm>

74 Fed. Reg. 37000 (July 27, 2009) (notice). This notice advises the public that the Animal and Plant Health Inspection Service has determined the regulatory review period for NAHVAX Marek's Disease Vaccine and is publishing this notice of that determination as required by law. <http://edocket.access.gpo.gov/2009/pdf/E9-17795.pdf>

74 Fed. Reg. 36403 (July 23, 2009) (proposed rule) (to be codified at 7 C.F.R. Part 319). This proposed rule would establish a new category of regulated articles in the regulations governing the importation of nursery stock. <http://edocket.access.gpo.gov/2009/E9-17535.htm>

Commodity Credit Corporation

74 Fed. Reg. 37499 (July 29, 2009) (interim final rule with request for comments). This interim final rule, with request for comment, sets forth the policies, procedures, and requirements necessary to implement the Conservation Stewardship Program as authorized by the 2008 Act amendments. <http://edocket.access.gpo.gov/2009/E9-17812.htm>

Employment and Training Administration

74 Fed. Reg. 36519 (July 23, 2009) (notice). This notice announces a grant competition for operating the National Farmworker Jobs Program in certain specified service delivery areas. <http://edocket.access.gpo.gov/2009/E9-17520.htm>

Energy Department

74 Fed. Reg. 35185 (July 20, 2009) (notice). The U.S. Department of Energy is soliciting nominations for candidates to fill vacancies on the Biomass Research and Development Technical Advisory Committee. <http://edocket.access.gpo.gov/2009/E9-17161.htm>

Environmental Protection Agency

74 Fed. Reg. 38012 (July 30, 2009) (notice). This notice announces EPA's order for the cancellations of certain products containing the pesticide triclosan. <http://edocket.access.gpo.gov/2009/E9-18196.htm>

74 Fed. Reg. 37571 (July 29, 2009) (final rule) (to be codified at 40 C.F.R. Part 180). This regulation establishes exemptions from the requirement of a tolerance for residues of alkyl alcohol alkoxyate phosphate derivatives and alkyl alcohol alkoxyate sulfate derivatives. <http://edocket.access.gpo.gov/2009/E9-18033.htm>

74 Fed. Reg. 37605 (July 29, 2009) (final rule) (to be codified at 40 C.F.R. Part 180). This regulation establishes an exemption from the requirement of a tolerance for residues of ethoxylated acetylenic diols. <http://edocket.access.gpo.gov/2009/E9-17958.htm>

74 Fed. Reg. 37564 (July 29, 2009) (final rule) (to be codified at 40 C.F.R. Part 180). This regulation establishes an exemption from the requirement of a tolerance for residues of N,N,N',N''-tetrakis-(2-hydroxypropyl) ethylenediamine. <http://edocket.access.gpo.gov/2009/E9-17945.htm>

74 Fed. Reg. 37578 (July 29, 2009) (final rule) (to be codified at 40 C.F.R. Part 180). This regulation establishes an exemption from the requirement of a tolerance for residues of N-alkyl (C8-C18) primary amines and acetate salts where the alkyl group is linear and may be saturated and/or unsaturated. <http://edocket.access.gpo.gov/2009/E9-18076.htm>

74 Fed. Reg. 37598 (July 29, 2009) (final rule) (to be codified at 40 C.F.R. Part 180). This regulation establishes an exemption from the requirement of a tolerance for residues of alkyldiphenyl oxide sulfnates when used as inert ingredients at a maximum of 20% by weight in pesticide formulations for pre-harvest and post-harvest use or application to animals. <http://edocket.access.gpo.gov/2009/E9-17957.htm>

74 Fed. Reg. 37591 (July 29, 2009) (final rule) (to be codified at 40 C.F.R. Part 180). This regulation establishes an exemption from the requirement of a tolerance for residues of sodium N-oleoyl-N-methyl taurine when used as an inert ingredient in pesticide formulations for pre-harvest and post-harvest uses or application to animals. <http://edocket.access.gpo.gov/2009/E9-17960.htm>

74 Fed. Reg. 37584 (July 29, 2009) (final rule) (to be codified at 40 C.F.R. Part 180). This regulation establishes an exemption from the requirement of a tolerance for residues of sodium salts of N-alkyl (C8-C18)-beta-iminodipropionic acid where the C8-C18 is linear and may be saturated and/or unsaturated when used as an inert ingredient for pre-harvest uses at a maximum of 30% by weight in pesticide formulations. <http://edocket.access.gpo.gov/2009/E9-18064.htm>

74 Fed. Reg. 37612 (July 29, 2009) (final rule) (to be codified at 40 C.F.R. Part 180). This regulation establishes tolerances for combined residues of fenpyroximate in or on certain raw agricultural commodities. <http://edocket.access.gpo.gov/2009/E9-17942.htm>

74 Fed. Reg. 37618 (July 29, 2009) (final rule) (to be codified at 40 C.F.R. Part 180). This regulation establishes a temporary exemption from the requirement of a tolerance for residues of the biochemical pesticide S-Abscisic Acid, (S)-5-(1-hydroxy-2,6,6-trimethyl-4-oxo-1-cyclohex-2-enyl)-3-methyl-penta-(2Z,4E)-dienoic Acid in or on certain commodities when applied/used as a plant regulator in accordance with the terms of Experimental Use Permit 73049-EUP-7. <http://edocket.access.gpo.gov/2009/E9-17839.htm>

74 Fed. Reg. 37621 (July 29, 2009) (final rule) (to be codified at 40 C.F.R. Part 180). This regulation extends time-limited tolerances for residues of dichlormid in or on field corn, pop corn, and sweet corn. <http://edocket.access.gpo.gov/2009/E9-17940.htm>

74 Fed. Reg. 36980 (July 27, 2009) (proposed rule) (to be codified at 40 C.F.R. Part 63). EPA is proposing national emissions standards for control of hazardous air pollutants from prepared feeds manufacturing facilities. <http://edocket.access.gpo.gov/2009/E9-17826.htm>

74 Fed. Reg. 36487 (July 23, 2009) (notice; correction). EPA issued a notice on June 10, 2009, concerning the notice of receipt of several pesticide petitions filed for residues of pesticide chemicals in or on various commodities. This document is being issued to correct the omission of papaya at 1.5 ppm under the "New Tolerance" section in number 5. <http://edocket.access.gpo.gov/2009/E9-17548.htm>

74 Fed. Reg. 36198 (July 22, 2009) (notice). In an October 6, 1997, Notice of Intent, the Agency outlined a "Performance Based Measurement System" concept which was expected to "have the overall effect of improving data quality and encouraging advancement of analytical technologies." EPA has recently revisited the 1997 concept, gauged the Agency's progress towards achieving its goals, and redefined steps needed to ensure continued progress. <http://edocket.access.gpo.gov/2009/E9-17402.htm>

74 Fed. Reg. 36200 (July 22, 2009) (notice; reopening of comment period). EPA issued a notice on July 1, 2009, announcing the availability of a proposed Stipulated Injunction that would establish a series of deadlines for the Agency to make "effects determinations" and initiate consultation, as appropriate, with the U.S. Fish and Wildlife Service for certain pesticides in regard to one or more of 11 species found in the greater San Francisco Bay area that are listed as endangered or threatened under the Endangered Species Act. This document reopens the comment period for 30 days. <http://edocket.access.gpo.gov/2009/E9-17396.htm>

74 Fed. Reg. 36200 (July 22, 2009) (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/2009/E9-17401.htm>

74 Fed. Reg. 36202 (July 22, 2009) (notice). EPA is seeking public comment on a June 18, 2009 request by azinphos-methyl registrants to amend their registrations to change the rate reductions outlined in the November 16, 2006 final decision for some of the remaining uses, and to extend the use of aerial application on blueberries in Michigan through the end of the phase out in 2012. <http://edocket.access.gpo.gov/2009/E9-17398.htm>

74 Fed. Reg. 36204 (July 22, 2009) (notice). EPA is issuing a notice of receipt of requests by registrants to voluntarily cancel their registrations of products containing the pesticides disulfoton and methamidophos. <http://edocket.access.gpo.gov/2009/E9-17171.htm>

74 Fed. Reg. 36208 (July 22, 2009) (notice). EPA is issuing a notice of receipt of request by registrants to voluntarily cancel certain pesticide registrations. <http://edocket.access.gpo.gov/2009/E9-17315.htm>

74 Fed. Reg. 36205 (July 22, 2009) (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/2009/E9-17403.htm>

74 Fed. Reg. 36217 (July 22, 2009) (notice). EPA has established a registration review docket for the pesticide glyphosate. <http://edocket.access.gpo.gov/2009/E9-17404.htm>

Farm Service Agency

74 Fed. Reg. 35158 (July 20, 2009) (notice; request for comments). The Farm Service Agency is seeking comments from all interested individuals and organizations on an extension of a currently approved information collection associated with Highly Erodible Land Conservation and Wetland Conservation certification requirements. <http://edocket.access.gpo.gov/2009/E9-17130.htm>

Farm Credit Administration

74 Fed. Reg. 35914 (July 21, 2009) (notice and request for comment). This notice announces the issuance of final revisions to the Interagency Questions and Answers Regarding Flood Insurance, and solicits comments on proposed revisions. <http://edocket.access.gpo.gov/2009/E9-17129.htm>

Federal Crop Insurance Corporation

74 Fed. Reg. 36655 (July 24, 2009) (notice). The Food, Conservation, and Energy Act of 2008 requires the Federal Crop Insurance Corporation to obtain the services of five expert reviewers to "develop and recommend a methodology for determining an expected market price for grain sorghum for both the production and revenue-based plans of insurance to more accurately reflect the actual market price at harvest" and for FCIC to publish the selected methodology for notice and comment on the methodology. <http://edocket.access.gpo.gov/2009/E9-17616.htm>

74 Fed. Reg. 35113 (July 20, 2009) (final rule; correction) (to be codified at 7 C.F.R. Part 457). A definition was constructed with incorrect paragraph designations in the amendments to the Common Crop Insurance Regulations, Grape Crop Insurance Provisions and Table Grape Crop Insurance Provisions. This document corrects that error. <http://edocket.access.gpo.gov/2009/E9-17183.htm>

74 Fed. Reg. 35158 (July 20, 2009) (notice). This announcement modifies the Request for Application Notice published in the Federal Register, April 8, 2009. <http://edocket.access.gpo.gov/2009/E9-17188.htm>

Food and Drug Administration

74 Fed. Reg. 36229 (July 22, 2009) (notice). The Food and Drug Administration is announcing that a collection of information entitled "Export of Food and Drug Administration Regulated Products: Export Certificates" has been approved. <http://edocket.access.gpo.gov/2009/E9-17331.htm>

74 Fed. Reg. 36229 (July 22, 2009) (notice). The Food and Drug Administration is announcing that a collection of information entitled "Food Contact Substances Notification System" has been approved. <http://edocket.access.gpo.gov/2009/E9-17332.htm>

74 Fed. Reg. 36241 (July 22, 2009) (notice). The Food and Drug Administration is withdrawing approval of two new animal drug applications and an abbreviated new animal drug application for ketamine, S-Methoprene, and Nitazoxanide. <http://edocket.access.gpo.gov/2009/E9-17408.htm>

74 Fed. Reg. 35871 (July 21, 2009) (notice). The Food and Drug Administration is announcing that a petition was filed proposing that the food additive regulations be amended to provide for the safe use of N-[N-[3-(3-hydroxy-4-methoxyphenyl) propyl]-alpha]-aspartyl]-L-phenylalanine 1-methyl ester, monohydrate for use as a non-nutritive sweetener in tabletop applications and powdered beverage mixes. <http://edocket.access.gpo.gov/2009/E9-17250.htm>

74 Fed. Reg. 35196 (July 20, 2009) (notice). The Food and Drug Administration is announcing that a collection of information entitled "Record Retention Requirements for the Soy Protein and Coronary Heart Disease Health Claim" has been approved by OMB. <http://edocket.access.gpo.gov/2009/E9-17094.htm>

Food and Nutrition Service

74 Fed. Reg. 36649 (July 24, 2009) (notice). This notice invites the general public and other public agencies to comment on a proposed information collection for the Summer Food Service Program. <http://edocket.access.gpo.gov/2009/E9-17719.htm>

Interior Department

74 Fed. Reg. 36499 (July 23, 2009) (notice). Notice is hereby given of a meeting of the Invasive Species Advisory Committee. <http://edocket.access.gpo.gov/2009/E9-17469.htm>

International Trade Administration

74 Fed. Reg. 37189 (July 28, 2009) (notice). This document announces the amended final results of new shipper review covering certain frozen fish fillets from the Socialist Republic of Vietnam. <http://edocket.access.gpo.gov/2009/E9-17872.htm>

74 Fed. Reg. 36456 (July 23, 2009) (notice). The Department of Commerce has received information sufficient to warrant initiation of a changed circumstances review of the antidumping duty order on saccharin from the People's Republic of China. <http://edocket.access.gpo.gov/2009/E9-17576.htm>

74 Fed. Reg. 36164 (July 22, 2009) (notice). This document announces the extension of the time limit for the final results of the third administrative reviews covering certain frozen warmwater shrimp from the People's Republic of China and the Socialist Republic of Vietnam. <http://edocket.access.gpo.gov/2009/E9-17304.htm>

Reclamation Bureau

74 Fed. Reg. 37051 (July 27, 2009) (notice). The Bureau of Reclamation has made available for public review and comment the Draft EIS for the Madera Irrigation District Water Supply Enhancement Project.
<http://edocket.access.gpo.gov/2009/E9-17793.htm>

Rural Business-Cooperative Service

74 Fed. Reg. 36649 (July 24, 2009) (notice). This Notice announces the availability of stimulus assistance provided pursuant to Title 1 of Division A of the American Recovery and Reinvestment Act of 2009.
<http://edocket.access.gpo.gov/2009/E9-17600.htm>

74 Fed. Reg. 36448 (July 23, 2009) (notice). This Notice announces the availability of stimulus assistance provided pursuant to Title 1 of Division A of the American Recovery and Reinvestment Act, 2009.
<http://edocket.access.gpo.gov/2009/E9-17512.htm>

74 Fed. Reg. 36163 (July 22, 2009) (notice). This notice announces the Rural Business-Cooperative Service's intention to request an extension of a currently approved information collection in support of the Intermediary Relending Program.
<http://edocket.access.gpo.gov/2009/E9-17345.htm>

Rural Housing Service

74 Fed. Reg. 36448 (July 23, 2009) (notice). This Notice announces the availability of stimulus assistance provided pursuant to Title 1 of Division A of the American Recovery and Reinvestment Act, 2009.
<http://edocket.access.gpo.gov/2009/E9-17512.htm>

Rural Utilities Service

74 Fed. Reg. 36448 (July 23, 2009) (notice). This Notice announces the availability of stimulus assistance provided pursuant to Title 1 of Division A of the American Recovery and Reinvestment Act, 2009.
<http://edocket.access.gpo.gov/2009/E9-17512.htm>