

OMB Control Number: 0536-0048.

Summary of Collection: Many emergency food providers are reporting increased demand for their services as a result of changes in the nation's welfare and food assistance safety net under the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 and decreasing ability to meet the additional demands. USDA is coordinating public and private efforts intended to increase the amount of surplus food channeled through Emergency Food Assistance System (EFAS) providers by 33 percent by the year 2000. On November 23, 1996, President Clinton signed an executive memorandum directing all Federal agencies to join the USDA effort to recover excess food and established a Federal interagency task force on gleaning and food recovery. USDA, through the Food and Nutrition Service, administers several food assistance programs that help low-income households obtain adequate and nutritious diets. The largest USDA food assistance program, the Food Stamp Program, is designed to provide food assistance programs by serving as a distribution outlet for Emergency Food Assistance Program (TEFAP) commodities and by providing temporary or supplemental food assistance to many of the same needy populations served by USDA programs. A study of the Emergency Food Assistance System is going to be conducted. The Economic Research Service (ERS) previously obtained OMB approval for the first phase of this study which was focused on identifying proper respondents for the purpose of establishing a statistically valid sampling frame. In the second phase, ERS proposes using the sampling frame to conduct the study survey. ERS will collect information in phase two using questionnaires and telephone interviews.

Need And Use Of The Information: ERS will collect information on providers' operating characteristics, service areas, resource base, quantity and type of food flowing into the system, number of people served, and providers' capacity to manage current and future changes in food demand and resources. Information collected by the EFAS study will help USDA assess emergency food providers ability to manage current and future changes in food demand and resources and determine whether additional programs to support EFAS are needed.

Description of Respondents: Not-for-profit institutions; Local or Tribal Government.

Number of Respondents: 9,046.

Frequency of Responses: Reporting: On occasion; Other (one time).

Total Burden Hours: 4,941.

Economic Research Service

Title: Evaluation of the Impact of EBT Customer Waivers on Recipients: New EBT User Survey.

OMB Control Number: 0536-NEW.

Summary Of Collection: In April 1992, the Food and Nutrition Service (FNS) issued regulations governing the design, implementation and use of electronic benefits transfer (EBT) systems for the issuance and redemption of food stamp benefits. Since 1992, the growth of EBT systems has been dramatic, and the U.S. Congress has now mandated the use of EBT systems in all states by October 1, 2002. Because experience with EBT systems was somewhat limited at the time the regulations were promulgated, the regulations included numerous measures intended to protect recipients' rights and to make EBT systems easy to use. Examples included regulations which require the FSP recipients: (a) are to be allowed to select their own personal identification number (PIN); (b) are to receive hands-on-training and experience in how to use EBT equipment; and (c) are to receive replacement EBT cards within two business days. As more states implement EBT and experience with these systems increased, however, efforts to reduce EBT administrative costs increase as well. State agencies are requesting waivers to the EBT regulations so they can try new and more efficient approaches to system implementation and operations. The Economic Research Service (ERS) will collect information using a survey to learn about the impact of three types of customers service waivers on recipients.

Need And Use Of The Information: ERS will collect information on service problems recipients have encounter with: PIN assignment rather than PIN selection; mailing of training materials to recipients rather than hands-on-training; and extending the time for card replacement from two days up to five days. The purpose of the study is to learn more about the actual impacts of the three customer service waivers on recipients and how the waivers may affect recipients and the recipients' responses. It will also provide preliminary estimates of the frequency of customer service problems in selected states with and without the waivers.

Description of Respondents: Individuals or households.

Number Of Respondents: 1,400.

Frequency of Responses: Reporting: On occasion.

Total Burden Hours: 467.

Nancy B. Sternberg,

Departmental Clearance Officer.

[FR Doc. 99-20922 Filed 8-12-99; 8:45 am]

BILLING CODE 3410-01-M

DEPARTMENT OF AGRICULTURE

Office of the Secretary

Procedures for Submission of Biobased Products for Listing by USDA

AGENCY: U.S. Department of Agriculture.

ACTION: Notice and request for comment.

SUMMARY: As required by Executive Order 13101, the U.S. Department of Agriculture (USDA) is proposing guidelines for listing commercially available commercial and industrial biobased products (a commercial or industrial product (other than food or feed) that utilizes biological products or renewable domestic agricultural (plant, animal, and marine) or forestry materials) available for purchase by Federal agencies. This notice includes a generic definition of biobased products, suggested criteria for including biobased items in a list to be put together by USDA, and a description of the process USDA will use in considering items for inclusion on the USDA Biobased Products List. USDA is seeking specific public comment on the criteria and process and other comments as appropriate. USDA will, after development of the first list, also be accepting items for listing on an on-going basis.

DATES: Comments should be received on or before September 13, 1999.

ADDRESSES: Individuals wishing to comment must send an original and two copies of their written comments to: J. R. Holcombe, Jr.; Office of Procurement and Property Management; U.S. Department of Agriculture; Mail Stop 9303; 1400 Independence Avenue, SW; Washington, DC 20250. Please place the phrase "USDA Biobased Products List" on your envelopes containing comments. The comments themselves also should be identified with the phrase "USDA Biobased Products List".

FOR FURTHER INFORMATION CONTACT: J. R. Holcombe, Jr., at the address above or by E-mail at richard.holcombe@USDA.GOV. Persons requiring accommodations, including sign language interpreters, should call J. R. Holcombe, Jr. through Terry Thir at (202)720-2531 or TDD (202)720-8372.

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I. Authority

The designation and consideration of biobased products is authorized by Executive Order (EO) 13101, Greening the Government Through Waste Prevention, Recycling, and Federal Acquisition, dated September 14, 1998, as follows:

Sec. 504. Designation of Biobased Items by the USDA. The USDA Biobased Products Coordination Council shall, in consultation with the FEE (Federal Environmental Executive), issue a Biobased Products List. (a) The Biobased Products List shall be published in the **Federal Register** by the USDA within 180 days after the date of this order and shall be updated biannually after publication to include additional items; (b) Once the Biobased Products List has been published, agencies are encouraged to modify their affirmative procurement program to give consideration to those products.

The requirement for Federal agencies to consider biobased products is not only in Executive Order 13101, but also in Office of Management and Budget (OMB)/Office of Federal Procurement Policy (OFPP) Policy Letter 92-4 and

applies to all Federal agencies. E.O. 13101 is silent on micro-purchases, thus there is no threshold or other exception which would discourage agencies from purchasing biobased products. Nor is there any exemption for purchases using Federal credit cards. While there is no stated equivalent encouragement for state and local governments to purchase biobased products, generally state and local governments follow the Federal lead in such matters.

II. Background

Sustained economic growth depends on having a secure raw material source for industrial production. Petroleum, today's prevalent industrial feed stock, is neither sustainable nor environmentally friendly. Biobased products offer alternatives to petroleum and mineral-derived industrial products currently in the marketplace which may have negative environmental impacts. Biological plant and animal systems and processing streams in the U.S. food, feed and fiber industries are renewable over a short time frame and, in general, at the end of their life cycle are either recycled, or allowed to return in an environmentally friendly manner to the environment. Utilizing biobased materials to produce industrial products will expand the nation's capabilities to take advantage of new and exciting technologies and America's agricultural abundance.

From a procurement perspective, a broader range of biobased industrial products will assist agencies in successfully meeting environmental goals as outlined in E.O. 13101. From the USDA perspective, the issues extend well beyond good stewardship of the nation's resources.

USDA is engaged in research and development activities for biobased industrial products. These activities are conducted in-house, through universities and colleges, through private business, and through USDA's Alternative Agricultural Research and Commercialization Corporation. Partnerships with universities, industry, state and local government and other Federal agencies to create, apply and transfer knowledge and technology, have resulted in a broad range of non-food and non-feed products to meet expanding market needs. Some of these products offer many performance advantages over conventional products such as enhanced quality, durability, flexibility, and strength, and are biodegradable when appropriate.

Buying biobased products ensures that "biobased industrial products will be a major U.S. economic growth area in the next century as fossil-based

industrial products, such as synthetic chemicals and liquid fuels, were in the 20th century. Biobased industrial products will improve economic security through use of domestic versus imported resources, optimal use of currently unused or underused land, and geographically widespread production and manufacture across the U.S." (Quote from Vision for Agricultural Research and Development in the 21st Century, December 14, 1998, prepared by the National Agricultural Biotechnology Council).

The Biobased Products List (BPL) does not qualify as a rule making under the Administrative Procedure Act, 5 U.S.C. 551 et seq. The Biobased Products Coordination Council (BPCC) listing of biobased products is without a binding effect. Agencies are not required to purchase biobased products, and listing does not guarantee any sales of such products. Listing heightens awareness in the Federal acquisition community that such products are available. Listing acknowledges that these products contain certain features that may make the products more desirable for Federal agencies. The BPCC also is not requiring any action be taken by the private sector. The listing is simply information dissemination. Even though not a rule, USDA is eager to obtain public involvement in the formulation of the biobased products list to develop a more utilitarian, comprehensive, and informed list. For those reasons, USDA is soliciting public comment through this notice.

As stated above, the designation of products by USDA and the resulting BPL is part of USDA's efforts to heighten awareness among those in the Federal acquisition community regarding the availability of such products. Simultaneously, as a collateral benefit, USDA believes such listing will promote the use of products made from agricultural materials. The intent of E.O. 13101 is to use the purchasing power of the Federal government to create new markets and stimulate the development of new environmentally preferable products, including biobased products, for the Federal market. As with recycled content products, Federal agency procurement of biobased products will: (1) demonstrate their performance and quality; (2) help to provide markets, thereby encouraging manufacturing; (3) drive the development of product specifications; (4) promote wider availability; (5) provide a model for State and local governments; and (6) remove barriers to procurement and use of these products.

The Federal market place is already well aware of mature biobased products,

such as cotton shirts and dimensional lumber. Because of the anticipated large number of biobased products of which Federal officials are unaware, and to help keep the BPL manageable and useful as an effective and efficient procurement information resource, USDA has decided not to list commonly known mature products. Instead, USDA is publishing the BPL to promote new uses for conventional crops, non-conventional crops, biological products, marine products, or forestry materials. Additionally, by increasing the acquisition of the number and kinds of biobased products available for purchase by Federal procurement officials, competition in contracting will be strengthened. Successful implementation of E.O. 13101 will have significant outcomes for U.S. agriculture and the environment. There will be economic, environmental and societal advantages from the development of industrial feed stocks from agricultural materials.

III. Definitions

A "biobased product" is defined in E.O. 13101 as a commercial or industrial product (other than food or feed) that utilizes biological products or renewable domestic agricultural (plant, animal, and marine) or forestry materials.

"Mature markets" means a product area that exists with sufficient commercial sales so that, within the judgment of USDA, no marketing support is needed.

"Environmentally preferable products" means products that have a lesser negative impact on human health or the environment when compared with competing products that serve the same purpose. This comparison should use principles recommended in guidance issued by the U.S. Environmental Protection Agency (EPA) (see Federal Acquisition Regulation 23.703).

These are commonly recognized definitions. The public is encouraged to comment on these definitions and suggest others.

IV. Model

This notice, and the proposed USDA methodology for designating biobased products, is patterned after the Guidelines for Procurement of Products Containing Recovered Material (Comprehensive Procurement Guidelines—CPG) published by the U.S. Environmental Protection Agency (EPA) which designates items that are or can be made with recovered materials (59 FR 18852, April 20, 1994). In like manner, the USDA BPL will identify

commercial or industrial products made from agricultural, forestry and marine materials. The CPG implements section 6002(e) of the Resource Conservation and Recovery Act (RCRA), as amended by the Hazardous and Solid Waste Amendments of 1984, section 502 of E.O. 12873, and E.O. 13101. RCRA requires EPA to designate items that can be produced with recovered materials and to recommend practices for the procurement of designated items by procuring agencies. E.O. 12873 and E.O. 13101 set forth procedures for EPA to follow in implementing section 6002(e) of RCRA. Specifically, EPA designates products for agencies to purchase and provides recommendations for purchasing those products containing recovered materials. Similarly, E.O. 13101 directs that USDA identify biobased products and prepare a list of biobased products and "agencies are encouraged to modify their affirmative procurement program to give consideration to those products." Updated information on CPG can be found at the web site: <http://www.epa.gov/cpg>.

V. Methodology

As soon as E.O. 13101 was signed on September 14, 1998, USDA began its efforts to compile a list of biobased products as required by the E.O. A committee was appointed by USDA's BPCC to prepare the appropriate notice for the **Federal Register**.

The committee is made up of individuals with commercialization, legal, legislative, marketing, procurement, rural development, research, and other technical expertise and who meet to work on the list. Early in the process, draft copies of the proposed listing process were shared with other Federal agencies, environmental organizations, and agri-industry groups, including the major commodity representatives. The Federal Trade Commission was contacted to seek their guidance with respect to labeling products biobased. The committee also utilized existing documents on biobased products referenced in the appendix of this document. Based on public input, research and the expertise of the committee, this notice for comment was prepared.

A number of questions were raised during the committee deliberations. Many of these related to the standard procurement requirements of price, performance, and availability. Some are answered below under the criteria section, while a number of other considerations are conveyed under

section VII entitled "Questions and Answers".

USDA proposes to designate biobased products by establishing and maintaining a list of product categories. For this document we have combined some categories of commercial and industrial products. Other categories are not listed because they do not designate products which are purchased by government procurement officials. This document is presented to the public for comment. USDA is providing an opportunity for interested parties to suggest changes (alterations, additions or deletions) to the designated categories. USDA will consider the timely comments and publish its decision in the **Federal Register** as a notice. Over time USDA will determine whether the world wide web or a similar electronic communication system may be adequate to allow open public review and comment. If this determination is made, the electronic system will be used to supplement publication in the **Federal Register**.

USDA also will issue guidance in the **Federal Register** on buying biobased products in a Biobased Products Advisory Notice (BPAN). The BPANs will recommend biobased content ranges or other descriptors for biobased products and will be based on current information on commercially available biobased content products. Content levels will be updated as marketplace conditions change. BPANs will be prepared and published in the **Federal Register** for public comment in the same manner as the BPL.

USDA will list products and sources for these products on a world wide web site to allow buyers to use the designation of products as a "yellow pages" to seek out biobased products for their use. Biobased products which USDA is aware of will be listed on the site. USDA will not guarantee the validity of the advertising claims presented by the vendor to inform USDA of the product. Vendors are advised that their advertising, labeling, and other marketing claims should comply with the U.S. Federal Trade Commission's Guides for the Use of Environmental Marketing Claims, 16 CFR Part 260. USDA also does not endorse any products on the list. Vendors may submit information to describe their products and its availability at any time after a suitable category is developed.

Products may be listed in more than one category. The extent of information to be offered USDA to support listing a product is determined by the vendor. Should USDA reject a proposed listing,

the vendor will be informed of the reasons and allowed to resubmit.

While directed primarily at Federal executive branch agencies, the BPL and BPAN information is helpful to everyone interested in purchasing biobased-content products. It is expected that state and local governments and commercial businesses will find the BPL and supporting information helpful.

As part of the BPL designation process, USDA will make its supporting documentation and background information available. In addition, product research information will be published in a technical background document that discusses product availability, performance, relevant specifications, government purchasing, and other pertinent issues.

All proposals, designations, and recommendations will be published in the **Federal Register** with a brief description for each of the designated products listed (BPAN). The public also can view USDA's recommended biobased content range, or other descriptors and a list identifying manufacturers, vendors, and suppliers for each product at a web site to be created.

USDA's method for identifying, proposing, and designating BPL products is developed based on the experience of EPA in the designation of recycled-content products and on the direction set up in E.O. 13101, section 504. Prior to issuing or revising the BPL, USDA will consult with Federal acquisition officials, EPA and the Federal Environmental Executive (FEE) required under E.O. 13101, to identify additional criteria to consider when selecting (product areas) products for designation.

However, these product categories are not all inclusive and other categories may be suggested through the comment process. Many of the products under these categories in this first list are those known to USDA or its partners because USDA has performed research, initiated technology transfer, or provided commercialization assistance for these products. USDA realizes there are many biobased industrial products developed by the private sector with little or no Federal assistance. These will also be considered for listing without bias. The biobased industrial products list will be amended periodically to incorporate additional products or categories based on public participation. Following is a summary of USDA's selection criteria.

VI. Criteria for Proposing Biobased Products

USDA proposes to evaluate five primary concerns, which every product must meet, when examining products for proposed listing. Products proposed for listing must:

(1) Contain Biobased Materials

Products with a higher percentage of biobased content, are considered better. Products must be manufactured with raw materials that are domestically produced from agricultural production—farming, ranching, forestry, aquaculture—or from materials derived during the processing of these biobased products. Particular attention is paid to those products produced from materials that are a significant component of the waste stream.

(2) Readily Available

The products USDA selects for designation are available from national, regional, or local sources. The relative availability of a product influences the ability of a procuring agency to secure a reasonable price and an adequate level of competition when procuring it. USDA does not intend to designate experimental or developmental products until it can be shown that they meet these evaluation criteria, in particular, commercial availability. Several of the technologies behind the products are new and supported by patents. Some of these products have been developed through Cooperative Research and Development Agreements (CRADAs) while other companies have licensed USDA developed technologies. Given this knowledge, the committee felt it would be in the Government's interest to purchase those products developed with Federal research and commercialization dollars. Sole-source products may be listed. Additionally, although competition is desirable, all applicable patents shall be recognized. However it was also felt that the promotion of these technologies would encourage other companies to commit funds to enter the market thus leading to greater competition.

(3) Reasonably Priced

It also is important for the product to be priced competitively. It is highly desirable that there is adequate competition among suppliers of the product.

(4) Performance

Products must meet commercial or Federal performance standards and specifications.

If product and service providers make marketing claims regarding the

environmental attributes of their product or service, including claims of environmental preferability, the claims should conform to the Federal Trade Commission's (FTC's) Guides for the Use of Environmental Marketing Claims (Green Guides), 16 CFR Part 260. A copy of the Green Guides can be obtained through FTC's website: www.ftc.gov (select "Consumer Protection", then select "Environment", then select "Guides"). As explained in the FTC Green Guides (16 CFR 260.5), any party making a claim concerning a product's environmental attribute "must, at the time the claim is made, possess and rely upon a reasonable basis substantiating the claim. A reasonable basis consists of competent and reliable evidence. In the context of environmental marketing claims, such substantiation will often require competent and reliable scientific evidence, defined as tests, analyses, research, studies or other evidence based on the expertise of professionals in the relevant area, conducted and evaluated in an objective manner by persons qualified to do so, using procedures generally accepted in the profession to yield accurate and reliable results." The Green Guides (16 CFR 260.5) provide guidance on the use of environmentally preferable claims, as well as other claims such as biodegradable, recycled, recyclable, non-toxic, and ozone friendly.

The Green Guides state that either an unqualified or inadequately qualified claim that a product is environmentally preferable implies to consumers that a product is generally environmentally superior to others. Such an overall superiority claim would be difficult to substantiate. Accordingly, environmentally preferable claims should be accompanied by language limiting the preferability claim to the particular attributes that can be substantiated. In other words, the claim should explain which specific product features or attributes benefit the environment (for example, the product is non-toxic, contains no VOCs, and comes in a recycled package). In addition, the Green Guides state in 16 CFR 260.6, 260.7 that when environmental seals-of-approval or other certifications are used, they should be accompanied by information explaining the basis for the award.

(5) Meets EPA's EPP Guiding Principles

Products must meet the Environmentally Preferable Products (EPP) Guiding Principles as published by the EPA. (See definitions section III above for the definition of EPP. The EPP Guiding Principles are listed below.)

Guiding Principle 1: Environment + Price + Performance = EPP

Environmental considerations should become part of normal purchasing practice, consistent with such traditional factors as product safety, price, performance, and availability.

Guiding Principle 2: Pollution Prevention

Consideration of environmental preferability should begin early in the acquisition process and be rooted in the ethic of pollution prevention which strives to eliminate or reduce, up front, potential risks to human health and the environment.

Guiding Principle 3: Life Cycle Perspective/Multiple Attributes

A product's or service's environmental preferability is a function of multiple attributes from a life cycle perspective.

Guiding Principle 4: Magnitude of Impact

Determining environmental preferability might involve comparing environmental impacts. In comparing environmental impacts, Federal agencies should consider: the reversibility and geographic scale of the environmental impacts, the degree of difference among competing products or services, and the overriding importance of protecting human health.

Guiding Principle 5: Environmental Performance Information

Comprehensive, accurate, and meaningful information about the environmental performance of products or services is necessary in order to determine environmental preferability.

Copies of EPA's final EPP guidance document can be obtained by calling the Pollution Prevention Information Clearinghouse (PPIC) at (202) 260-1023. The text included here is our understanding of the guidance being finalized. We intend to use the final guidance published by EPA in operation of the Biobased Products List. The proposed EPP guidance was published for public comment at 60 FR 50722, September 29, 1995, and is available on the Internet at (<http://www.epa.gov/docs/EPA-TOX/1995/September/Day-29/pr-139.html>). We will rely on manufacturers' advertising claims as a self-certification of these five principles.

VII. Proposed Categories of Products for Consideration

A key component of the BPL program is USDA's list of designated products and the accompanying biobased content recommendations. USDA is proposing

to designate products in the categories listed below. USDA also will publish final or proposed biobased content recommendations for each product. At this point, the proposed categories are listed for informational and discussion purposes only. USDA is interested in learning about category areas for potential future designation. There is not a specific list of the information, which USDA requires before considering a product, although the discussion above under "Criteria for Proposing Biobased Products" should provide general guidance for those wishing to submit products for listing.

More details about USDA's information needs and the agency's decision-making process will be provided after public input is received from this notice.

Category 1: Absorbents/Adsorbents

Within this category, the environmental preferability of the entire product (e.g., absorbent/adsorbent and the casing or framework holding or enclosing the absorbent/adsorbent) must be addressed by the buyer. Product examples under consideration for listing include:

- Vegetable starch
- Cotton and cotton linters (cotton pads, oil absorbents)
- Wool (low value wool is used to make adsorbent pads)
- Kenaf (oil absorbent)
- Agricultural wastes (such as corn stover, peanut hulls, and other crop residues to absorb liquids and petroleum)

Category 2: Adhesives/Inks/Coatings

Within this category a number of adhesives have been developed which utilize plant proteins, plant starches and plant oils. These adhesives generally have low or no emissions (below EPA standards where applicable) of hazardous air pollutants and volatile organic compounds (VOC's). Examples of products using biobased adhesive under consideration for listing include:

- Plywood
- Finger-jointed lumber
- Engineered wood building components (laminated beams, trusses, etc.)
- Decorative composites
- Fiber board panels
- Paper board

Plant oils are used to make inks. To be considered a plant-based ink, the ink must contain a minimum of 20 percent by volume of plant oil (Vegetable Ink Printing Act of 1994, Pub.L. 103-348). Examples under consideration for listing include:

- Soy ink

(In regards to this product, in its own agency print shops, the Federal

government buys ink. However, it also buys printing. The intent of this designation is to have Federal procurement officials purchase soy inks for in-house use and specify the ink for contracted printing.) Also in the development stage at this time is a broader range of inks such as silkscreen and flexography, toners for copiers and laser printers, inkjet printer inks, textile inks and higher soy content UV cured inks for a variety of purposes. When these products are commercially available, they will be designated if appropriate. Plant oils are also used in a number of paints and coatings.

Examples under consideration include:

- Concrete sealants and waterproofing
- Concrete stains
- Wood sealers and waterproofing
- Architectural coatings
- Metal coatings
- Form release agents
- Corrosion inhibitors and polishes.

Category 3: Alternative Fuels and Fuel Additives

Within this category agricultural raw materials, derivatives, or byproducts have been used to develop alternative fuels. Examples under consideration for listing include:

Motor Fuels

- Biodiesel (made from plant based oils or animal fats)

- Ethanol (made from corn or other biomass)

Energy Fuels

Fuel pellets (Generally such products contain over 60 percent by weight agricultural, forest, or other woody fiber, produce less than 20 percent ash after complete combustion, and contain less than 15 percent moisture.)

Category 4: Construction materials/Composites

This category includes wood products and composites from woody and agricultural materials, residues, and wastes. Within this category, products must be derived from agricultural crop, forest materials, or crop residue (includes woody materials). The woody materials can be from activities such as thinning, or fuel reduction in plantation stands, regenerated forest stands, or intensively cultured short rotation woody stands, i.e. less than 10 years, or from wood residue, or recovered wood products. Products produced from recovered agricultural wastes (including waste paper) need not meet the short rotation woody crop requirement during the manufacturing process. Examples under consideration for listing include:

- Wall systems made from compressed wheat straw or other plant fibers

Fiber board made from wheat or other cereal straw, sugarcane bagasse, or other plant fibers
Composites made from soybean meal or other plant proteins
Molded auto parts from vegetable fibers
Building or office furnishings (desks, tables, cabinets, etc.) made from biobased composites

This category includes wood products and composites from woody and agricultural materials which are bound with biobased resins. Examples under consideration for listing include:

Plywood
Finger-jointed lumber
Engineered wood building components (laminated beams, trusses, etc.)
Decorative composites

The category may also include thermoset plastics and reinforced plastic parts and plastic foam insulation materials made from vegetable oil or protein-based resins. Examples under consideration include:

Rigid foam insulation
Door and window components
Molded reinforced plastic automotive and equipment parts

Category 5: Lubricants/Functional fluids

Within this category products include oils and greases. Products are generally made from soybean, canola, rapeseed, corn or other plant materials. Examples under consideration for listing include:

Vehicle lubricants (crankcase oils, transmission fluids, fifth wheel grease, all purpose total loss lubricants)
Vehicle fluids (windshield washer fluid from ethanol)
Air-cooled engine lubricants (crankcase oils, greases)
Hydraulic fluids
Gearbox oils
Metal working fluids and cutting oils

Total loss lubricants: (including 2-cycle engine oils, rail and flange lubricants, wire rope and cable lubricants, pump drip oils, bar chain oils, lumber skid lubricants, asphalt release agents, concrete form release oils, and penetrating oils).

Category 6: Renewable alternative fiber papers/Packaging

Within this category, products must have at least 30 percent recovered content fiber (E.O. 13101), in addition to biobased content, and the manufacturing process should use less (or zero) chlorine during bleaching than traditional tree fiber produced papers. Crops must be of short rotation (less than ten years) cropping system required. Examples under consideration include papers which have as their raw materials source:

Kenaf
Other short term fibers

Because they are mature markets, rag and linen papers are not suggested for consideration.

Category 7: Solvents/Cleaners/Surfactants

Within this category examples of products under consideration for listing include:

Citrus based cleaners
Soy-based cleaners and degreasers
Soy-based solvents
Soy-based paint strippers and graffiti removers
Soy-based adhesive removers
Pesticide adjuvants and surfactants
Dormant oil sprays for disease and insect control
Other plant oil based solvents and cleaners

Category 8: Plant based plastics/Degradable polymers/films

Within this category examples under consideration for listing include:

Plant starch compostable cutlery
Polylactic acid (PLA) compostable cutlery
Paper plates coated with starch
Protein derivatives or PLA (compostable)
Plant protein used to make films and biodegradable bags
Loose fill packing peanuts from starch or other natural plant materials
Flexible polyurethane foams made with soybean oil based polyols (molded cushions and pads for furniture, automotive seats, dashboards, etc.)
Resilient polyurethane components made with soybean oil based polyols (molded cases and covers for appliances, telephones, computers, etc.)
Rigid insulating foams made from soy proteins (insulation for refrigerators, freezers, coolers, appliances)

Category 9: Landscaping products

Within this category a number of landscape materials are produced by composting green wastes. Some biobased materials, when used as absorbents, can also bioremediate hydrocarbons. Examples under consideration for listing include:

Potting soil
Soil amendments
Protein-based mulching films

Category 10: Biocontrol/Bioremediation Media

Within this category are products which contain microbes which prevent plant diseases thus reducing or eliminating the need for chemical

pesticides. Bioremediation products may also be used to simultaneously remove or separate toxic or hazardous substances from soil or surface water while promoting the development of native microbe populations to hasten biodegradation of residual amounts of hazardous substances. Examples under consideration for listing include:

Biocontrol potting mix
Cotton linters
Oil spill clean-up materials

Category 11: New fibers/Filler/Yarn/Insulation

Within this category several new fibers, or fibers which were once common in the U.S., are under development or redevelopment. Examples under consideration for listing include:

Kenaf (used as absorbent, paper, and clothes)
Flax (clothes)
Ramie (clothes)
Low grade wool
Low grade cotton
Milkweed (yarn, pillow filler, oil)
Plant lignin as adhesives

Category 12: Enzymes/Intermediate Chemicals

Enzymes are sometimes referred to as biocatalysts. They can be used to accelerate a broad range of chemical reactions, which occur in everyday life and are used in production of a variety of materials. Agriculturally-based enzymes and chemicals are found in such products as pharmaceuticals, detergents, cleaning agents, cotton textile surface treatments, personal care products, and microbial agents. The committee had difficulty with this category. While we realize these are important manufacturing processes and utilize agricultural raw materials, we felt there was a need to directly link the use of an agricultural enzyme/chemical to a commercial product which would be available for purchase by Federal procurement officials, because that is the primary focus of this notice. Thus, we have only mentioned broad product categories. We seek public comment to decide what individual products should be listed under this category. We also seek public comments as to whether or not this should even be a category at all.

Category 13: Other

Cosmetics: Vegetable oils and small molecule plant starches are one of the raw ingredients in a number of cosmetic applications.

Pharmaceuticals/nutraceuticals: Bioactive compounds and complexes are being extracted from plant materials

for prevention and treatment of diseases.

Products No Longer Under Consideration

No entries at this time.

Products That USDA Has Decided Not To Designate

The committee has made the determination to focus on commercial and industrial products and to avoid mature products, be they product areas or products themselves. The committee does not foresee a need to designate products such as cotton fabrics or dimensional lumber presently in the commercial marketplace. Composite lumber, which utilizes low value woods or other fiber waste and is made using environmentally friendly glues and processes, would be considered however. Products must be produced from renewable and sustainable resources. Our emphasis is on biobased organic products, not natural or organic. Thus, mined products are generally not under consideration. Petroleum-based products are generally not under consideration unless the end product is distinguished by the incorporation of renewable biobased materials.

VIII. Questions and Answers

What is the Biobased Products Coordination Council (BPCC)?

The BPCC was established by virtue of a Decision Memorandum signed by the Secretary of Agriculture on September 13, 1995. The Council is chaired by the USDA Under Secretary for Research, Education, and Economics. The Council promotes commercial and industrial biobased product research, development, and commercialization through information sharing, implementation of strategic planning, and provision of policy advice to the Secretary. Ten USDA agencies are members of the Council and include: Forest Service, Agricultural Research Service, Cooperative State Research, Education, and Extension Service, Office of Energy Policy and New Uses, Alternative Agricultural Research and Commercialization Corporation, Foreign Agricultural Service, Natural Resources Conservation Service, Agricultural Marketing Service, Rural Business-Cooperative Service, and the Office of the Assistant Secretary for Administration.

Why Are Biobased Products Environmentally Preferable?

Because of their carbohydrate chemistry, biobased products are believed, within USDA, to be generally preferable to those made from

hydrocarbons. However, not all biobased products are environmentally preferable. For the purposes of E.O. 13101, USDA is listing only those products which are considered by USDA to be within the U.S. Environmental Protection Agency (EPA) Environmentally Preferable Products Guidelines.

Should the Biobased Product List Contain Only Products That Are Commercially Available, or Should Products Now in the Research Stage Also Be Included? Is the Product Available Only in a Limited Geographic Area?

The committee unanimously agreed that generally only those products in commercial production and generally available nationally should be included. However, geographic exceptions can be considered. For instance, landscaping materials are usually produced and consumed regionally since it is not economical to transport such materials over long distances. Starch-based packing peanuts are another example. Both these products should be used near the point of production. In some instances, a company may be national in scope but have regional operations to address transportation and other economic issues.

Should There Be a Minimum Percentage of Biobased Materials in the Products Suggested for Listing?

Since the biobased products cover a wide range of industries, it was felt no one percentage could be fairly applied across the board. Instead, the committee agreed that each category of products could have their own percentage requirements by weight or volume based on what the committee could learn about that category. The committee does believe that the products should contain the largest percentage of biobased raw materials possible. Persons commenting on this notice are encouraged to address the percentage issue.

What About One Biobased Product Replacing Another?

In its deliberations, the committee considered the possibility of one biobased material displacing another biobased material as feedstock, thereby resulting in no net reduction in materials available. We also discussed whether the diversion of biobased materials from one product to another could possibly create shortages in feedstocks for one or both products; and the ability of manufacturers to obtain biobased materials in sufficient quantity to produce the product under consideration. The committee believes

the likelihood of these displacements happening is not great, and that it is more important, at this juncture, to stimulate the production of biobased products. If substitution occurs at some future date, USDA will consider developing guidelines to deal with the situation.

Will Products Be Listed by Company Name?

One of the issues considered was whether or not to list products by manufacturer name and address in the initial notice. The committee believes it was prudent to first get full public comment on the guidelines, categories, criteria and methodology (process) before proceeding to list products by manufacturers. It is the intent of the USDA to incorporate these public comments into a notice 60 days after the publication of this request for comment. That notice will call for the submission of information from companies which have products they believe will fit the defined criteria. A document (BPAN) listing products by company name, address, phone numbers, and sales contact information will be produced in the future after all interested parties have had a reasonable opportunity to submit their information for listing. Those submissions will be evaluated by a team of technical experts and published in a separate document and will also be available on a web site to be created at a later date.

IX. Appendix

1. Biobased Products Coordination Council

Biobased products from agricultural and forestry resources provide renewable raw materials for the processing and manufacturing of a broad range of nonfood and nonfeed products, such as chemicals, fibers, construction materials, and energy sources. Development and commercialization of such products provide new and expanded markets, accelerate successful market penetration, and diversify agriculture while fostering rural and sustainable development.

The Biobased Products Coordination Council, established by the Secretary of Agriculture, is chaired by the USDA Under Secretary for Research, Education, and Economics. The Council promotes biobased industrial product research, development, and commercialization through information sharing, implementation of strategic planning, and provision of policy advice to the Secretary. Currently ten USDA agencies are members of the Council.

The activities of these agencies in the area of biobased industrial products are described as follows:

Forest Service

The Forest Service (FS) has Federal responsibility for national leadership in forestry and forestry-related issues. Through its research arm, the FS develops and communicates scientific and technological information to protect, manage, and use the Nation's 1.6 billion acres of forest and related rangeland.

The FS Resource Valuation and Use Research program and Cooperative Forestry program develop and provide scientific and technological information to support the harvesting, production, and use of wood products in ways that are efficient, safe, and environmentally beneficial. Specific areas of development include improved wooden transportation systems; fiber-reinforced cement products; uses for waste wood and plastics (ranging from very inexpensive, low-performance composites to expensive, high-performance building materials); housing components and systems made from recycled wood waste and wastepaper; and novel enzymes used to treat virgin and recycled wood fibers in the production of a variety of chemicals.

Agricultural Research Service

As the in-house research arm of USDA, the Agricultural Research Service (ARS) develops new knowledge and technology needed to solve a broad range of technical and agricultural problems of high national priority. ARS aims to ensure adequate production of high-quality food and agricultural products to meet the nutritional needs of the American consumer, to sustain a viable food and agricultural economy, and to maintain a quality environment and natural resource base.

Biobased industrial product research and development focuses on areas such as chemicals and industrial products from crops, cattle, and animal fats; starch-based biodegradable plastics; polysaccharide encapsulating agents; and new products from soybean oil, which are useful as additives to lubricants, fuels, and plastics, as surface coatings; and as inks for the printing industry. Additional areas include development of ion exchange resins based on agricultural residues, cotton-based fabrics with versatile new and improved properties, and fiber crops for specialized uses.

Cooperative State Research, Education, and Extension Service

The Cooperative State Research, Education, and Extension Service (CSREES), USDA's principal link to academia, participates in a nationwide agricultural research planning and coordination system that includes State land-grant universities and the agricultural industry. CSREES advances research and development in new uses for industrial crops and products through its Agricultural Materials program, National Research Initiative, Small Business Innovation Research program, and other activities.

Areas of interest include paints and coatings from new crops such as vernonia, euphorbia, and lesquerella; fuels and lubricants from soybeans, crambe, rapeseed, and canola; fiber products from kenaf and hesperaloe; natural rubber from guayule; and biobased polymers from vegetable oils and starches.

Office of Energy Policy and New Uses

The Office of Energy Policy and New Uses provides leadership, oversight, coordination, and evaluation for all USDA energy and energy-related activities with the exception of those delegated to the USDA Assistant Secretary for Administration. The Office analyzes existing and proposed energy policies, strategies, and regulation concerning or potentially affecting agriculture or rural America. It also evaluates the feasibility of new uses for agricultural products.

In collaboration with the U.S. Department of Energy and the U.S. Environmental Protection Agency, projects have focused on technologies that convert plant cellulose and hemicellulose into ethanol and electricity production using direct combustion or gasification technologies.

Alternative Agricultural Research and Commercialization Corporation

Created by Congress as part of the Farm Bill in 1990, the Alternative Agricultural Research and Commercialization Corporation (AARC) is a USDA agency that makes equity investments to commercialize industrial products from agricultural and forestry materials and animal byproducts. This activity complements the work of USDA's research agencies. AARC policy and program direction is provided by a nine-person Board of Directors—eight of whom are non-Federal—representing processing, financial, producer, and scientific interests.

Development and commercialization projects include vegetable oil lubricants

for engines and transmissions; building materials made from wheat straw; cleaners and biodiesel fuel made from vegetable oil; a lightweight, high-strength molded fiber panel made from waste wood and kenaf; windshield washer solvent using ethanol made from corn; oil spill absorbents made from natural fibers; and a nontoxic biodegradable concrete release agent.

Foreign Agricultural Service

The Foreign Agricultural Service (FAS) maintains 75 overseas posts with the overall goal of supporting U.S. exports of agricultural, forest, and fish products. This is accomplished by reducing trade barriers, collecting and disseminating global trade and market information; and developing markets through the use of promotion, loan guarantees, food aid, and economic development activities.

FAS works through private industry to identify overseas markets for new products, promote exports of such products, and research and develop new products. FAS supports these activities through the Market Access Program, the Foreign Market Development Program, and scientific exchanges sponsored by the International Cooperation and Development program.

Natural Resources Conservation Service

The Natural Resources Conservation Service (NRCS) has national responsibility for helping farmers, ranchers, and other private landowners develop and implement voluntary efforts to conserve and protect our Nation's natural resources. Key NRCS programs provide technical assistance to land users and local government to sustain agricultural productivity while protecting and enhancing the natural resource base.

Activities emphasize reduction of soil erosion; improvements in soil and water quantity and quality; wetland conservation and improvement; enhancement of fish and wildlife habitat; improvements in air quality; improvements in the conditions of pastures and rangelands; reduction in upstream flooding; and improved woodlands.

Agricultural Marketing Service

The mission of the Agricultural Marketing Service (AMS) is to facilitate the strategic marketing of agricultural products in domestic and international markets while ensuring fair trading practices and promoting a competitive, efficient marketing system. Working with other government agencies, and the public, AMS establishes grades and standards for a wide array of

agricultural commodities and products and provides grading and classing services to certify the quality or condition of products in marketing channels.

AMS provides oversight of federally sanctioned marketing orders and agreements and industry wide market research and promotion programs. In addition, the agency administers certain pesticide reporting requirements, compiles data concerning pesticide residues on certain products, and conducts or administers research and technical assistance programs to improve the efficiency of the marketing and transportation system and to identify new or expanding market opportunities for U.S. farmers and agribusiness.

Rural Business-Cooperative Service

The Rural Business-Cooperative Service promotes economic development in rural communities by financing needed facilities, assisting business development and rural cooperatives, and planning national strategies for rural economic development.

Office of the Assistant Secretary for Administration

The USDA Assistant Secretary for Administration provides leadership and oversight in acquisition, asset management, civil rights, internal energy conservation, and recycling. As the USDA Energy Management Executive and the Environmental Executive (dual assignment with the Under Secretary for Research, Education and Economics), the Deputy Assistant Secretary has responsibility for coordinating environmentally preferable and energy-efficient initiatives and serves as an advocate for coordination of these initiatives in USDA facilities and programs across the country.

2. Other Resources

Agricultural Research, Extension, and Education Reform Act of 1998, Sec. 404 (7 U.S.C. 7624), provides authority to increase and coordinate biobased product activities in USDA.

Sustainable America, A New Consensus for Prosperity, Opportunity, and a Healthy Environment for the Future, President's Council on Sustainable Development, Washington, D.C., 186 pp., 1996. Contains a national action strategy for sustainable development which includes actions to: (1) Diversify the mix of agricultural goods produced to enhance profitability and environmental quality; and (2) promote ongoing efforts to achieve sustainable forest management.

Strategic Direction for Biobased Products Work in USDA Through the Biobased Products Coordination Council (BPCC), BPCC, Washington, DC, 16 pp., 1999. A plan to carry out programs to increase the domestic research, development and commercialization of biobased industrial and commercial products.

Executive Order 13101, Greening the Government Through Waste Prevention, Recycling, and Federal Acquisition, 63 FR 49643, Washington, D.C., September 16, 1998. Establishes guidelines and policy for each executive agency to increase and expand markets for recovered materials to create Federal Government preference and demands for such products.

The National Research Council, Biobased Industrial Products, National Academy Press, Washington D.C. (In Press). Provides an analysis of the potential benefits of encouraging a transition to more biobased industrial products through future public policies. Biological sciences are likely to make the same impact on the formation of new industries in the next century as the physical and chemical sciences have had on industrial development throughout the century now coming to a close. The biological sciences, when combined with recent and future advances in process engineering, can become the foundation for producing a wide variety of industrial products from renewable plant resources. These "biobased industrial products" will include fuels, chemicals, lubricants, plastics, and building materials. * * * The long-term growth of biobased industrial products will depend on development of cost-competitive technologies and access to diverse markets.

1995 Federal Research and Development Program in Materials Science and Technology, The Materials Technology Subcommittee of the National Science and Technology Council, Gaithersburg, MD, 1995. This report describes the materials R&D programs of nine Federal departments and agencies to facilitate collaboration among the public and private sector members of the broad materials R&D community.

Plant/Crop-Based Renewable Resources 2020 Program—A Vision to Enhance U.S. Economic Security Through Renewable Plant/Crop-Based Resource Use, Department of Energy, Washington, D.C., 1998. Develops a program to provide continued economic growth, healthy standards of living, and strong national security through the development of plant/crop-based renewable resources as a viable

alternative to diminishing fossil feedstocks for biobased products.

Agenda 2020—A Technology Vision and Research Agenda for America's Forest, Wood and Paper Industry, American Forest and Paper Association, Washington, D.C., 1994. Develops a long-term strategy for sustainability of forest products by increasingly leveraging the virgin raw material with material recovery and recycling.

Vision for Agricultural Research and Development in the 21st Century, National Agriculture Biotechnology Council, Ithaca, NY 1998. Supports agricultural research and development to take the lead in providing technology for a biobased economy in the 21st century.

Done at Washington, D.C., on this 10th day of August, 1999.

I. Miley Gonzalez,

Under Secretary, Research, Education and Extension.

[FR Doc. 99-21103 Filed 8-12-99; 8:45 am]

BILLING CODE 3410-01-P

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[Docket No. 99-059-1]

Notice of Request for Extension of Approval of an Information Collection

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Extension of approval of an information collection; comment request.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces the Animal and Plant Health Inspection Service's intention to request an extension of approval of an information collection in support of the regulations issued under the Animal Welfare Act for guinea pigs, hamsters, and rabbits.

DATES: Comments on this notice must be received by October 12, 1999 to be assured of consideration.

ADDRESSES: We invite you to comment regarding the accuracy of burden estimate, ways to minimize the burden (such as through the use of automated collection techniques or other forms of information technology), or any other aspect of this collection of information. Please send your comment and three copies to: Docket No. 99-059-1, Regulatory Analysis and Development, PPD, APHIS, Suite 3C03, 4700 River Road Unit 118, Riverdale, MD 20737-1238.