

introducing exotic plant pests such as fruit flies and leek moths.

Need and Use of the Information: APHIS will use the collected information on the Phytosanitary Certificate to determine the pest condition of the shipment at the time of inspection in the foreign country. The information is also used as a guide to the intensity of the inspection that is conducted when the shipment arrives. Without the information, all shipments would need to be inspected very thoroughly, thereby requiring considerably more time.

Description of Respondents: Business or other for profit; State, local, or tribal government; individuals or households; farms; not-for-profit institutions.

Number of Respondents: 50.

Frequency of Responses: Recordkeeping; reporting: on occasion.

Total Burden Hours: 501.

Animal and Plant Health Inspection Service

Title: Brucellosis in Sheep, Goats, Horses, and Payment of Indemnity.

OMB Control Number: 0579-0185.

Summary of Collection: 21 U.S.C. 111, 115, 118, authorized the Secretary of Agriculture to take measures to prevent the introduction or dissemination of any contagious or communicable disease of animals or live poultry from a foreign country into the United States or from one State to another. Disease preventing is the most effective method for maintaining a healthy animal population and enhancing the Animal and Plant Health Inspection (APHIS) ability to compete in exporting animals and animal products. Brucellosis is a contagious disease that causes loss of young through spontaneous abortion or birth of weak offspring, reduced milk production, and infertility. It is mainly a disease of cattle, bison, and swine. Sheep, goats, and horses are also susceptible, but are rarely infected. There is no economically feasible treatment for brucellosis in livestock.

Need and Use of the Information: APHIS will collect information from the use of official seals and animal identification; indemnity claims, test records, and permits; and the submission of proof of destruction documentation and requests for extension of certain program-related deadlines. The information will provide indemnity to owners of sheep, goat, or horses destroyed because of brucellosis. Without the information, it would make it impossible for APHIS to effectively operate an indemnity program for sheep, goats, and horses destroyed because of brucellosis.

Description of Respondents: Farms; individuals or households; Federal government; State, local and tribal government.

Number of Respondents: 4.

Frequency of Responses: Reporting: on occasion.

Total Burden Hours: 1.

Animal and Plant Health Inspection Service

Title: Black Stem Rust; Identification Requirements and Addition of Rust-Resistant Varieties.

OMB Control Number: 0579-0186.

Summary of Collection: Under the Plant Protection Act (7 U.S.C. 7701-772), the Secretary of Agriculture is authorized to prohibit or restrict the importation, entry, or movement of plants and plant products to prevent the introduction of plant pests into the United States or their dissemination within the United States. Black stem rust is one of the most destructive plant diseases of small grains that are known to exist in the United States. The disease is caused by a fungus that reduces the quality and yield of infected wheat, oat, barley, and rye crops by robbing host plants of food and water.

Need and Use of the Information: APHIS will collect information to prevent the spread of black stem rust by providing for and requiring the accurate identification of rust-resistant varieties by inspectors.

Description of Respondents: Business or other for profit.

Number of Respondents: 4.

Frequency of Responses: Reporting: on occasion.

Total Burden Hours: 32.

Animal and Plant Health Inspection Service

Title: NAHMS National Poultry Study 2004.

OMB Control Number: 0579-NEW

Summary of Collection: Collection and dissemination of animal health and poultry health data and information is mandated by 7 U.S.C. 391, the Animal Industry Act of 1884, which established the precursor of the Animal and Plant Health Inspection Service (APHIS), Veterinary Services, the Bureau of Animal Industry. The collection, analysis and dissemination of animal and poultry health information on a national basis are consistent with the APHIS mission of protecting and improving American agriculture's productivity and competitiveness. APHIS will be conducting the National Poultry 2004 Study, which will consist of three separate questionnaires and administered by Federal Veterinary technicians. The objectives of the

Poultry 2004 Study are to: (1) Identify and describe the current population density of backyard poultry flocks around commercial operations within States that account for a large proportion of U.S. poultry production; (2) assess current movement and handling practices among small and large producers that could potentially spread poultry disease; (3) identify common movement, biosecurity, and cleaning and disinfection practice at live bird markets; and (4) disseminate information on the benefits of proper biosecurity techniques to poultry owners.

Need and Use of the Information: The information generated by the Poultry 2004 Study will be used to identify the potential impact of backyard poultry on commercial poultry facilities and to determine the economic consequences of animal disease.

Description of Respondents:

Individuals or households; farms.

Number of Respondents: 3,750.

Frequency of Responses: Reporting: on occasion.

Total Burden Hours: 1,257.

Sondra Blakey,

Departmental Information Collection Clearance Officer.

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BILLING CODE 3410-34-P

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[Docket No. 04-110-1]

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 associated with the payment of indemnity for the voluntary depopulation of captive cervid herds known to be affected with chronic wasting disease.

DATES: We will consider all comments that we receive on or before January 3, 2005.

ADDRESSES: You may submit comments by any of the following methods:

EDOCKET: Go to <http://www.epa.gov/feddoctet> to submit or view public

comments, access the index listing of the contents of the official public docket, and to access those documents in the public docket that are available electronically. Once you have entered EDOCKET, click on the "View Open APHIS Dockets" link to locate this document.

Postal Mail/Commercial Delivery: Please send four copies of your comment (an original and three copies) to Docket No. 04-110-1, Regulatory Analysis and Development, PPD, APHIS, Station 3C71, 4700 River Road Unit 118, Riverdale, MD 20737-1238. Please state that your comment refers to Docket No. 04-110-1.

E-mail: Address your comment to regulations@aphis.usda.gov. Your comment must be contained in the body of your message; do not send attached files. Please include your name and address in your message and "Docket No. 04-110-1" on the subject line.

Agency Web site: Go to <http://www.aphis.usda.gov/ppd/rad/cominst.html> for a form you can use to submit an e-mail comment through the APHIS Web site.

Reading Room: You may read any comments that we receive on this docket in our reading room. The reading room is located in room 1141 of the USDA South Building, 14th Street and Independence Avenue SW., Washington, DC. Normal reading room hours are 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. To be sure someone is there to help you, please call (202) 690-2817 before coming.

Other Information: You may view APHIS documents published in the **Federal Register** and related information, including the names of groups and individuals who have commented on APHIS dockets, on the Internet at <http://www.aphis.usda.gov/ppd/rad/webrepor.html>.

FOR FURTHER INFORMATION CONTACT: For information on the payment of indemnity for chronic wasting disease, contact Dr. Dean Goeldner, Senior Staff Veterinarian, Eradication and Surveillance Team, National Center for Animal Health Programs, VS, APHIS, 4700 River Road Unit 43, Riverdale, MD 20737-1231; (301) 734-4916. For copies of more detailed information on the information collection, contact Mrs. Celeste Sickles, APHIS' Information Collection Coordinator, at (301) 734-7477.

SUPPLEMENTARY INFORMATION:

Title: Chronic Wasting Disease in Cervids; Payment of Indemnity.

OMB Number: 0579-0189.

Type of Request: Extension of approval of an information collection.

Abstract: The United States Department of Agriculture (USDA) is responsible for, among other things, preventing the interstate spread of pests and diseases of livestock within the United States and for conducting eradication programs. In connection with this mission, the Animal and Plant Health Inspection Service established regulations to provide for the payment of indemnity by USDA for the voluntary depopulation of captive cervid herds known to be affected with chronic wasting disease (CWD).

CWD is a transmissible spongiform encephalopathy of cervids (elk, deer, and other members of the deer family) and is typified by chronic weight loss leading to death. The presence of CWD in cervids causes significant economic and market losses to U.S. producers.

The regulations in 9 CFR part 55 authorize the payment of indemnity for the voluntary depopulation of CWD-positive, -exposed, or -suspect captive cervids. In order to take part in the indemnity program, cervid producers must apply for participation, must sign a payment, appraisal, and agreement form, and must certify as to whether any other parties hold mortgages on the herd. These requirements involve the use of two information collection instruments: an Appraisal/Indemnity Claim Form (VS Form 1-23) and a Herd Plan Agreement.

We are asking the Office of Management and Budget (OMB) to approve our use of these information collection activities for an additional 3 years.

The purpose of this notice is to solicit comments from the public (as well as affected agencies) concerning this information collection. These comments will help us:

- (1) Evaluate whether the collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility;
- (2) Evaluate the accuracy of our estimate of the burden of the information collection, including the validity of the methodology and assumptions used;
- (3) Enhance the quality, utility, and clarity of the information to be collected; and
- (4) Minimize the burden of the information collection on those who are to respond, through use, as appropriate, of automated, electronic, mechanical, and other collection technologies, e.g., permitting electronic submission of responses.

Estimate of burden: The public reporting burden for this collection of information is estimated to average 1 hour per response.

Respondents: Cervid herd owners, State personnel who perform appraisal work.

Estimated annual number of respondents: 20.

Estimated annual number of responses per respondent: 1.

Estimated annual number of responses: 20.

Estimated total annual burden on respondents: 20 hours. (Due to averaging, the total annual burden hours may not equal the product of the annual number of responses multiplied by the reporting burden per response.)

All responses to this notice will be summarized and included in the request for OMB approval. All comments will also become a matter of public record.

Done in Washington, DC, this 27th day of October 2004.

Elizabeth E. Gaston,

Acting Administrator, Animal and Plant Health Inspection Service.

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DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[Docket No. 04-030-2]

Mycogen c/o Dow; Extension of Determination of Nonregulated Status for Corn Genetically Engineered for Insect Resistance and Glufosinate Herbicide Tolerance

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice.

SUMMARY: We are advising the public of our decision to extend to one additional corn line our determination that a corn line developed by Mycogen Seeds c/o Dow AgroSciences LLC, which has been genetically engineered for insect resistance and tolerance to the herbicide glufosinate, is no longer considered a regulated article under our regulations governing the introduction of certain genetically engineered organisms. Our decision is based on our evaluation of data submitted by Mycogen c/o Dow in its request for an extension of a determination of nonregulated status, an analysis of other scientific data, and a comment received from the public in response to a previous notice. This notice also announces the availability of our written determination and our finding of no significant impact.