

b. Technical failures of any kind, including, but not limited to malfunctions, interruptions, or disconnections in phone lines or network hardware or software;

c. Unauthorized human intervention in any part of the entry process or the Challenge;

d. Technical or human error which may occur in the administration of the Challenge or the processing of entries; or

e. Any injury or damage to persons or property which may be caused, directly or indirectly, in whole or in part, from Contestant's participation in the Challenge or receipt or use or misuse of any prize.

If for any reason a Contestant's entry is confirmed to have been erroneously deleted, lost, or otherwise destroyed or corrupted, Contestant's sole remedy is another entry in the Challenge.

13. Disputes

Contestant agrees that:

a. Any and all disputes, claims and causes of action arising out of or connected with this Challenge, or any prizes awarded, other than those concerning the administration of the Challenge or the determination of winners, shall be resolved individually, without resort to any form of class action;

b. Any and all disputes, claims and causes of action arising out of or connected with this Challenge, or any prizes awarded, shall be resolved exclusively in an appropriate judicial or administrative forum of the United States; and

c. Any and all claims, judgments and awards shall be limited to actual out-of-pocket costs incurred, including costs associated with entering this Challenge, but in no event attorneys' fees. All issues and questions concerning the construction, validity, interpretation and enforceability of these Official Rules, or the rights and obligations of the Contestant and Sponsor in connection with the Challenge, shall be governed by, and construed in accordance with, the laws of the United States Federal Government, without giving effect to any choice of law or conflict of law rules that would cause the application of the laws of any jurisdiction other than the United States Federal Government.

14. Privacy

Sponsor collects personal information from you when you enter the Challenge. The information collected is subject to the ChallengePost privacy policy located at www.challengepost.com/privacy.

15. Challenge Results

For Challenge results, go to *Communities.Challenge.gov* on or about June 1, 2012.

16. Questions

For questions about these Official Rules contact USDA Center for Nutrition Policy and Promotion at (703) 305-7600 and include "Communities on the Move" in the subject line.

Dated: February 6, 2012.

Raj Anand,

Executive Director, Center for Nutrition Policy and Promotion.

[FR Doc. 2012-3079 Filed 2-9-12; 8:45 am]

BILLING CODE 3410-30-P

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[Docket No. APHIS-2011-0131]

Notice of Request for Extension of Approval of an Information Collection; PPQ Form 816; Contract Pilot and Aircraft Acceptance

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 for contract pilot and aircraft acceptance associated with Plant Protection and Quarantine domestic, emergency, and biological control programs.

DATES: We will consider all comments that we receive on or before April 10, 2012.

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

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov/#!documentDetail;D=APHIS-2011-0131-0001>.

- *Postal Mail/Commercial Delivery:* Send your comment to Docket No. APHIS-2011-0131, Regulatory Analysis and Development, PPD, APHIS, Station 3A-03.8, 4700 River Road Unit 118, Riverdale, MD 20737-1238.

Supporting documents and any comments we receive on this docket may be viewed at <http://www.regulations.gov/#!docketDetail;D=APHIS-2011-0131> or in our reading room, which 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.

FOR FURTHER INFORMATION CONTACT: For information on contract pilot and aircraft acceptance, contact Mr. Timothy Roland, Director, Aircraft and Equipment Operations, PPQ, APHIS, 22675 N. Moorefield Road, Bldg. 6430, Edinburg, TX 78541-5033; (956) 205-7710. For copies of more detailed information on the information collection, contact Mrs. Celeste Sickles, APHIS' Information Collection Coordinator, at (301) 851-2908.

SUPPLEMENTARY INFORMATION:

Title: PPQ Form 816; Contract Pilot and Aircraft Acceptance.

OMB Number: 0579-0298.

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

Abstract: The Plant Protection Act (7 U.S.C. 7701 *et seq*) authorizes the Secretary of Agriculture, either independently or in cooperation with States, to carry out operations or measures to detect, eradicate, suppress, control, prevent, or retard the spread of plant pests and noxious weeds that are new to or not widely distributed within the United States. This authority has been delegated to the Administrator, Animal and Plant Health Inspection Service (APHIS).

As part of this mission, the Plant Protection and Quarantine (PPQ) program, APHIS, responds to introductions of plant pests to eradicate, suppress, or contain them through various programs in cooperation with State departments of agriculture and other government agencies. These programs may include release through aerial application of treatments to control plant pests.

APHIS contracts for these services, and prior to any aerial applications, requests certain information from the contractor and/or contract pilots to ensure that the work will be done according to contract specifications. Among other things, APHIS asks to see aircraft registration, the aircraft's airworthiness certificate, the pilot's license, the pilot's medical certification, the pilot's proof of flight review, the pilot's pesticide applicator's license, and the aircraft logbook. APHIS transfers information from these documents to PPQ Form 816, which is then signed by the APHIS official collecting the information and the contractor or contract pilot, indicating acceptance of the pilot and aircraft for the job.

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 our 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 collection of information, 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 collection of information 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 0.266666667 hours per response.

Respondents: Contractors and/or pilots of aircraft.

Estimated annual number of respondents: 15.

Estimated annual number of responses per respondent: 1.

Estimated annual number of responses: 15.

Estimated total annual burden on respondents: 4 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 6th day of February 2012.

Kevin Shea,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 2012-3188 Filed 2-9-12; 8:45 am]

BILLING CODE 3410-34-P

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[Docket No. APHIS-2011-0087]

Notice of Decision To Authorize the Importation of Pomegranate From India Into the Continental United States

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice.

SUMMARY: We are advising the public of our decision to authorize the importation into the continental United States of fresh pomegranate fruit from India. Based on the findings of a pest risk analysis, which we made available to the public for review and comment through a previous notice, we believe that the application of one or more designated phytosanitary measures will be sufficient to mitigate the risks of introducing or disseminating plant pests or noxious weeds via the importation of fresh pomegranate fruit from India.

DATES: Effective date: February 10, 2012.

FOR FURTHER INFORMATION CONTACT: Ms. Donna L. West, Senior Import Specialist, RPM, PHP, PPQ, APHIS, 4700 River Road Unit 133, Riverdale, MD 20737; (301) 734-0627.

SUPPLEMENTARY INFORMATION:

Background

Under the regulations in "Subpart—Fruits and Vegetables" (7 CFR 319.56–1 through 319.56–54, referred to below as the regulations), the Animal and Plant Health Inspection Service (APHIS) of the U.S. Department of Agriculture prohibits or restricts the importation of fruits and vegetables into the United States from certain parts of the world to prevent plant pests from being introduced into and spread within the United States.

Section 319.56–4 contains a performance-based process for approving the importation of commodities that, based on the findings of a pest risk analysis (PRA), can be safely imported subject to one or more of the designated phytosanitary measures listed in paragraph (b) of that section. Under that process, APHIS publishes a notice in the **Federal Register** announcing the availability of the PRA that evaluates the risks associated with the importation of a particular fruit or vegetable. Following the close of the 60-day comment period, APHIS may authorize the importation of the fruit or vegetable subject to the identified designated measures if: (1) No comments were received on the PRA; (2)

the comments on the PRA revealed that no changes to the PRA were necessary; or (3) changes to the PRA were made in response to public comments, but the changes did not affect the overall conclusions of the analysis and the Administrator's determination of risk.

In accordance with that process, we published a notice¹ in the **Federal Register** on September 29, 2011 (76 FR 60450, Docket No. APHIS-2011-0087), in which we announced the availability, for review and comment, of a PRA that evaluates the risks associated with the importation into the continental United States of fresh pomegranate fruit (*Punica granatum* L.) from India. We solicited comments on the notice for 60 days ending on November 28, 2011. We did not receive any comments by that date. Therefore, in accordance with the regulations in § 319.56–4(c)(2)(ii), we are announcing our decision to authorize the importation into the continental United States of fresh pomegranate fruit from India subject to the following phytosanitary measures:

- The fresh pomegranate fruit may be imported into the continental United States in commercial consignments only;
- The fresh pomegranate fruit must be irradiated in accordance with 7 CFR part 305 with a minimum absorbed dose of 400 Gy;
- If the irradiation treatment is applied outside the United States, each consignment of fresh pomegranate fruit must be jointly inspected by APHIS and the national plant protection organization (NPPO) of India and accompanied by a phytosanitary certificate attesting that the fruit received the required irradiation treatment and was inspected and found free of the mite *Tenuipalpus granati*, the false spider mite *Tenuipalpus punicae*, and the bacterium *Xanthomonas axonopodis* pv. *punicae*;
- If irradiation is applied upon arrival in the United States, each consignment of fresh pomegranate fruit must be inspected by the NPPO of India prior to departure and accompanied by a phytosanitary certificate with an additional declaration that the fruit was inspected and found free of the mite *Tenuipalpus granati*, the false spider mite *Tenuipalpus punicae*, and the bacterium *Xanthomonas axonopodis* pv. *punicae*; and
- The fresh pomegranate fruit is subject to inspection upon arrival at the U.S. port of entry.

¹To view the notice and the PRA, go to <http://www.regulations.gov/#!docketDetail;D=APHIS-2011-0087>.