

seeks to protect the health of consumers and ensure that fair practices are used in trade.

The CCCF was established by Codex in 2006 as a separate Committee to establish or endorse maximum levels for contaminants and naturally occurring toxicants in food and feed; to prepare priority lists of contaminants and naturally occurring toxicants for risk assessment by the Joint FAO/WHO Expert Committee on Food Additives (JECFA); to consider methods of analysis and sampling for determination of contaminants and naturally occurring toxicants in food and feed; to consider and elaborate standards or codes of practice for related subjects; and to consider other matters assigned to it by the Commission in relation to contaminants and naturally occurring toxicants in food and feed. The Committee is hosted by The Netherlands.

#### *Issues To Be Discussed at the Public Meeting*

The following items on the agenda for the 3rd Session of the CCCF will be discussed during the public meeting:

- Matters Referred to the Committee from other Codex bodies.
- Matters of interest arising from FAO and WHO (including JECFA).
- Draft Revision of the Preamble of the General Standard for Contaminants and Toxins in Food (GSCTF) (N04–2006).
- Draft Code of Practice for the Reduction of Acrylamide in Food (N06–2006).
- Draft Code of Practice for the Reduction of Contamination of Food with Polycyclic Aromatic Hydrocarbons (PAH) from Smoking and Direct Drying Processes (N07–2006).
- Proposed Draft Maximum Levels for Total Aflatoxins in Brazil Nuts (N11–2008).
- Proposed Draft Code of Practice for the Prevention and Reduction of Ochratoxin A Contamination in Coffee (N12–2008).
- Discussion Paper on Fumonisin.
- Discussion Paper on Benzene in Soft Drinks.
- Discussion Paper on Cyanogenic Glycosides.
- Discussion Paper on Mycotoxins in Sorghum.
- Discussion Paper on Ethyl Carbamate on Alcoholic Beverages.
- Priority List of Contaminants and Naturally Occurring Toxicants Proposed for Evaluation by the JECFA.

Each item listed above will be fully described in documents distributed, or to be distributed, by the Secretariat prior to the March 23–27, 2009, meeting in

Rotterdam. Members of the public may access copies of these documents at <http://www.codexalimentarius.net/current.asp>.

#### **Public Meeting**

At the March 5, 2009, public meeting, draft U.S. positions on the agenda items will be described and discussed, and attendees will have the opportunity to pose questions and offer comments. Written comments may be offered at the meeting or sent to Dr. Henry Kim at [henry.kim@fda.hhs.gov](mailto:henry.kim@fda.hhs.gov). Written comments should state that they relate to activities of the 3rd Session of the CCCF.

#### **Additional Public Notification**

Public awareness of all segments of rulemaking and policy development is important. Consequently, in an effort to ensure that minorities, women, and persons with disabilities are aware of this notice, USDA will announce it online via its Food Safety and Inspection Service (FSIS) Web page located at [http://www.fsis.usda.gov/regulations/2009\\_Notices\\_Index/](http://www.fsis.usda.gov/regulations/2009_Notices_Index/). FSIS will also make copies of this **Federal Register** publication available through the FSIS Constituent Update, which is used to provide information regarding FSIS policies, procedures, regulations, **Federal Register** notices, FSIS public meetings, and other types of information that could affect or would be of interest to constituents and stakeholders. The Update is communicated via Listserv, a free electronic mail subscription service for industry, trade groups, consumer interest groups, health professionals, and other individuals who have asked to be included. The Update is also available on the FSIS Web page. Through the Listserv and Web page, FSIS is able to provide information to a much broader and more diverse audience. In addition, FSIS offers an electronic mail subscription service which provides automatic and customized access to selected food safety news and information. This service is available at [http://www.fsis.usda.gov/news\\_and\\_events/email\\_subscription/](http://www.fsis.usda.gov/news_and_events/email_subscription/). Options range from recalls to export information to regulations, directives and notices. Customers can add or delete subscriptions themselves, and have the option to password protect their accounts.

Done at Washington, DC, on February 18, 2009.

**Barbara McNiff,**

*Acting U.S. Manager for Codex Alimentarius.*

[FR Doc. E9–3847 Filed 2–23–09; 8:45 am]

**BILLING CODE 3410–DM–P**

## **DEPARTMENT OF COMMERCE**

### **National Oceanic and Atmospheric Administration**

**RIN 0648–XN37**

#### **Endangered Species; File No. 14249**

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice; receipt of application.

**SUMMARY:** Notice is hereby given that Ronald Smolowitz, Coonamessett Farm Foundation, Inc., 277 Hatchville Road, East Falmouth, MA 02536, has applied in due form for a permit to take loggerhead (*Caretta caretta*), leatherback (*Dermochelys coriacea*), Kemp's ridley (*Lepidochelys kempii*), green (*Chelonia mydas*), hawksbill (*Eretmochelys imbricata*), and olive ridley (*Lepidochelys olivacea*) sea turtles for purposes of scientific research.

**DATES:** Written, telefaxed, or e-mail comments must be received on or before March 26, 2009.

**ADDRESSES:** The application and related documents are available for review by selecting "Records Open for Public Comment" from the Features box on the Applications and Permits for Protected Species (APPS) home page, <http://www.apps.nmfs.noaa.gov/index.cfm>, and then selecting File No. 14249 from the list of available applications. These documents are also available for review upon written request or by appointment in the following offices:

Permits, Conservation and Education Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301)713–2289; fax (301)427–2521; and Northeast Region, NMFS, 55 Great Republic Drive, Gloucester, MA 01930; phone (978)281–9300; fax (978)281–9333.

Written comments or requests for a public hearing on this application should be mailed to the Chief, Permits, Conservation and Education Division, F/PR1, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910. Those individuals requesting a hearing should set forth the specific reasons why a hearing on this particular request would be appropriate.

Comments may also be submitted by facsimile at (301)427–2521, provided the facsimile is confirmed by hard copy submitted by mail and postmarked no later than the closing date of the comment period.

Comments may also be submitted by e-mail. The mailbox address for

providing e-mail comments is [NMFS.Pr1Comments@noaa.gov](mailto:NMFS.Pr1Comments@noaa.gov). Include in the subject line of the e-mail comment the following document identifier: File No. 14249.

**FOR FURTHER INFORMATION CONTACT:** Patrick Opay or Kate Swails, (301)713-2289.

**SUPPLEMENTARY INFORMATION:** The subject permit is requested under the authority of the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*) and the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR 222-226).

The applicant proposes to evaluate modifications to scallop dredge gear that may reduce the probability of turtle injuries due to interactions with gear. The applicant also proposes to study sea turtle behavior so that behavior can be factored into bycatch reduction strategies and collect biological and animal health information to improve NMFS' ability to assess stocks and the impact of anthropogenic activities. Up to 17 loggerhead and 6 leatherback, hawksbill, olive ridley, green, or Kemp's ridley in any combination, would be taken during the dredge gear study annually. All of these takes could result in injury or mortality. Up to 100 loggerheads would be followed by a remotely operated vehicle annually during the behavior study. Up to 10 loggerheads would be captured annually by hoop net and have a satellite transmitter or Crittercam attached to their carapace. All animals that are handled in these studies would be measured, flipper and passive integrated transponder tagged, tissue sampled, cloacal swabbed, nasal swabbed, photographed, weighed, and released. Dead animals could be salvaged for scientific purposes. The applicant requests a 5 year permit and research activities would occur in the Atlantic Ocean off the coast of the northeastern United States.

Dated: February 17, 2009.

**P. Michael Payne,**

*Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service.*

[FR Doc. E9-3935 Filed 2-23-09; 8:45 am]

**BILLING CODE 3510-22-S**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### Draft Management Plan and Environmental Assessment for Thunder Bay National Marine Sanctuary: Notice of Public Availability and Meetings

**AGENCY:** Office of National Marine Sanctuaries (ONMS), National Ocean Service (NOS), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce (DOC).

**ACTION:** Notice of public availability and meetings.

**SUMMARY:** In accordance with section 304(e) of the National Marine Sanctuaries Act (NMSA), as amended, NOAA is soliciting public comment on the draft management plan and draft environmental assessment for Thunder Bay National Marine Sanctuary.

**DATES:** *Comments:* Comments on the draft management plan and draft environmental assessment will be considered if received on or before April 10, 2009.

*Public meetings:* See **SUPPLEMENTARY INFORMATION** section below for the dates and locations for the public meetings.

**ADDRESSES:** *To obtain a copy:* For a copy of the draft management plan and draft environmental assessment, contact the Management Plan Review Coordinator, Thunder Bay National Marine Sanctuary, 500 W. Fletcher Street, Alpena, MI 49707. Copies can also be downloaded from the Thunder Bay National Marine Sanctuary (TBNMS) website at <http://www.thunderbay.noaa.gov>.

*To submit comments:* Comments on the draft management plan and draft environmental assessment may be submitted by one of the following methods:

1. In writing to the Thunder Bay NMS Management Plan Review Coordinator (see *to obtain a copy* section above);
2. By e-mail to [TBMPPR@noaa.gov](mailto:TBMPPR@noaa.gov); or
3. By providing comments (oral or written) at one of the public meetings (see public meetings section below).

*Instructions:* All comments received are a part of the public record and will be generally posted to <http://www.regulations.gov> without change. All Personal Identifying Information (for example, name, address, etc.) voluntarily submitted by the commenter may be publicly accessible. Do not submit confidential business information or otherwise sensitive or protected information. NOAA will

accept anonymous comments (enter N/A in the required fields if you wish to remain anonymous). Attachments to electronic comments will be accepted in Microsoft Word, Excel, WordPerfect, or Adobe PDF file formats only.

*Public meetings:* See **SUPPLEMENTARY INFORMATION** section for the dates and locations for the public meetings.

**FOR FURTHER INFORMATION CONTACT:** Tera Panknin at (989) 356-8805 ext. 38 or via e-mail at [TBMPPR@noaa.gov](mailto:TBMPPR@noaa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Background Information

On October 7, 2000, the National Oceanic and Atmospheric Administration (NOAA) designated TBNMS as the nation's thirteenth national marine sanctuary (NMS). At that time, NOAA prepared and released a management plan for the new sanctuary. TBNMS is jointly managed by NOAA and the State of Michigan. The sanctuary's mission is to preserve nationally significant shipwrecks and regional maritime landscape through resource protection, education, and research. The sanctuary also promotes appreciation and responsible use of Thunder Bay, the Great Lakes, and the oceans.

NOAA is now undergoing the first review of the 1999 TBNMS management plan pursuant to section 304(e) of the NMSA. The draft revised management plan (2009) was prepared by NOAA and the State of Michigan's Department of History, Arts and Libraries in cooperation with the Thunder Bay Sanctuary Advisory Council and with input from the public, local governments, State and Federal agencies, and other stakeholders. The draft revised plan is comprised of four action plans (resource protection, education and outreach, research, and operations). It sets priorities to guide sanctuary programs and operations and provides the public with a better understanding of the sanctuary's strategies to protect Thunder Bay's resources.

The draft environmental assessment analyzes the environmental impacts of the revised management plan pursuant to the National Environmental Policy Act. In doing so, it analyzes two alternatives: the status quo (no change to the 1999 management plan) and the preferred alternative (revising the 1999 management plan).

##### Public Meetings

Public meetings will be held at the following locations and dates: