

www.regulations.gov and will be made available for public inspection at the above physical address during regular business hours.

FOR FURTHER INFORMATION CONTACT: Kim Harmon at the above physical address, by telephone (202) 720-8054, or by email at Kim.Harmon@ams.usda.gov.

SUPPLEMENTARY INFORMATION:

Title: Livestock Mandatory reporting Act of 1999.

OMB Number: 0581-0186.

Expiration Date of Approval: December 31, 2013.

Type of Request: Extension of a currently approved information collection.

Abstract: The 1999 Act was enacted into law on October 22, 1999, (Pub. L. 106-78; 7 U.S.C. 1635-1636i), as an amendment to the Agricultural Marketing Act of 1946 (7 U.S.C. 1621-1627). The 1999 Act as originally passed provided for the mandatory reporting of market information by federally inspected livestock processing plants that have slaughtered an average number of livestock during the immediately preceding 5 calendar years (125,000 for cattle and 100,000 for swine), including any processing plant that did not slaughter during the immediately preceding 5 calendar years if the Secretary determines that the plant should be considered a packer based on the plant's capacity. For entities that did not slaughter during the immediately preceding 5 calendar years, such as a new plant or existing plant that begins operations, AMS projects the plant's annual slaughter or production based upon the plant's estimate of annual slaughter capacity to determine which entities meet the definition of packer as defined in the regulation. The 1999 Act also gave the Secretary the latitude to provide for the reporting of lamb information. Federally inspected lamb processing plants that slaughtered an average of 75,000 head of lambs or processed an average of 75,000 lamb carcasses during the immediately preceding 5 calendar years were required to submit information to AMS. Additionally, a lamb processing plant that did not slaughter an average of 75,000 lambs or process an average of 75,000 lamb carcasses during the immediately preceding 5 calendar years was required to report information if the Secretary determined the processing plant should be considered a packer based on its capacity. In addition, the Act also established that for any calendar year, an importer of lamb that imported an average of 2,500 metric tons of lamb meat products during the immediately preceding 5 calendar years

was required to report information on the domestic sales of imported boxed lamb cuts. Additionally, an importer that did not import an average of 2,500 metric tons of lamb meat products during the immediately preceding 5 calendar years was required to report information if the Secretary determined that the person should be considered an importer based on their volume of lamb imports. The regulations implementing the Act appear at 7 CFR part 59.

The 1999 Act was reauthorized in October 2006, which re-established the regulatory authority and amended the swine reporting requirements to include swine packers that slaughtered an average of at least 200,000 sows, boars, and or combination thereof per year during the immediately preceding 5 calendar years. On May 16, 2008, AMS published a final rule (75 FR 28606) implementing the same.

September 28, 2010, the Mandatory Price Reporting Act reauthorized LMR for an additional 5 years and added a provision for mandatory reporting of wholesale pork cuts.

The reports that are generated by the 1999 Act are used by other Government agencies to evaluate market conditions and calculate price levels, such as USDA's Economic Research Service and World Agricultural Outlook Board. Economists at most major agricultural colleges and universities use the reports to make short and long-term market projections. Also, the Government is a large purchaser of livestock related products. A system to monitor the collection and reporting of data therefore is needed.

The information must be collected, compiled, and disseminated by an impartial third-party, in a manner which protects the confidentiality of the reporting entities. AMS is in the best position to provide this service.

Estimate of Burden: Public reporting burden for this collection of information is estimated to average .171 hours per response.

Respondents: Business or other for-profit entities, individuals or households, farms, and the Federal Government.

Estimated Number of Respondents: 422 respondents.

Estimated Number Responses: 138,684 responses.

Estimated Number of Responses per Respondent: 329 responses.

Estimated Total Annual Burden on Respondents: 23,779 hours.

Comments are invited on: (1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have

practical utility; (2) the accuracy of the agency's estimate of the burden of the proposed collection of information including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

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

Dated: April 16, 2013.

David R. Shipman,

Administrator, Agricultural Marketing Service.

[FR Doc. 2013-09383 Filed 4-19-13; 8:45 am]

BILLING CODE 3410-02-P

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[Docket No. APHIS-2013-0013]

Monsanto Company and Forage Genetics International (FGI); Availability of Petition for Determination of Nonregulated Status of Genetically Engineered Alfalfa

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice.

SUMMARY: We are advising the public that the Animal and Plant Health Inspection Service (APHIS) has received a petition from the Monsanto Company and Forage Genetics International (FGI) seeking a determination of nonregulated status of alfalfa designated as event KK179, which has been genetically engineered to express reduced levels of guaiacyl lignin. The petition has been submitted in accordance with our regulations concerning the introduction of certain genetically engineered organisms and products. We are making the Monsanto Company and FGI petition available for review and comment to help us identify potential environmental and interrelated economic issues and impacts that APHIS may determine should be considered in our evaluation of the petition.

DATES: We will consider all comments that we receive on or before June 21, 2013.

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

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov/#!documentDetail;D=APHIS-2013-0013-0001>.

- *Postal Mail/Commercial Delivery:* Send your comment to Docket No. APHIS-2013-0013, 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-2013-0013> 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) 799-7039 before coming.

The petition is also available on the APHIS Web site at http://www.aphis.usda.gov/brs/aphisdocs/12_32101p.pdf.

FOR FURTHER INFORMATION CONTACT: Dr. John Turner, Director, Environmental Risk Analysis Programs, Biotechnology Regulatory Services, APHIS, 4700 River Road Unit 147, Riverdale, MD 20737-1236; (301) 851-3954, email: john.t.turner@aphis.usda.gov. To obtain copies of the petition, contact Ms. Cindy Eck at (301) 851-3892, email: cynthia.a.eck@aphis.usda.gov.

SUPPLEMENTARY INFORMATION:

Background

Under the authority of the plant pest provisions of the Plant Protection Act (7 U.S.C. 7701 *et seq.*), the regulations in 7 CFR part 340, "Introduction of Organisms and Products Altered or Produced Through Genetic Engineering Which Are Plant Pests or Which There Is Reason to Believe Are Plant Pests," regulate, among other things, the introduction (importation, interstate movement, or release into the environment) of organisms and products altered or produced through genetic engineering that are plant pests or that there is reason to believe are plant pests. Such genetically engineered (GE) organisms and products are considered "regulated articles."

The regulations in § 340.6(a) provide that any person may submit a petition to the Animal and Plant Health Inspection Service (APHIS) seeking a determination that an article should not be regulated under 7 CFR part 340. Paragraphs (b) and (c) of § 340.6

describe the form that a petition for a determination of nonregulated status must take and the information that must be included in the petition.

APHIS has received a petition (APHIS Petition Number 12-321-01p) from the Monsanto Company and Forage Genetics International (FGI) seeking a determination of nonregulated status of alfalfa designated as event KK179, which has been genetically engineered to express reduced levels of guaiacyl lignin (G lignin), a major subunit component of total lignin, as compared to conventional alfalfa at the same stage of growth. This reduction in G lignin leads to reduced accumulation of total lignin in alfalfa forage, the principal feed product derived from alfalfa. The petition states that this alfalfa event is unlikely to pose a plant pest risk and, therefore, should not be a regulated article under APHIS' regulations in 7 CFR part 340.

As described in the petition, the Monsanto Company and FGI have developed event KK179 (*Medicago sativa* L.) for reduced levels of G lignin through the suppression of caffeoyl CoA 3-O-methyltransferase (CCOMT), a key enzyme in the lignin biosynthetic pathway. Event KK179 was produced by insertion of *CCOMT* gene segments, derived from alfalfa, assembled to form an inverted repeat DNA sequence. The inverted repeat sequence produces double-stranded RNA which suppresses endogenous *CCOMT* gene expression via the RNA interference pathway. Suppression of the *CCOMT* gene expression leads to lower *CCOMT* protein expression resulting in reduced synthesis of G lignin subunit compared to conventional alfalfa at the same stage of growth. The reduction in G lignin subunit synthesis leads to reduced accumulation of total lignin, measured as acid detergent lignin. Event KK179 is currently regulated under 7 CFR part 340. Interstate movement and field tests of event KK179 have been conducted under notifications acknowledged by APHIS.

Field tests conducted under APHIS oversight allowed for evaluation in a natural agricultural setting while imposing measures to minimize risk of persistence in the environment after completion of the test. Data are gathered on multiple parameters and used by the applicant to evaluate agronomic characteristics and product performance. These and other data are used by APHIS to determine if the new variety poses a plant pest risk.

Paragraph (d) of § 340.6 provides that APHIS will publish a notice in the **Federal Register** providing 60 days for public comment for petitions for a

determination of nonregulated status. On March 6, 2012, we published in the **Federal Register** (77 FR 13258-13260, Docket No. APHIS-2011-0129) a notice¹ describing our process for soliciting public comment when considering petitions for determinations of nonregulated status for GE organisms. In that notice we indicated that APHIS would accept written comments regarding a petition once APHIS deemed it complete.

In accordance with § 340.6(d) of the regulations and our process for soliciting public input when considering petitions for determinations of nonregulated status for GE organisms, we are publishing this notice to inform the public that APHIS will accept written comments regarding the petition for a determination of nonregulated status from interested or affected persons for a period of 60 days from the date of this notice. The petition is available for public review, and copies are available as indicated under **ADDRESSES** and **FOR FURTHER INFORMATION CONTACT** above.

We are interested in receiving comments regarding potential environmental and interrelated economic issues and impacts that APHIS may determine should be considered in our evaluation of the petition. We are particularly interested in receiving comments regarding biological, cultural, or ecological issues, and we encourage the submission of scientific data, studies, or research to support your comments. We also request that, when possible, commenters provide relevant information regarding specific localities or regions as alfalfa growth, crop management, and crop utilization may vary considerably by geographic region.

After the comment period closes, APHIS will review all written comments received during the comment period and any other relevant information; any substantive issues identified by APHIS based on our review of the petition and our evaluation and analysis of comments will be considered in the development of our decisionmaking documents.

As part of our decisionmaking process regarding a GE organism's regulatory status, APHIS prepares a plant pest risk assessment to assess its plant pest risk and the appropriate environmental documentation—either an environmental assessment (EA) or an environmental impact statement (EIS)—in accordance with the National

¹ To view the notice, go to <http://www.regulations.gov/#!docketDetail;D=APHIS-2011-0129>.

Environmental Policy Act (NEPA), to provide the Agency with a review and analysis of any potential environmental impacts associated with the petition request. For petitions for which APHIS prepares an EA, APHIS will follow our published process for soliciting public comment (see footnote 1) and publish a separate notice in the **Federal Register** announcing the availability of APHIS' EA and plant pest risk assessment. Should APHIS determine that an EIS is necessary, APHIS will complete the NEPA EIS process in accordance with Council on Environmental Quality regulations (40 CFR part 1500-1508) and APHIS' NEPA implementing regulations (7 CFR part 372).

Authority: 7 U.S.C. 7701-7772 and 7781-7786; 31 U.S.C. 9701; 7 CFR 2.22, 2.80, and 371.3.

Done in Washington, DC, this 17th day of April 2013.

Kevin Shea,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 2013-09384 Filed 4-19-13; 8:45 am]

BILLING CODE 3410-34-P

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[Docket No. APHIS-2010-0086]

Notice of Availability of a Swine Brucellosis and Pseudorabies Proposed Action Plan

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice of availability and request for comments; reopening of the comment period.

SUMMARY: We are reopening the comment period for a notice that made a proposed action plan describing a potential new approach to managing swine brucellosis and pseudorabies available for public review and comment. This action will allow interested persons additional time to prepare and submit comments.

DATES: We will consider all comments that we receive on or before July 22, 2013.

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

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov/> #!documentDetail;D=APHIS-2010-0086-0001.

- *Postal Mail/Commercial Delivery:* Send your comment to Docket No. APHIS-2010-0086, 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-2010-0086 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) 799-7039 before coming.

FOR FURTHER INFORMATION CONTACT: Dr. Troy Bigelow, National Center for Animal Health Programs, VS, APHIS, Federal Building Room 891, 210 Walnut Street, Des Moines, IA 50309; (515) 284-4121.

SUPPLEMENTARY INFORMATION: On February 7, 2013, we published in the **Federal Register** (78 FR 9028-9029, Docket No. APHIS-2010-0086) a notice that made a proposed action plan describing a potential new approach to managing swine brucellosis and pseudorabies available for public review and comment.

Comments on the notice were required to be received on or before April 8, 2013. We are reopening the comment period on Docket No. APHIS-2010-0086 for an additional 90 days ending July 22, 2013. This action will allow interested persons additional time to prepare and submit comments. We will also consider all comments received between April 9, 2013 (the day after the close of the original comment period) and the date of this notice.

Done in Washington, DC, this 17th day of April 2013.

Kevin Shea,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 2013-09394 Filed 4-19-13; 8:45 am]

BILLING CODE 3410-34-P

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[Docket No. APHIS-2012-0113]

Gypsy Moth Program; Record of Decision

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice.

SUMMARY: We are advising the public of our record of decision for the final supplemental environmental impact statement for the Gypsy Moth Program.

DATES: *Effective Date:* April 22, 2013.

ADDRESSES: You may read the final supplemental environmental impact statement and the record of decision 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) 799-7039 before coming. The documents are also available on the Internet at <http://na.fs.fed.us/pubs/detail.cfm?id=5251>. To obtain copies of the documents, contact the person listed under **FOR FURTHER INFORMATION CONTACT**.

FOR FURTHER INFORMATION CONTACT: Ms. Julie Spaulding, Plant Protection and Quarantine, APHIS, 4700 River Road, Riverdale, MD 20737; (301) 851-2184.

SUPPLEMENTARY INFORMATION:

Background

On April 29, 2004, the United States Department of Agriculture's (USDA) Forest Service and Animal and Plant Health Inspection Service (APHIS) published a notice in the **Federal Register** (69 FR 23492-23493) announcing the agencies' proposal to add the insecticide tebufenozide (trade name Mimic) to their list of treatments for the control of gypsy moth. In addition to the proposal to add tebufenozide, the agencies also proposed developing a process for adding other insecticides that are currently unidentified and unregistered insecticides, not available at the current time, that may become available in the future to their list of treatments for control of gypsy moth, if the proposed insecticides are within the range of effects and acceptable risks for the existing list of treatments. The notice also announced that the agencies would prepare a supplemental environmental impact statement (SEIS) to the November 1995 final environmental impact statement (EIS), Gypsy Moth Management in the United States: A Cooperative Approach (see 60 FR 61698).

A notice of availability for the draft SEIS was initially published by the Environmental Protection Agency (EPA) in the **Federal Register** on September 19, 2008 (73 FR 54397, Docket No. ER-FRL-8585-7), and a notice of availability regarding the final SEIS was published by EPA in the **Federal Register** on October 19, 2012 (77 FR 64334, Docket No. ER-FRL-9005-6). The National Environmental Policy Act (NEPA) implementing regulations in 40