

# Notices

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Wednesday, August 21, 2013

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

[Docket No. APHIS–2012–0029]

#### Bayer CropScience LP; Determination of Nonregulated Status of Soybean Genetically Engineered for Herbicide Resistance

**AGENCY:** Animal and Plant Health Inspection Service, USDA.

**ACTION:** Notice.

**SUMMARY:** We are advising the public of our determination that a soybean line developed by Bayer CropScience LP (Bayer), designated as event FG72, which has been genetically engineered for resistance to the herbicides glyphosate and isoxaflutole, is no longer considered a regulated article under our regulations governing the introduction of certain genetically engineered organisms. Our determination is based on our evaluation of data submitted by Bayer in its petition for a determination of nonregulated status, our analysis of available scientific data, and comments received from the public in response to our previous notice announcing the availability of the petition for nonregulated status and its associated environmental assessment and plant pest risk assessment. This notice also announces the availability of our written determination and finding of no significant impact.

**DATES:** *Effective Date:* August 21, 2013.

**ADDRESSES:** You may read the documents referenced in this notice and the comments we received 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. Those documents are also available on the Internet at [http://www.aphis.usda.gov/biotechnology/not\\_reg.html](http://www.aphis.usda.gov/biotechnology/not_reg.html) under APHIS Petition Number 09–328–01p and are posted with the previous notice and the comments we received on the Regulations.gov Web site at <http://www.regulations.gov/#!docketDetail;D=APHIS-2012-0029>.

**FOR FURTHER INFORMATION CONTACT:** Dr. Rebecca Stankiewicz Gabel, Chief, Biotechnology Environmental Analysis Branch, Environmental Risk Analysis Programs, Biotechnology Regulatory Services, APHIS, 4700 River Road Unit 147, Riverdale, MD 20737–1236; (301) 851–3927, email: [rebecca.l.stankiewicz-gabel@aphis.usda.gov](mailto:rebecca.l.stankiewicz-gabel@aphis.usda.gov). To obtain copies of the petition, contact Ms. Cindy Eck at (301) 851–3892, email: [cynthia.a.eck@aphis.usda.gov](mailto:cynthia.a.eck@aphis.usda.gov).

#### SUPPLEMENTARY INFORMATION:

##### Background

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 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 received a petition (APHIS Petition Number 09–328–01p) from Bayer CropScience LP (Bayer), seeking a determination of nonregulated status of soybean designated as event FG72, which has been genetically engineered for resistance to the herbicides glyphosate and isoxaflutole. The petition states that this soybean is unlikely to pose a plant pest risk and,

therefore, should not be a regulated article under APHIS’ regulations in 7 CFR part 340.

In a notice<sup>1</sup> published in the **Federal Register** on July 13, 2012 (77 FR 41358–41359, Docket No. APHIS–2012–0029), APHIS announced the availability of the Bayer petition, a plant pest risk assessment (PPRA), and a draft environmental assessment (EA) for public comment. APHIS solicited comments on the petition, whether the subject soybean is likely to pose a plant pest risk, the draft EA, and the PPRA for 60 days ending on September 11, 2012.

APHIS received 80 comments during the comment period. Several of these comments included electronic attachments consisting of a consolidated document of many identical or nearly identical letters, for a total of 5,096 comments. Issues raised during the comment period include the potential effects of FG72 on human health, animals, and nontarget organisms; herbicide use changes; and economic costs of herbicide-resistant weeds. APHIS has addressed the issues raised during the comment period and has provided responses to comments as an attachment to the finding of no significant impact.

#### National Environmental Policy Act

To provide the public with documentation of APHIS’ review and analysis of any potential environmental impacts associated with the determination of nonregulated status of Bayer’s soybean event FG72, an EA has been prepared. The EA was prepared in accordance with: (1) The National Environmental Policy Act (NEPA), as amended (42 U.S.C. 4321 *et seq.*), (2) regulations of the Council on Environmental Quality for implementing the procedural provisions of NEPA (40 CFR parts 1500–1508), (3) USDA regulations implementing NEPA (7 CFR part 1b), and (4) APHIS’ NEPA Implementing Procedures (7 CFR part 372). Based on our EA, the response to public comments, and other pertinent scientific data, APHIS has reached a finding of no significant impact with regard to the preferred alternative identified in the EA.

<sup>1</sup> To view the notice, petition, draft EA, the PPRA, and the comments we received, go to <http://www.regulations.gov/#!docketDetail;D=APHIS-2012-0029>.

**Determination**

Based on APHIS' analysis of field and laboratory data submitted by Bayer, references provided in the petition, peer-reviewed publications, information analyzed in the EA, the PPRA, comments provided by the public, and information provided in APHIS' response to those public comments, APHIS has determined that Bayer's soybean event FG72 is unlikely to pose a plant pest risk. We have, therefore, determined that Bayer's soybean event FG72 is no longer subject to our regulations governing the introduction of certain genetically engineered organisms.

Copies of the signed determination document, as well as copies of the petition, PPRA, EA, finding of no significant impact, and response to comments are available as indicated in the **ADDRESSES** and **FOR FURTHER INFORMATION CONTACT** sections of this notice.

**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 16th day of August 2013.

**Michael Gregoire,**

*Acting Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 2013–20380 Filed 8–20–13; 8:45 am]

**BILLING CODE 3410–34–P**

**DEPARTMENT OF AGRICULTURE****Forest Service****Shasta County Resource Advisory Committee**

**AGENCY:** Forest Service, USDA.

**ACTION:** Notice of meeting.

**SUMMARY:** The Shasta County Resource Advisory Committee (RAC) will meet in Redding, CA. The committee is authorized under the Secure Rural Schools and Community Self-Determination Act (Pub. L. 110–343) (the Act) and operates in compliance with the Federal Advisory Committee Act. The purpose of the committee is to improve collaborative relationships and to provide advice and recommendations to the Forest Service concerning projects and funding consistent with the title II of the Act. The meeting is open to the public. The purpose of the meeting is to discuss the monitoring of past projects, and to discuss and vote on recommendations for the use of funds from the Secure Rural Schools second one-year extension to the 2008–2011 RAC authorization.

**DATES:** The meeting will be held September 18, 2013 at 9:00 a.m.

**ADDRESSES:** The meeting will be held at the USDA Service Center, 3644 Avtech Parkway, Redding, California; in conference rooms A and B. Written comments may be submitted as described under **SUPPLEMENTARY INFORMATION**.

All comments, including names and addresses when provided, are placed in the record and are available for public inspection and copying. The public may inspect comments received at the USDA Service Center, 3644 Avtech Parkway, Redding, California. Please call ahead to facilitate entry into the building to view comments.

**FOR FURTHER INFORMATION CONTACT:**

Mary St. John, RAC Assistant, at 530–351–3154 or [maryst.john@hotmail.com](mailto:maryst.john@hotmail.com).

Individuals who use telecommunication devices for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 between 8:00 a.m. and 8:00 p.m., Eastern Standard Time, Monday through Friday. Please make requests in advance for sign language interpreting, assistive listening devices or other reasonable accommodation for access to the facility or proceedings by contacting the person listed For Further Information.

**SUPPLEMENTARY INFORMATION:** The meeting agenda is available at <http://www.fs.usda.gov/main/stnf/workingtogether/advisorycommittees>. Anyone who would like to bring related matters to the attention of the committee may file written statements with the committee staff before or after the meeting. The agenda will include time for people to make oral statements of three minutes or less. Individuals wishing to make an oral statement should request in writing by September 2, 2013 to be scheduled on the agenda. Written comments and requests for time for oral comments must be sent to Donna Harmon, USDA Service Center, 3644 Avtech Parkway, Redding, California 96002 or by email to [dharmon@fs.fed.us](mailto:dharmon@fs.fed.us) or via facsimile to 530–226–2486.

A summary of the meeting will be posted at the RAC Web site listed above within 21 days of the meeting.

Dated: August 15, 2013.

**Donna F. Harmon,**

*Designated Federal Official, Shasta-Trinity National Forest.*

[FR Doc. 2013–20364 Filed 8–20–13; 8:45 am]

**BILLING CODE 3410–11–P**

**DEPARTMENT OF COMMERCE****Foreign-Trade Zones Board**

[B–40–2013]

**Foreign-Trade Zone 59—Lincoln, Nebraska; Authorization of Production Activity; CNH America, LLC; Subzone 59B (Agricultural Equipment Production); Grand Island, Nebraska**

On April 17, 2013, the Lincoln-Foreign Trade Zone, Inc., grantee of FTZ 59, submitted a notification of proposed production activity to the Foreign-Trade Zones (FTZ) Board on behalf of CNH America, LLC, within Subzone 59B, in Grand Island, Nebraska.

The notification was processed in accordance with the regulations of the FTZ Board (15 CFR part 400), including notice in the **Federal Register** inviting public comment (78 FR 27953, 05–13–2013). The FTZ Board has determined that no further review of the activity is warranted at this time. The production activity described in the notification is authorized, subject to the FTZ Act and the Board's regulations, including Section 400.14.

Dated: August 15, 2013.

**Andrew McGilvray,**

*Executive Secretary.*

[FR Doc. 2013–20445 Filed 8–20–13; 8:45 am]

**BILLING CODE 3510–DS–P**

**DEPARTMENT OF COMMERCE****International Trade Administration**

[A–580–839]

**Certain Polyester Staple Fiber From the Republic of Korea: Rescission of Antidumping Duty Administrative Review; 2012–2013**

**AGENCY:** Import Administration, International Trade Administration, Department of Commerce

**SUMMARY:** The Department of Commerce (the Department) is rescinding the administrative review of the antidumping duty order on certain polyester staple fiber (polyester staple fiber) from the Republic of Korea (Korea) for the period May 1, 2012, through April 30, 2013, based on the withdrawal of requests for review.

**DATES:** *Effective Date:* August 21, 2013.

**FOR FURTHER INFORMATION CONTACT:**

Joseph Shuler, AD/CVD Operations, Office 1, Import Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–1293.

**SUPPLEMENTARY INFORMATION:**