

# Notices

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. 04-015-1]

#### 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 in support of regulations under which eligible persons can receive compensation for losses and expenses incurred because of Karnal bunt.

**DATES:** We will consider all comments that we receive on or before May 11, 2004.

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

- *Postal Mail/Commercial Delivery:* Please send four copies of your comment (an original and three copies) to Docket No. 04-015-1, 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. 04-015-1.

- *E-mail:* Address your comment to [regulations@aphis.usda.gov](mailto: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. 04-015-1" 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.

- **Federal eRulemaking Portal:** Go to <http://www.regulations.gov> and follow the instructions for locating this docket and submitting comments.

**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 regulations for Karnal bunt compensation, contact Mr. Stephen Poe, Operations Officer, Pest Detection and Management Programs, PPQ APHIS, 4700 River Road Unit 134, Riverdale, MD 20737-1231; (301) 734-8899. 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:** Karnal Bunt; Compensation for the 1999-2000 Crop Season and Subsequent Seasons.

**OMB Number:** 0579-0182.

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

**Abstract:** The Plant Protection Act (7 U.S.C. 7701-7772) 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, such as Karnal bunt, that are new to or not widely distributed within the United States.

Karnal bunt is a fungal disease of wheat (*Tricum aestivum*), durum wheat (*Tricum durum*), and triticale wheat (*Tricum aestivum X Secale cereale*), a hybrid of wheat and rye. Karnal bunt is caused by the smut fungus *Tilletia indica* (Mitra) Mundkur and is spread by spores, primarily through the movement of infected seed. In the

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absence of measures taken by the U.S. Department of Agriculture to prevent its spread, the establishment of Karnal bunt in the United States could have significant consequences with regard to the export of wheat to international markets.

The regulations regarding Karnal bunt are set forth in 7 CFR 301.89-1 through 301.89-16. Among other things, the regulations define areas regulated for Karnal bunt and restrict the movement of certain regulated articles, including wheat seed and grain, from the regulated areas.

The regulations also provide for the payment of compensation to eligible persons in order to reduce the economic impact of our Karnal bunt quarantine on wheat producers and other individuals, and to help obtain their cooperation in our eradication efforts. The compensation program requires individuals to engage in several information collection activities, including the completion of a Karnal bunt compensation worksheet and compensation form.

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 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 0.5 hours per response.

**Respondents:** Wheat growers, shippers, seed companies, State plant regulatory authorities, and Farm Service Agency personnel.

**Estimated annual number of respondents:** 170.

**Estimated annual number of responses per respondent:** 1.

**Estimated annual number of responses:** 170.

**Estimated total annual burden on respondents:** 85 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 8th day of March 2004.

**Kevin Shea,**

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

[FR Doc. 04-5627 Filed 3-11-04; 8:45 am]

**BILLING CODE 3410-34-P**

## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

**[Docket No. 04-019-1]**

#### Availability of a Draft Document Pertaining to the Risks Associated With the Introduction of Soybean Rust Into the Continental United States

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

**ACTION:** Notice of availability and request for comments.

**SUMMARY:** We are advising the public that the Animal and Plant Health Inspection Service has prepared a draft document entitled "Status of Scientific Evidence on Risks Associated with the Introduction into the Continental United States of *Phakopsora pachyrhizi* with Imported Soybean Grain, Seed and Meal." We are making this document available to the public for review and comment.

**DATES:** We will consider all comments that we receive on or before April 12, 2004.

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

- Postal Mail/Commercial Delivery: Please send four copies of your comment (an original and three copies) to Docket No. 04-019-1, 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. 04-019-1.

- E-mail: Address your comment to [regulations@aphis.usda.gov](mailto: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. 04-019-1" 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.

- Federal eRulemaking Portal: Go to <http://www.regulations.gov> and follow the instructions for locating this docket and submitting comments.

**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:** Dr. Arnold T. Tschanz, Senior Staff Officer, Regulatory Coordination, PPQ, APHIS, 4700 River Road, Unit 141, Riverdale, MD 20737-1236, (301) 734-5306.

#### SUPPLEMENTARY INFORMATION:

##### Background

Soybean rust is caused by two different fungal species—*Phakopsora pachyrhizi* Sydow and *Phakopsora meibomiae* (Arthur) Arthur. *P. pachyrhizi* is an aggressive pathogen and spreads rapidly under conducive environmental conditions. It is referred to as the Asian, Australian, or Old World rust strain. *P. meibomiae* is a less aggressive pathogen on soybean. It is referred to as the tropical, Latin American, or New World rust strain. Soybean rusts caused by one or both of these species have been reported in most soybean producing areas of the world, except for North America and Europe.

In light of recent outbreaks in South America of the Asian strain of soybean rust (*P. pachyrhizi*), U.S. soybean producers have asked APHIS to reevaluate the entry status of soybean

grain, seed, and meal from countries where soybean rust is known to occur. To evaluate the risks associated with the introduction of soybean rust into the continental United States, a draft document, entitled "Status of Scientific Evidence on Risks Associated with the Introduction into the Continental United States of *Phakopsora pachyrhizi* with Imported Soybean Grain, Seed and Meal" (February 23, 2004), has been prepared. We are making the draft document available to the public for review and comment.

You may view the draft document on the Internet at [http://www.aphis.usda.gov/ppq/ep/soybean\\_rust/sbr\\_riskevidoc2\\_23\\_04.pdf](http://www.aphis.usda.gov/ppq/ep/soybean_rust/sbr_riskevidoc2_23_04.pdf). You may request copies from the person listed under **FOR FURTHER INFORMATION CONTACT**.

**CONTACT.** Please refer to the title of the draft document when requesting copies. Finally, the draft document is available for review in our reading room (information on the location and hours of the reading room is provided under the heading **ADDRESSES** at the beginning of this notice).

In addition, we are soliciting comments addressing the following questions:

1. What conditions at harvest and during cleaning, drying, storage, or transport would change the risk of introducing *P. pachyrhizi* with imported soybean grain, seed, and meal?

2. Is there additional specific information on industry and agricultural practices that would affect the risk of introducing the soybean rust pathogen with imported soybean grain, seed, and meal?

3. Are most soybeans that are grown in areas infested with soybean rust sprayed with fungicides? How effective is this control?

4. What other practical treatments could be used to address the risk of introducing the soybean rust pathogen in imported soybean grain, seed, and meal?

5. Is there any other information APHIS should consider in determining the risk of introducing *P. pachyrhizi* with imported soybean grain, seed, and meal?

We welcome all comments on the issues outlined above and encourage the submission of scientific information that supports any statements and conclusions. We will consider all comments that we receive on or before the date listed under the heading **DATES** at the beginning of this notice. These comments will be considered during the development of a pest risk assessment for soybean rust.