

# Notices

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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–2006–0043]

#### Notice of Request for Approval of an Information Collection; Peer Reviewer's Certification Regarding Conflict of Interest

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

**ACTION:** New 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 approval of a new information collection activity related to peer review of scientific information disseminated to the public by the Agency.

**DATES:** We will consider all comments that we receive on or before June 19, 2006.

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

- Federal eRulemaking Portal: Go to <http://www.regulations.gov> and, in the lower "Search Regulations and Federal Actions" box, select "Animal and Plant Health Inspection Service" from the agency drop-down menu, then click on "Submit." In the Docket ID column, select APHIS–2006–0043 to submit or view public comments and to view supporting and related materials available electronically. After the close of the comment period, the docket can be viewed using the "Advanced Search" function in Regulations.gov.

- Postal Mail/Commercial Delivery: Please send four copies of your comment (an original and three copies) to Docket No. APHIS–2006–0043, Regulatory Analysis and Development, PPD, APHIS, Station 3A–03.8, 4700 River Road Unit 118, Riverdale, MD 20737–1238. Please state that your

comment refers to Docket No. APHIS–2006–0043.

**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:** Additional information about APHIS and its programs is available on the Internet at <http://www.aphis.usda.gov>.

**FOR FURTHER INFORMATION CONTACT:** For information on APHIS' peer review process or the peer reviewer's certification regarding conflict of interest, contact Dr. Natalie Roberts, APHIS Peer Review Officer, Planning, Evaluation, and Monitoring, PPD, APHIS, Station 3C–03.27, 4700 River Road Unit 120, Riverdale, MD 20737–1238; phone (301) 734–8937 or e-mail [natalie.a.roberts@aphis.usda.gov](mailto:natalie.a.roberts@aphis.usda.gov). 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:** APHIS Peer Reviewer's Certification Regarding Conflict of Interest.

**OMB Number:** 0579–XXXX.

**Type of Request:** Approval of a new information collection.

**Abstract:** The Animal and Plant Health Inspection Service (APHIS) is responsible for protecting and promoting U.S. agricultural health, administering the Animal Welfare Act, and carrying out wildlife damage management activities. In carrying out its mission, APHIS collects, generates, and disseminates a wide variety of scientific information.

Some of the information APHIS disseminates is "influential"—that is, it has a clear and substantial impact on important public policies or important private sector decisions. A very small portion of APHIS' scientific information takes the form of "highly influential scientific assessments," which have a potential impact of more than \$500 million in any year, or are novel,

controversial, precedent-setting, or of significant interagency interest.

In order to ensure the objectivity and highest level of quality of such scientific information, APHIS arranges for these documents to be peer reviewed in accordance with the Office of Management and Budget's (OMB's) "Final Information Quality Bulletin for Peer Review," which was published in the **Federal Register** on January 14, 2005, and is available on the Web at [http://www.whitehouse.gov/omb/fedreg/2005/011405\\_peer.pdf](http://www.whitehouse.gov/omb/fedreg/2005/011405_peer.pdf).

To ensure the effectiveness and integrity of the peer review process, APHIS pays careful attention to potential conflicts of interest when selecting peer reviewers. APHIS has developed a standard letter to prospective peer reviewers, which, among other things, asks them to consider whether they may have a conflict of interest related to review of a specific scientific document and, if not, asks them to sign a form certifying that they have no conflicting interests.

We are asking OMB to approve our use of this information collection activity for 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 0.25 hours per response.

**Respondents:** Peer reviewers for agency scientific documents.

**Estimated annual number of respondents:** 50.

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

*Estimated annual number of responses:* 50.

*Estimated total annual burden on respondents:* 12.5 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 13th day of April 2006.

**Kevin Shea,**

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

[FR Doc. E6-5880 Filed 4-18-06; 8:45 am]

BILLING CODE 3410-34-P

## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

[Docket No. APHIS-2006-0015]

#### Availability of an Environmental Assessment and Finding of No Significant Impact for Field Release of Genetically Engineered Pink Bollworm

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

**ACTION:** Notice.

**SUMMARY:** We are advising the public that an environmental assessment has been prepared for a proposed field trial of pink bollworm genetically engineered to express green fluorescence as a marker. The Animal and Plant Health Inspection Service (APHIS) proposes to use this marked strain to assess the effectiveness of lower doses of radiation to create sterile insects for its pink bollworm sterile insect program. This program, using sterile insect technique, has been conducted by APHIS, with State and grower cooperation, since 1968. Data gained from this field experiment will be used to improve the current program. APHIS has completed an environmental assessment and has concluded that this field test will not have a significant impact on the quality of the human environment. Based on its finding of no significant impact, APHIS has determined that an Environmental Impact Statement need not be prepared for this field test.

**DATES:** *Effective Date:* April 19, 2006.

**ADDRESSES:** You may read the environmental assessment (EA), the finding of no significant impact (FONSI), and any comments that we

received on Docket No. APHIS-2006-0015 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. The EA, FONSI, and responses to comments are also available on the Internet at [http://www.aphis.usda.gov/brs/aphisdocs/05\\_09801r\\_ea.pdf](http://www.aphis.usda.gov/brs/aphisdocs/05_09801r_ea.pdf).

**FOR FURTHER INFORMATION CONTACT:** Dr. Robyn Rose, Biotechnology Regulatory Services, APHIS, 4700 River Road Unit 147, Riverdale, MD 20737-1236; (301) 734-0489. To obtain copies of the EA, FONSI, and response to comments, contact Ms. Ingrid Berlinger at (301) 734-4885; e-mail: [ingrid.e.berlinger@aphis.usda.gov](mailto:ingrid.e.berlinger@aphis.usda.gov).

**SUPPLEMENTARY INFORMATION:** 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." A permit must be obtained or a notification acknowledged before a regulated article may be introduced. The regulations set forth the permit application requirements and the notification procedures for the importation, interstate movement, or release into the environment of a regulated article.

On April 8, 2005, the Animal and Plant Health Inspection Service (APHIS) received a permit application (APHIS No. 05-098-01r) from APHIS' Plant Protection and Quarantine (PPQ) Center for Plant Health Science and Technology (CPHST) Decision Support and Pest Management Systems Laboratory in Phoenix, AZ, for a field trial using the pink bollworm (PBW), *Pectinophora gossypiella* (Lepidoptera: Gelechiidae), that has been genetically engineered to express an enhanced green fluorescent protein (EGFP) derived from the jellyfish *Aequora victoria*. A piggyBac transposable element derived from the plant pest cabbage looper (*Trichoplusia ni*) was used to transform the subject PBW, and expression of the EGFP is controlled

through use of a *Bombyx mori* cytoplasmic actin promoter.

The subject transgenic PBW is considered a regulated article under the regulations in 7 CFR part 340 because the recipient organism is a plant pest. The proposed field test will evaluate the feasibility of using F1 sterility systems in a sterile insect program, which is designed to depress PBW populations. The transgenic PBW will be reared in the Phoenix PBW genetic rearing facility and treated with radiation levels suitable to induce F1 sterility. The irradiated insects will be released into no more than four 3-acre field sites of cotton that are adjacent to cotton expressing the Bt toxin, which is toxic to PBW. This release is part of CPHST's PBW sterile insect program. Information resulting from this research will be used in support of APHIS' efforts to eradicate the PBW in the United States.

Additional information on the PBW eradication plan for the United States may be found at <http://www.aphis.usda.gov/ppq/pdmp/cotton/pinkbollworm/eradication/eradication.pdf>. An environmental assessment (EA) prepared for the Southwest Pink Bollworm Eradication Program may be found at <http://www.aphis.usda.gov/ppd/es/pdf%20files/swpbwea.pdf>.

On February 13, 2006 APHIS published a notice<sup>1</sup> in the **Federal Register** (70 FR 7503-7504, Docket No. APHIS-2006-0015) announcing the availability of an EA for the proposed field trial. During the 30-day comment period, APHIS received two comments. One comment was from an individual and the other was from a government research scientist. One comment generally objected to the field release. The commenter made several unsupported, sweeping statements suggesting that the trial is poorly designed and will result in "health problems." APHIS finds no basis for these statements and disagrees with the comment. Additionally, the commenter suggests that APHIS should be required to get "sign off of the neighbors." APHIS has carefully evaluated the design of the field trial and has determined that it will not result in the establishment of the regulated article outside of the field test. Additionally, APHIS has informed the public of the proposed field test and requested comment on the EA. APHIS is confident that this field test will not

<sup>1</sup> To view the notice, EA, and the comments we received, go to <http://www.regulations.gov>, click on the "Advanced Search" tab, and select "Docket Search." In the Docket ID field, enter APHIS-2006-0015, then click on "Submit." Clicking on the Docket ID link in the search results page will produce a list of all documents in the docket.