*B. What Should I Consider as I Prepare My Comments for EPA?*

1. *Submitting CBI.* Do not submit this information to EPA through regulations.gov or e-mail. Clearly mark the part or all of the information that you claim to be CBI. For CBI information in a disk or CD ROM that you mail to EPA, mark the outside of the disk or CD ROM as CBI and then identify electronically within the disk or CD ROM the specific information that is claimed as CBI. In addition to one complete version of the comment that includes information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

2. *Tips for preparing your comments.* When submitting comments, remember to:

i. Identify the document by docket ID number and other identifying information (subject heading, **Federal Register** date and page number).

ii. Follow directions. The Agency may ask you to respond to specific questions or organize comments by referencing a Code of Federal Regulations (CFR) part or section number.

iii. Explain why you agree or disagree; suggest alternatives and substitute language for your requested changes.

iv. Describe any assumptions and provide any technical information and/or data that you used.

v. If you estimate potential costs or burdens, explain how you arrived at your estimate in sufficient detail to allow for it to be reproduced.

vi. Provide specific examples to illustrate your concerns and suggest alternatives.

vii. Explain your views as clearly as possible, avoiding the use of profanity or personal threats.

viii. Make sure to submit your comments by the comment period deadline identified.

## II. What Action is the Agency Taking?

EPA is printing a summary of a pesticide petition received under section 408 of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 346a, proposing the establishment or amendment of regulations in 40 CFR part 180 for residues of pesticide chemicals in or on various food commodities. EPA has determined that this pesticide petition contains data or information regarding the elements set forth in FFDCA section 408(d)(2); however, EPA has not fully evaluated the sufficiency of the submitted data at this time or whether the data support granting of the pesticide petition. Additional data may be needed before EPA rules on this pesticide petition.

Pursuant to 40 CFR 180.7(f), a summary of the petition included in this notice, prepared by the petitioner is available on EPA's Electronic Docket at *http://www.regulations.gov*. To locate this information on the home page of EPA's Electronic Docket, select ''Quick Search'' and type the OPP docket ID number. Once the search has located the docket, clicking on the ''Docket ID'' will bring up a list of all documents in the docket for the pesticide including the petition summary.

### New Exemption from Tolerance

*PP 6E7029*. BioProdex, Inc., Gainesville Technology Enterprise Center (GTEC), Box 5, Suite 205, 2153 SE Hawthorne Road, Gainesville, FL 32641, proposes to establish a temporary exemption from the requirement of a tolerance for residues of the microbial pesticide, Tobacco mild green mosaic tobamovirus (TMGMV), in or on food commodities all grass and grass hay. Because this petition is a request for an exemption from the requirement of a tolerance without numerical limitations, no analytical method is required.

### List of Subjects

Environmental protection, Agricultural commodities, Feed additives, Food additives, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: June 22, 2006.

**Janet L. Andersen,**

*Director, Biopesticides and Pollution Prevention Division, Office of Pesticide Programs.*

[FR Doc. E6–10571 Filed 7–6–06; 8:45 am]

**BILLING CODE 6560–50–S**

## FEDERAL RESERVE SYSTEM

### Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR Part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The applications listed below, as well as other related filings required by the Board, are available for immediate inspection at the Federal Reserve Bank indicated. The application also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)). If the proposal also involves the acquisition of a nonbanking company, the review also includes whether the acquisition of the nonbanking company complies with the standards in section 4 of the BHC Act (12 U.S.C. 1843). Unless otherwise noted, nonbanking activities will be conducted throughout the United States. Additional information on all bank holding companies may be obtained from the National Information Center website at *www.ffiec.gov/nic/*.

Unless otherwise noted, comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than August 4, 2006.

**A. Federal Reserve Bank of Minneapolis** (Jacqueline G. King, Community Affairs Officer) 90 Hennepin Avenue, Minneapolis, Minnesota 55480-0291:

*1. Glacier Bancorp, Inc.*, Kalispell, Montana; to acquire 100 percent of the voting shares of First National Bank of Morgan, through a merger with and into New First National Bank of Morgan, both in Morgan, Utah.

Board of Governors of the Federal Reserve System, July 3, 2006.

**Jennifer J. Johnson,**

*Secretary of the Board.*

[FR Doc. E6–10625 Filed 7–6–06; 8:45 am]

**BILLING CODE 6210–01–S**

## FEDERAL RESERVE SYSTEM

### Notice of Proposals to Engage in Permissible Nonbanking Activities or to Acquire Companies that are Engaged in Permissible Nonbanking Activities

The companies listed in this notice have given notice under section 4 of the Bank Holding Company Act (12 U.S.C. 1843) (BHC Act) and Regulation Y (12 CFR Part 225) to engage *de novo*, or to acquire or control voting securities or assets of a company, including the companies listed below, that engages either directly or through a subsidiary or other company, in a nonbanking activity that is listed in § 225.28 of Regulation Y (12 CFR 225.28) or that the Board has

determined by Order to be closely related to banking and permissible for bank holding companies. Unless otherwise noted, these activities will be conducted throughout the United States.

Each notice is available for inspection at the Federal Reserve Bank indicated. The notice also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the question whether the proposal complies with the standards of section 4 of the BHC Act. Additional information on all bank holding companies may be obtained from the National Information Center website at *www.ffiec.gov/nic/*.

Unless otherwise noted, comments regarding the applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than July 25, 2006.

**A. Federal Reserve Bank of New York** (Anne McEwen, Financial Specialist) 33 Liberty Street, New York, New York 10045-0001:

*1. NRW.Bank Duesseldorf, and WestLB Beteiligungsholding GmbH Duesseldorf*, both of Duesseldorf, Germany; to engage through its subsidiaries NY Credit Real Estate GP LLC, New York, NY; New York Credit Real Estate Fund, L.P., New York, NY; New York Credit Advisors LLC, New York, NY; and BOA Lending L.L.P., Las Vegas, NV, in extending credit and servicing loans and acting as a financial or investment advisor, through a joint venture, pursuant to section 225.28(b)(1) and 225.28(b)(6) of Regulation Y.

Board of Governors of the Federal Reserve System, July 3, 2006.

**Jennifer J. Johnson,**

*Secretary of the Board.*

[FR Doc. E6–10626 Filed 7–6–06; 8:45 am]

**BILLING CODE 6210–01–S**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Protection of Human Subjects: Interpretation of Assurance Requirements

**AGENCY:** Office of the Secretary, Department of Health and Human Services.

**ACTION:** Notice.

**SUMMARY:** The Office of Public Health and Science, Office of the Secretary, Department of Health and Human Services (HHS) is providing public notice to clarify a requirement contained in the Federalwide Assurance (FWA) form for international (non-U.S.) institutions, approved by the Office for Human Research Protections (OHRP) under the HHS protection of human subjects regulations. HHS clarifies that the requirements of HHS regulations must be satisfied for all HHS-conducted or -supported research covered by an FWA, regardless of whether the research is conducted domestically or internationally. To date, HHS has not deemed any other procedural standards equivalent to the protection of human subjects.

**FOR FURTHER INFORMATION CONTACT:** Irene Stith-Coleman, Office for Human Research Protections, Office of Public Health and Science, The Tower Building, 1101 Wootton Parkway, Suite 200, Rockville, MD 20852, (240) 453–6900, facsimile (301) 402–2071; e-mail: *Irene.Stith-Coleman@hhs.gov*.

**SUPPLEMENTARY INFORMATION:**

### I. Background

The Department of Health and Human Services (HHS), through the Office for Human Research Protections (OHRP), regulates research involving human subjects conducted or supported by HHS. The Federal Policy for the Protection of Human Subjects (the Common Rule), adopted by 14 other departments and agencies, is codified for HHS at 45 CFR part 46, subpart A.

The HHS protection of human subjects regulations apply to all research involving human subjects conducted, supported or otherwise subject to regulation by HHS. 45 CFR 46.101(a). Each institution engaged in HHS-conducted or -supported human subjects research must provide written assurance, satisfactory to the Secretary of HHS, that it will comply with the HHS protection of human subjects regulations. [45 CFR 46.103(a)]

The FWA is the only form of assurance currently accepted by OHRP. The FWA was designed to be used by HHS as well as the other departments and agencies that have adopted the Common Rule. The FWA consists of two documents, the FWA form and the FWA Terms of Assurance, which are incorporated by reference into the FWA form. There are separate FWA forms and Terms of Assurance for U.S. domestic institutions and for international (non-U.S.) institutions. The ''Applicability'' section of the FWA form for international (non-U.S.) institutions includes several national and international procedural standards to which the institution can indicate its adherence, including the HHS regulations for the protection of human subjects, 45 CFR part 46. The FWA Terms of Assurance for international (non-U.S.) institutions state as follows:

> If a U.S. Federal department or agency head determines that the procedures prescribed by the institution afford protections that are at least equivalent to those provided by the U.S. Federal Policy for the Protection of Human Subjects, the department or agency head may approve the substitution of the foreign procedures in lieu of the procedural requirements provided above [the requirements of the U.S. Federal Policy], consistent with the requirements of section 101(h) of the U.S. Federal Policy for the Protection of Human Subjects.

### II. Clarification of HHS' Position

Some regulated institutions may have been confused by the fact that several national and international procedural standards are listed on the FWA form for international (non-U.S.) institutions, and interpreted this to mean that non-U.S. institutions have a choice of whether or not the requirements of 45 CFR part 46 must be met for HHS-conducted or -supported research conducted at their institutions. Such an interpretation would be erroneous. For HHS-conducted or -supported research, all institutions holding an OHRP-approved FWA and engaged in such research must comply with the requirements of 45 CFR part 46. That compliance is required regardless of whether the institution marked one or more other procedural standards on the FWA form for international (non-U.S.) institutions as a standard to which the institution committed itself to comply.

For example, if a non-U.S. institution selects a procedural standard on its FWA that does not explicitly require continuing review by an institutional review board (IRB) at least annually, the institution still must ensure that an IRB designated under the FWA conducts continuing review of non-exempt human subjects research supported by HHS at intervals appropriate to the degree of risk, but no less than once per year, as required by HHS regulations at 45 CFR 46.109(e). Likewise, if a non-U.S. institution selects a procedural standard on its FWA that does not explicitly require that an IRB retain IRB records for at least three years after the completion of research which is conducted, the institution still must ensure that such IRB records are retained for at least three years after completion of any non-exempt human subjects research supported by HHS, as required by HHS regulations at 45 CFR 46.115(b).

As stated in the FWA Terms of Assurance for international (non-U.S.) institutions, the Secretary has the authority to determine that alternative procedural standards provide protections at least equivalent to those provided by the HHS protection of