

receiving its benefits, and in both instances, USDA announced its view not to conduct a referendum regarding the 1991 amendments to the Order (61 FR 52772 & 67 FR 1714) and subsequently held sign-up periods for all eligible persons to request a continuance referendum on the 1990 Act amendments. The results of both respective sign-up periods did not meet the criteria as established by the Act for a continuance referendum and, therefore, referenda were not conducted.

In 2006, the Department again prepared a 5-year report that described the impact of the Cotton Research and Promotion Program on the cotton industry. The review report is available upon written request to the Chief of the Cotton Research and Promotion Staff at the address provided above. Comments were solicited from all interested parties including from persons who pay the assessments as well as from organizations representing cotton producers and importers (71 FR 13808; March 17, 2006). Economic data was also reviewed in order to report on the general climate of the cotton industry. Finally, a number of independent sources of information were reviewed to help identify perspectives from outside the program including the results of independent program evaluations assessing the effects of the Cotton Research and Promotion Program activities on demand for Upland cotton, return-on-investment to cotton producers, the benefit-cost ratio to companies who import cotton products and raw cotton, and the overall rate-of-return and qualitative benefits and returns associated with the Cotton Research and Promotion Program. The review report cited that the 1990 amendments to the Act were successfully implemented and are operating as intended. The report also noted that there is a consensus within the cotton industry that the Cotton Research and Promotion Program and the 1990 amendments to the Act are operating as intended. Written comments, economic data, and results from independent evaluations support this conclusion. Industry comments cited examples of how the additional funding has yielded benefits by increasing the demand and consumption for cotton. Of the 15 comments received, only one commenter, who represents cotton importers, argued for a referendum on the 1990 Act amendments.

USDA found no compelling reason to conduct a referendum regarding the 1990 Act amendments to the Cotton Research and Promotion Order although some program participants support a

referendum. Therefore, USDA allowed all eligible persons to request the conduct of a continuance referendum on the 1990 amendments through a sign-up period.

With this announcement of the results of the sign-up period, USDA has completed all requirements set forth in section 8(c) (1) and (2) of the Act regarding the review of the Cotton Research and Promotion Program to determine if a continuance referendum is warranted. A referendum will not be conducted, and no further actions are planned in connection with this review.

**Authority:** 7 U.S.C. 2101–2118.

Dated: January 24, 2008.

**Lloyd C. Day,**

*Administrator, Agricultural Marketing Service.*

[FR Doc. E8–1660 Filed 1–29–08; 8:45 am]

**BILLING CODE 3410–02–P**

## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

[Docket No. APHIS–2007–0128]

#### Notice of Decision to Issue Permits for the Importation of Sweet Cherries From Australia Into the Continental United States and Hawaii

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

**ACTION:** Notice.

**SUMMARY:** We are advising the public of our decision to begin issuing permits for the importation into the continental United States and Hawaii of sweet cherries from Australia. Based on the findings of a pest risk analysis, which we made available to the public for review and comment through a previous notice, we believe that the application of one or more designated phytosanitary measures will be sufficient to mitigate the risks of introducing or disseminating plant pests or noxious weeds via the importation of sweet cherries from Australia.

**EFFECTIVE DATE:** January 30, 2008.

**FOR FURTHER INFORMATION CONTACT:** Ms. Donna L. West, Senior Import Specialist, Commodity Import Analysis and Operations, Plant Health Programs, PPQ, APHIS, 4700 River Road Unit 133, Riverdale, MD 20737–1231; (301) 734–8758.

**SUPPLEMENTARY INFORMATION:** Under the regulations in “Subpart—Fruits and Vegetables” (7 CFR 319.56 through 319.56–47, referred to below as the regulations), the Animal and Plant

Health Inspection Service (APHIS) of the U.S. Department of Agriculture prohibits or restricts the importation of fruits and vegetables into the United States from certain parts of the world to prevent plant pests from being introduced into and spread within the United States.

Section 319.56–4 of the regulations contains a performance-based process for approving the importation of commodities that, based on the findings of a pest risk analysis, can be safely imported subject to one or more of the designated phytosanitary measures listed in paragraph (b) of that section. Under that process, APHIS publishes a notice in the **Federal Register** announcing the availability of the pest risk analysis that evaluates the risks associated with the importation of a particular fruit or vegetable. Following the close of the 60-day comment period, APHIS may begin issuing permits for importation of the fruit or vegetable subject to the identified designated measures if: (1) No comments were received on the pest risk analysis; (2) the comments on the pest risk analysis revealed that no changes to the pest risk analysis were necessary; or (3) changes to the pest risk analysis were made in response to public comments, but the changes did not affect the overall conclusions of the analysis and the Administrator’s determination of risk.

In accordance with that process, we published a notice<sup>1</sup> in the **Federal Register** on October 12, 2007 (72 FR 58047–58048, Docket No. APHIS–2007–0128), in which we announced the availability, for review and comment, of a pest risk analysis that evaluates the risks associated with the importation into the continental United States and Hawaii of sweet cherries from Australia. We solicited comments on the notice for 60 days ending on December 11, 2007. We received one comment by that date, from a representative of Australia’s Department of Agriculture, Fisheries and Forestry.

The commenter supported the findings of the pest risk analysis, but noted that her agency has concerns regarding the commercial viability of one of the treatment options we spelled out for Australian cherries. The commenter stated that the methyl bromide fumigation followed by cold treatment is considered by the Australian industry to damage the fruit and could thus reduce its commercial appeal. Based on those concerns, the

<sup>1</sup> To view the notice, the pest risk analysis, and the comment we received, go to <http://www.regulations.gov/fdmspublic/component/main?main=DocketDetail&d=APHIS-2007-0128>.

commenter urged APHIS to complete its review of the data supporting a cold treatment-only option for treating cherries. The commenter did not, however, question the efficacy of the combination treatment or otherwise suggest that the overall conclusions of the analysis and the Administrator's determination of risk should be changed.

Therefore, in accordance with the regulations in § 319.56–4(c)(2)(ii), we are announcing our decision to begin issuing permits for the importation into the continental United States and Hawaii of sweet cherries from Australia subject to the following conditions:

- The fruit must be part of a commercial consignment as defined in 7 CFR 319.56–2.

- The fruit must either originate from an APHIS-approved fruit fly free area or be treated in accordance with the phytosanitary treatments regulations in 7 CFR part 305. This may entail treatment with T108-a-1/2/3 [fumigation with methyl bromide followed by cold treatment as provided in 7 CFR 305.10(a)] or irradiation using 150 Gy as the minimum absorbed dose and meeting all other relevant requirements in 7 CFR 305.31.

- Each consignment must be accompanied by a phytosanitary certificate issued by the Australian National Plant Protection Organization (NPPO) certifying that the fruit either received the required treatment or originated from a fruit fly free area. The NPPO must also include an additional declaration in the phytosanitary certificate that states: "The fruit in this shipment was inspected and found free of *Epiphyas postvittana*."

- The fruit will also be subject to inspection at the port of entry should inspectors determine that such inspection is necessary.

These conditions will be listed in the fruits and vegetables manual (available at <http://www.aphis.usda.gov/>

*import\_export/plants/manuals/ports/downloads/fv.pdf*). In addition to these specific measures, the sweet cherries will be subject to the general requirements listed in § 319.56–3 that are applicable to the importation of all fruits and vegetables.

Done in Washington, DC, this 25th day of January 2008.

**Kevin Shea,**

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

[FR Doc. E8–1682 Filed 1–29–08; 8:45 am]

**BILLING CODE 3410–34–P**

**DEPARTMENT OF AGRICULTURE**

**Food and Nutrition Service**

**Summer Food Service Program for Children; Program Reimbursement for 2008**

**AGENCY:** Food and Nutrition Service, USDA.

**ACTION:** Notice.

**SUMMARY:** This notice informs the public of the annual adjustments to the reimbursement rates for meals served in the Summer Food Service Program for Children (SFSP). These adjustments reflect changes in the Consumer Price Index and are required by the statute governing the Program. In addition, further adjustments are made to these rates to reflect the higher costs of providing meals in the States of Alaska and Hawaii, as authorized by the William F. Goodling Child Nutrition Reauthorization Act of 1998.

**EFFECTIVE DATE:** January 1, 2008.

**FOR FURTHER INFORMATION CONTACT:** Keith Churchill, Policy and Program Development Branch, Child Nutrition Division, Food and Nutrition Service, U.S. Department of Agriculture, 3101 Park Center Drive, Room 640, Alexandria, Virginia 22302, (703) 305–2590.

**SUPPLEMENTARY INFORMATION:**

This program is listed in the Catalog of Federal Domestic Assistance under No. 10.559 and is subject to the provisions of Executive Order 12372 which requires intergovernmental consultation with State and local officials (7 CFR part 3015, subpart V, and final rule related notice published at 48 FR 29114, June 24, 1983).

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3518), no new recordkeeping or reporting requirements have been included that are subject to approval from the Office of Management and Budget.

This notice is not a rule as defined by the Regulatory Flexibility Act (5 U.S.C. 601–612) and thus is exempt from the provisions of that Act. Additionally, this notice has been determined to be exempt from review by the Office of Management and Budget under Executive Order 12866.

**Definitions**

The terms used in this Notice shall have the meaning ascribed to them in the regulations governing the Summer Food Service Program for Children (7 CFR Part 225).

**Background**

In accordance with Section 13 of the National School Lunch Act (NSLA) (42 U.S.C. 1761), section 12 of the NSLA (42 U.S.C. 1760(f)), and the regulations governing the SFSP (7 CFR part 225), notice is hereby given of adjustments in Program payments for meals served to children participating in the SFSP in 2008. Adjustments are based on changes in the food away from home series of the Consumer Price Index (CPI) for All Urban Consumers for the period November 2006 through November 2007.

The 2008 reimbursement rates, in dollars, for all States excluding Alaska and Hawaii:

**MAXIMUM PER MEAL REIMBURSEMENT RATES FOR ALL STATES (NOT AK OR HI)**

	Operating costs	Administrative costs	
		Rural or self-preparation sites	Other types of sites
Breakfast .....	\$1.57	\$.1575	\$.1225
Lunch or Supper .....	2.75	.2875	.2375
Snacks .....	.64	.0775	.0625

The 2008 reimbursement rates, in dollars, for Alaska: