

Under the current Guidelines, USDA designates “finished” products by collecting information on available biobased products, manufacturers, and distributors to determine potential product categories, tests products for biobased content using ASTM International *Standard Test Methods for Determining the Biobased Content of Solid, Liquid, and Gaseous Samples Using Radiocarbon Analysis, D-6866*. USDA also currently evaluates environmental and human health benefits and lifecycle costs of categories using the Building for Environmental and Economic Sustainability (BEES) model developed by the National Institute of Standards and Technology.

To set the stage before opening the forum for public comment, USDA has invited to the public meeting speakers from USDA and the Environmental Protection Agency (EPA), as well as individuals from academia and industry who are well-versed in biobased materials, manufacturing and products. USDA is seeking answers to a series of questions about complex assembly products and their role in designating biobased products for Federal procurement.

These questions include:

- How should the designation of complex assemblies be organized?
- Are there definable categories with similar characteristics and common understanding?
- What entities are best positioned to help define the possible categories?
- Are there categories with greater potential to further the goals and intent of the BioPreferred program?
- What is the minimum allowable biobased content to be considered biobased?
- How should biobased content be calculated?
- What information should be provided to assist purchasers?
- What are the potential obstacles to purchasing designated complex assemblies?
- What differences should be included in the labeling program as opposed to the Federal procurement preference program?

Finally, USDA will hold a third public meeting at Iowa State University on April 1, 2010 to hear from interested stakeholders on how to designate intermediate ingredients and feedstocks that can be used to produce items subject to the Federal procurement preference program and how to automatically designate items composed of designated intermediate ingredients and feedstocks if the content of the designated intermediate ingredients and feedstocks exceeds 50 percent of the

item (unless the Secretary determines a different composition percentage is appropriate). USDA will post a notice in the **Federal Register** when details are final regarding this Iowa public meeting, which will also have a training component.

Done in Washington, DC, this 20th day of January 2010.

**Pearlie S. Reed,**

*Assistant Secretary for Administration, U.S. Department of Agriculture.*

[FR Doc. 2010-2039 Filed 1-29-10; 8:45 am]

**BILLING CODE P**

## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

[Docket No. APHIS-2009-0082]

#### Determination of Pest-Free Areas in the Republic of Chile; Request for Comments

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

**ACTION:** Notice.

**SUMMARY:** We are advising the public that we have received a request from the government of the Republic of Chile to recognize additional areas as pest-free areas for Mediterranean fruit fly (*Ceratitis capitata*) in the Republic of Chile. After reviewing the documentation submitted in support of this request, the Administrator of the Animal and Plant Health Inspection Service has determined that these areas meet the criteria in our regulations for recognition as pest-free areas. We are making that determination, as well as an evaluation document we have prepared in connection with this action, available for review and comment.

**DATES:** We will consider all comments we receive on or before April 2, 2010.

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

• **Federal eRulemaking Portal:** Go to (<http://www.regulations.gov/fdms/public/component/main?main=DocketDetail&d=APHIS-2009-0082>) to submit or view comments and to view supporting and related materials available electronically.

• **Postal Mail/Commercial Delivery:** Please send two copies of your comment to Docket No. APHIS-2009-0082, 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. APHIS-2009-0082.

**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:** Mr. Phillip B. Grove, Regulatory Coordination Specialist, Regulatory Coordination and Compliance, APHIS, 4700 River Road Unit 156, Riverdale, MD 20737; (301) 734-6280.

**SUPPLEMENTARY INFORMATION:** Under the regulations in “Subpart-Fruits and Vegetables” (7 CFR 319.56 through 319.56-49, 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. One of the designated phytosanitary measures is that the fruits or vegetables are imported from a pest-free area in the country of origin that meets the requirements of § 319.56-5 for freedom from that pest and are accompanied by a phytosanitary certificate stating that the fruits or vegetables originated in a pest-free area in the country of origin.

Under the regulations in § 319.56-5, APHIS requires that determinations of pest-free areas be made in accordance with the criteria for establishing freedom from pests found in International Standard for Phytosanitary Measures (ISPM) No. 4, “Requirements for the establishment of pest-free areas.” The international standard was established by the International Plant Protection Convention of the United Nations’ Food and Agriculture Organization and is incorporated by reference in our regulations in 7 CFR 300.5. In addition, APHIS must also approve the survey protocol used to determine and maintain pest-free status, as well as protocols for actions to be

performed upon detection of a pest. Pest-free areas are subject to audit by APHIS to verify their status.

APHIS has received a request from the government of the Republic of Chile to recognize an additional area of that country as being free of *Ceratitis capitata*, Mediterranean fruit fly (Medfly).<sup>1</sup> Specifically, the government of the Republic of Chile asked that we recognize the Arica Province as an area that is free of Medfly. Currently, APHIS recognizes the Republic of Chile, except for the Arica Province, as free of Medfly. Furthermore, Medfly host articles (fruits and vegetables) from the Republic of Chile may be imported into the United States without treatment for Medfly from areas in the Republic of Chile that are free of Medfly. Recognizing the Arica Province as free of Medfly would result in the entire Republic of Chile as being recognized as free of that pest.

In accordance with our regulations and the criteria set out in ISPM No. 4, we have reviewed and approved the survey protocols and other information provided by the Republic of Chile relative to its system to establish freedom, phytosanitary measures to maintain freedom, and system for the verification of the maintenance of freedom. Because this action concerns the expansion of a currently recognized pest-free area in the Republic of Chile from which fruits and vegetables are authorized for importation into the United States, our review of the information presented by the Republic of Chile in support of its request is examined in a commodity import evaluation document (CIED) titled "Recognition of an Additional Region as Medfly Pest-Free Area (PFA) for the Republic of Chile."

The CIED may be viewed on the Regulations.gov Web site or in our reading room (see **ADDRESSES** above for instructions for accessing Regulations.gov and information on the location and hours of the reading room). You may request paper copies of the CIED by calling or writing to the person listed under **FOR FURTHER INFORMATION CONTACT**.

Therefore, in accordance with § 319.56-5(c), we are announcing the Administrator's determination that the Republic of Chile (including the Arica Province) meets the criteria of § 319.56-5(a) and (b) with respect to freedom from Medfly. After reviewing the comments we receive on this notice, we will announce our decision regarding

the status of this area with respect to their freedom from Medfly. If the Administrator's determination remains unchanged, we will amend the list of pest-free areas to list the Republic of Chile as free of Medfly.

Done in Washington, DC, this 26<sup>th</sup> day of January 2010.

**Kevin Shea**

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

[FR Doc. 2010-2009 Filed 1-29-10; 8:45 am]

**BILLING CODE 3410-34-S**

## DEPARTMENT OF AGRICULTURE

### Agricultural Research Service

#### Notice of Intent To Grant Exclusive License

**AGENCY:** Agricultural Research Service, USDA.

**ACTION:** Notice of intent.

**SUMMARY:** Notice is hereby given that the U.S. Department of Agriculture, Agricultural Research Service, intends to grant to California Seed & Plant Lab, Inc. of Elverta, California, an exclusive license to U.S. Patent No. 6,410,223, "Direct Polymerase Chain Reaction Assay, or Bio-PCR", issued on June 25, 2002.

**DATES:** Comments must be received on or before March 3, 2010.

**ADDRESSES:** Send comments to: USDA, ARS, Office of Technology Transfer, 5601 Sunnyside Avenue, Rm. 4-1174, Beltsville, Maryland 20705-5131.

**FOR FURTHER INFORMATION CONTACT:** June Blalock of the Office of Technology Transfer at the Beltsville address given above; *telephone:* 301-504-5989.

**SUPPLEMENTARY INFORMATION:** The Federal Government's patent rights in this invention are assigned to the United States of America, as represented by the Secretary of Agriculture. It is in the public interest to so license this invention as California Seed & Plant Lab Inc. of Elverta, California has submitted a complete and sufficient application for a license. The prospective exclusive license will be royalty-bearing and will comply with the terms and conditions of 35 U.S.C. 209 and 37 CFR 404.7. The prospective exclusive license may be granted unless, within thirty (30) days from the date of this published Notice, the Agricultural Research Service receives written evidence and argument which establishes that the grant of the license would not be consistent with the

requirements of 35 U.S.C. 209 and 37 CFR 404.7.

**Richard J. Brenner,**

*Assistant Administrator.*

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**BILLING CODE 3410-03-P**

## DEPARTMENT OF AGRICULTURE

### Agricultural Research Service

#### Notice of Intent To Grant Exclusive License

**AGENCY:** Agricultural Research Service, USDA.

**ACTION:** Notice of intent.

**SUMMARY:** Notice is hereby given that the U.S. Department of Agriculture, Agricultural Research Service, intends to grant to 141 Repellent, Inc. of Reston, Virginia, an exclusive license to U.S. Patent No. 7,378,557, "Methods for Preparing Isolongifolenone and Its Use in Repelling Arthropods", issued on May 27, 2008, and U.S. Patent No. 7,579,016, "Methods for Repelling Arthropods Using Isolongifolenone Analogs," issued on August 25, 2009.

**DATES:** Comments must be received on or before March 3, 2010.

**ADDRESSES:** Send comments to: USDA, ARS, Office of Technology Transfer, 5601 Sunnyside Avenue, Rm. 4-1174, Beltsville, Maryland 20705-5131.

**FOR FURTHER INFORMATION CONTACT:** June Blalock of the Office of Technology Transfer at the Beltsville address given above; *telephone:* 301-504-5989.

**SUPPLEMENTARY INFORMATION:** The Federal Government's patent rights in these inventions are assigned to the United States of America, as represented by the Secretary of Agriculture. It is in the public interest to so license these inventions as 141 Repellent, Inc. of Reston, Virginia, has submitted a complete and sufficient application for a license. The prospective exclusive license will be royalty-bearing and will comply with the terms and conditions of 35 U.S.C. 209 and 37 CFR 404.7. The prospective exclusive license may be granted unless, within thirty (30) days from the date of this published Notice, the Agricultural Research Service receives written evidence and argument which establishes that the grant of the license would not be consistent with the requirements of 35 U.S.C. 209 and 37 CFR 404.7.

**Richard J. Brenner,**

*Assistant Administrator.*

[FR Doc. 2010-1946 Filed 1-29-10; 8:45 am]

**BILLING CODE 3410-03-P**

<sup>1</sup>A list of pest-free-areas currently recognized by APHIS can be found at ([http://www.aphis.usda.gov/import\\_export/plants/manuals/ports/downloads/DesignatedPestFreeAreas.pdf](http://www.aphis.usda.gov/import_export/plants/manuals/ports/downloads/DesignatedPestFreeAreas.pdf)).