

Notices

Federal Register

Vol. 80, No. 25

Friday, February 6, 2015

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–2014–0100]

Notice of Availability of Proposed Changes to the National Poultry Improvement Plan Program Standards

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice of availability.

SUMMARY: We are advising the public that proposed changes to the National Poultry Improvement Plan Program Standards are available for review and comment.

DATES: We will consider all comments that we receive on or before March 9, 2015.

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

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov/#!docketDetail;D=APHIS-2014-0100>.

- *Postal Mail/Commercial Delivery:* Send your comment to Docket No. APHIS–2014–0100, Regulatory Analysis and Development, PPD, APHIS, Station 3A–03.8, 4700 River Road Unit 118, Riverdale, MD 20737–1238.

The proposed standards and any comments we receive may be viewed at <http://www.regulations.gov/#!docketDetail;D=APHIS-2014-0100> or in our reading room, which 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) 799–7039 before coming.

FOR FURTHER INFORMATION CONTACT: Dr. Denise Brinson, DVM, Director, National Poultry Improvement Plan, VS, APHIS, USDA, 1506 Klondike Road,

Suite 101, Conyers, GA 30094–5104; (770) 922–3496.

SUPPLEMENTARY INFORMATION: The National Poultry Improvement Plan (NPIP, also referred to below as “the Plan”) is a cooperative Federal-State-Industry mechanism for controlling certain poultry diseases. The Plan consists of a variety of programs intended to prevent and control poultry diseases. Participation in all Plan programs is voluntary, but breeding flocks, hatcheries, and dealers must first qualify as “U.S. Pullorum-Typhoid Clean” as a condition for participating in the other Plan programs.

The Plan identifies States, flocks, hatcheries, dealers, and slaughter plants that meet certain disease control standards specified in the Plan’s various programs. As a result, customers can buy poultry that has tested clean of certain diseases or that has been produced under disease-prevention conditions.

The regulations in 9 CFR parts 145, 146, and 147 (referred to below as the regulations) contain the provisions of the Plan. The Animal and Plant Health Inspection Service (APHIS, also referred to as “the Service”) of the U.S. Department of Agriculture (USDA, also referred to as “the Department”) amends these provisions from time to time to incorporate new scientific information and technologies within the Plan.

In the past, APHIS has updated the regulations once every 2 years, following the Biennial Plan Conference. However, with the continual changes in diagnostic science and testing technology and in best practices for maintaining sanitation, the biennial update schedule has occasionally resulted in the regulations becoming out of date between updates. In some instances, tests have also been difficult to render properly in the regulations due to the need to describe flow charts or diagrams in a narrative format.

On July 9, 2014, we published in the **Federal Register** (79 FR 38752–38768, Docket No. APHIS–2011–0101) a final rule¹ that, among other things, amended the regulations by removing tests and detailed testing procedures, as well as sanitation procedures, from part 147, and making these available in an NPIP

Program Standards document.² The rule also amended the regulations to provide for the Program Standards document to be updated through the issuance of a notice in the **Federal Register** followed by a period of public comment. This action was intended to make the NPIP program more effective by streamlining the provisions of the Plan, keeping those provisions current with changes in the poultry industry, and providing for the use of new approved sampling and testing procedures without the need for rulemaking.

We are advising the public that we have prepared updates to the NPIP Program Standards document. The proposed updates include changes to blood testing procedures for mycoplasma, bacteriological examination procedure changes for *Salmonella*, and the addition of new approved diagnostic test kits. After reviewing any comments we receive on the proposed updates, we will publish a second notice in the **Federal Register** announcing our decision regarding the proposed changes.

Authority: 7 U.S.C. 8301–8317; 7 CFR 2.22, 2.80, and 371.4.

Done in Washington, DC, this 2nd day of February 2015.

Kevin Shea,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 2015–02406 Filed 2–5–15; 8:45 am]

BILLING CODE 3410–34–P

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[Docket No. APHIS–2008–0119]

Implementation of Revised Lacey Act Provisions

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice.

SUMMARY: The Food, Conservation, and Energy Act of 2008 amended the Lacey Act to provide, among other things, that importers submit a declaration at the

² This document may be viewed on the NPIP Web site at <http://www.poultryimprovement.org/documents/ProgramStandardsAugust2014.pdf>, or by writing to the Service at National Poultry Improvement Plan, APHIS, USDA, 1506 Klondike Road, Suite 101, Conyers, GA 30094.

¹ To view the final rule and related documents, go to <http://www.regulations.gov/#!docketDetail;D=APHIS-2011-0101>.

time of importation for certain plants and plant products. Enforcement of the declaration requirement began on April 1, 2009, and products requiring a declaration are being phased-in. The purpose of this notice is to inform the public of another phase of the Federal Government's enforcement schedule.

DATES: We will consider all comments that we receive on or before April 7, 2015.

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

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov/#!docketDetail;D=APHIS-2008-0119>.

- *Postal Mail/Commercial Delivery:* Send your comment to Docket No. APHIS-2008-0119, Regulatory Analysis and Development, PPD, APHIS, Station 3A-03.8, 4700 River Road, Unit 118, Riverdale, MD 20737-1238.

Supporting documents and any comments we receive on this docket may be viewed at <http://www.regulations.gov/#!docketDetail;D=APHIS-2008-0119> or in our reading room, which 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) 799-7039 before coming.

FOR FURTHER INFORMATION CONTACT: Ms. Parul Patel, Senior Agriculturalist, Regulations, Permits, and Manuals, PPQ, APHIS, 4700 River Road, Unit 60, Riverdale, MD 20737-1231; (301) 851-2351.

SUPPLEMENTARY INFORMATION:

Background

The Lacey Act (16 U.S.C. 3371 *et seq.*), first enacted in 1900 and significantly amended in 1981, is the United States' oldest wildlife protection statute. The Act combats trafficking in illegally taken wildlife, fish, and plants. The Food, Conservation, and Energy Act of 2008 amended the Lacey Act by expanding its protection to a broader range of plants and plant products (Section 8204, Prevention of Illegal Logging Practices). As amended, the Lacey Act makes it unlawful to import, export, transport, sell, receive, acquire, or purchase in interstate or foreign commerce any plant, with some limited exceptions, taken in violation of the laws of a U.S. State or any foreign law that protects plants. The Lacey Act also makes it unlawful to make or submit any false record, account, or label for, or any false identification of, any plant.

In addition, Section 3 of the Lacey Act, as amended (16 U.S.C. 3372), makes it unlawful to import certain plants and plant products without an import declaration. The declaration must contain, among other things, the scientific name of the plant, value of the importation, quantity of the plant, and name of the country from where the plant was harvested. For paper and paperboard products containing recycled content, the declaration also must include the average percent of recycled content without regard for species or country of harvest. Currently, enforcement of the declaration requirement is being phased in, as described in two notices we published in the **Federal Register**,¹ the first on February 3, 2009 (74 FR 5911-5913, Docket No. APHIS-2008-0119) and the second on September 2, 2009 (74 FR 45415-45418, Docket No. APHIS-2008-0119).

In our February 2009 notice, we committed to providing affected individuals and industry with at least 6 months' notice for any products that would be added to the phase-in schedule. The phased-in enforcement schedule began April 1, 2009. The most recent phase (IV) began on April 1, 2010. The enforcement schedule is available on the Animal and Plant Health Inspection Service (APHIS) Web site at http://www.aphis.usda.gov/plant_health/lacey_act/. We continue to consider the applicability of the declaration requirement to products not included in the current phase-in schedule and we invite public comment on how the declaration requirement should be enforced as to these products.

Phase V of the enforcement schedule, which would begin on August 6, 2015, is described below. We invite public comment on the products covered under this phase of the plan, as well as on whether any additional Harmonized Tariff Schedule (HTS) chapters should be included in the current phase-in schedule. Should there be additions to phase V, we intend to provide at least 6 months' notice to persons and industries affected by those changes to facilitate compliance with the new requirements. Changes will be announced in the **Federal Register**.

Ch. 44 Headings (Wood & Articles of Wood)

- 4416003010—new casks, barrels, and parts of wood
- 4416003020—used assembled casks of wood

- 4416003030—used unassembled casks of wood
- 4416006010—new barrel staves of wood
- 4416006020—new barrel hoops of softwood
- 4416006030—new tight barrelheads of wood
- 4416006040—used barrels staves of softwood
- 4416006050—used hoops, tight barrelheads of softwood
- 4416009020—new other casks, barrels, wood
- 4416009040—used other cooper goods, wood

Ch. 82 Headings (Tools, Implements, Cutlery, Spoons and Forks, of Base Metal; Parts Thereof of Base Metal)

- 8211926000—hunting knives with wood handles
- 8215992400—table barbeque forks with wood handles

Ch. 94 Headings (Furniture, etc.)

- 9401612010—upholstered teak chair, household
- 9401612030—upholstered teak chairs, other
- 9401901500—parts of bent-wood seats
- 9403304000—bent-wood office furniture
- 9403404000—bent-wood kitchen furniture
- 9403504000—bent-wood bedroom furniture
- 9403604000—other bent-wood furniture

Ch. 96 Headings (Miscellaneous Manufactured Articles)

- 9614002100—rough wood blocks for smoking pipe manufacture

Additional Information

Several commenters on our earlier notices contended that identifying composite and recycled or reused materials (e.g., medium density fiberboard, particleboard, and scrap wood) to the genus and/or species level would be difficult and in some cases impossible. These commenters asked that we consider describing a level at which the declaration requirement does not apply for minimal amounts of unidentifiable plant materials in such products. The commenters also asked that we describe a level at which the declaration requirement does not apply for minimal amounts of non-listed (*i.e.*, not of conservation concern) plant materials contained in an otherwise non-plant product, such as wooden buttons on a shirt. Some commenters referred to this as a *de minimis* exception from the declaration requirement. We are in the process of

¹ To view these notices and the comments we received, go to <http://www.regulations.gov/#!docketDetail;D=APHIS-2008-0119>.

developing a proposal to establish exceptions from the declaration requirement for composite materials and products that contain a minimal amount of plant material. Upon completion of the proposal, we will publish it in the **Federal Register** for public comment.

APHIS will continue to provide the latest information regarding the Lacey Act on our Web site, http://www.aphis.usda.gov/plant_health/lacey_act/. The Web site currently contains the Lacey Act, as amended; a slideshow covering background and context, requirements, commodities and products covered, information on prohibitions, and the current status of implementation of the declaration requirement of the Lacey Act; frequently asked questions; the phase-in implementation plan; a link to the Lacey Act Web Governance System (LAWGS); and the paper declaration form. The Web site will be updated as new materials become available. We encourage persons interested in receiving timely updates on APHIS' Lacey Act efforts to register for our stakeholder registry at <https://public.govdelivery.com/accounts/USDAAPHIS/subscriber/new/> and select "Lacey Act Declaration" as a topic of interest.

Done in Washington, DC, this 2nd day of February 2015.

Kevin Shea,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 2015-02403 Filed 2-5-15; 8:45 am]

BILLING CODE 3410-34-P

DEPARTMENT OF AGRICULTURE

Forest Service

RIN 0596-AD06

National Forest System, Land Management Planning Directives

AGENCY: Forest Service, USDA.

ACTION: Notice of final directives.

SUMMARY: On February 29, 2013, the Forest Service (Agency) proposed to revise the Forest Service Handbook (FSH 1909.12) and Manual (FSM 1920) establishing procedures and responsibilities for implementing the National Forest System (NFS) land management planning regulation (collectively "planning directives"). The final issuance of planning directives, effective today, will provide consistent overall guidance to Forest Service Line Officers and Agency employees in developing, amending, or revising land management plans for units of the NFS. Public comment was accepted until May

24, 2013. The Agency considered all public comment, including recommendations from an advisory committee formed pursuant to the Federal Advisory Committee Act (FACA), in developing final planning directives.

DATES: These directives are effective January 30, 2015.

ADDRESSES: The Forest Service Manual and Handbook, including the planning directives, are available electronically via the World Wide Web/Internet at <http://www.fs.fed.us/im/directives>. Single paper copies are available by contacting Annie Eberhart Goode, Forest Service, USDA, Ecosystem Management Coordination Staff (Mail Stop 1104), 1400 Independence Avenue SW., Washington, DC 20250-1104. Additional information and analysis, including a description of how the Agency considered public comment, can be found at <http://www.fs.usda.gov/main/planningrule/home>.

FOR FURTHER INFORMATION CONTACT:

Annie Eberhart Goode, Planning Specialist, Ecosystem Management Coordination staff, (202) 205-1056.

Individuals who use telecommunication devices for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at (800) 877-8339 between 8:00 a.m. and 8:00 p.m. Eastern Standard Time, Monday through Friday.

SUPPLEMENTARY INFORMATION:

Background

On April 9, 2012, the U.S. Department of Agriculture (Department or USDA) adopted final planning regulations for the NFS at 36 CFR part 219 (77 FR 21161). These regulations, known collectively as the 2012 Planning Rule, provide broad programmatic direction in developing and implementing land management plans. The Rule explicitly directs the Chief of the Forest Service to establish planning procedures in the Forest Service Directives System (36 CFR 219.2(b)(5)(i)). Those Responsible Officials that are implementing the 2012 Planning Rule shall follow the regulations at 36 CFR part 219 and the revised planning directives.

The Forest Service Directives System consists of the Forest Service Manual (FSM) and the Forest Service Handbook (FSH), which contain the Agency's policies, practices, and procedures, and serves as the primary basis for the internal management and control of programs and administrative direction to Forest Service employees. The directives are set out on the World Wide Web/Internet at <http://www.fs.fed.us/im/directives>. Specifically, the FSM contains legal authorities, objectives,

policies, responsibilities, instructions, and guidance needed on a continuing basis by Forest Service Line Officers and primary staff to plan and execute programs and activities. The FSH is the principal source of specialized guidance and instruction for carrying out the policies, objectives, and responsibilities contained in the FSM.

FSM 1920 and FSH 1909.12 (planning directives) provide policy direction, objectives, instructions, and guidance for Forest Service Line Officers and primary staff to plan and execute the process of developing, revising, amending, and making administrative changes to land management plans to provide for the sustainability of ecosystems and resources; meet the need for forest restoration and conservation, watershed protection, and species diversity and conservation; and assist the Agency in providing a sustainable flow of benefits, including economic benefits, services, and uses of NFS lands. The 2012 Planning Rule and the FSM 1920 and FSH 1909.12 together provide requirements and guidance for the Agency in land management planning pursuant to the National Forest Management Act.

On February 29, 2013, the Forest Service proposed to revise the planning directives (FSM 1920 and FSH 1909.12) to ensure that the Agency's planning directives are consistent with the 2012 Planning Rule. Issuance of planning directives will provide consistent overall guidance to Forest Service Line Officers and Agency employees in developing, amending, or revising land management plans pursuant to the 2012 Planning Rule. Public comment was accepted until May 24, 2013. The Agency considered all public comment in developing final planning directives.

In addition to seeking public comment on the proposed directives, the Agency considered recommendations from the Planning Rule Implementation Federal Advisory Committee (FACA Committee), established in June 2012 to advise the Secretary of Agriculture and the Chief of the Forest Service regarding implementation of the 2012 Planning Rule. The FACA Committee is comprised of 21 members who provide balanced and broad representation of public interests including industry and user groups; environmental organizations; conservation organizations; recreation interests; members of the scientific community; State, County, or local elected officials (or designee); Tribal representatives; and other public interests. The initial FACA Committee provided its recommendations regarding the