

Done in Washington, DC, this 6th day of February 2023.

Anthony Shea,

Administrator, Animal and Plant Health Inspection Service.

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DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[Docket No. APHIS-2019-0002]

Notice of Availability of a Supplemental Environmental Assessment for Release of *Aphalara itadori* From Murakami, Japan for the Biological Control of Japanese, Giant, and Bohemian Knotweeds in the Contiguous United States

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice of availability and request for comments.

SUMMARY: We are advising the public that the Animal and Plant Health Inspection Service has prepared a supplemental environmental assessment (EA) relative to a 2020 EA for the release of *Aphalara itadori* for the biological control of Japanese, Giant, and Bohemian knotweeds (*Fallopia japonica*, *F. sachalinensis*, and *F. x bohemica*), significant invasive weeds, within the contiguous United States. This supplement analyzes the potential impacts of the release of *A. itadori* from Murakami, Japan, that may be more effective than the present Hokkaido and Kyushu lines of *A. itadori* in reducing infestations of knotweeds, particularly hybrid knotweed, which is the most abundant type of knotweed in the United States. We are making the supplemental EA available to the public for review and comment.

DATES: We will consider all comments that we receive on or before March 13, 2023.

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

- **FederaleRulemaking Portal:** Go to www.regulations.gov. Enter APHIS-2019-0002 in the Search field. Select the Documents tab, then select the Comment button in the list of documents.
- **Postal Mail/Commercial Delivery:** Send your comment to Docket No. APHIS-2019-0002, Regulatory Analysis and Development, PPD, APHIS, Station 3A-03.8, 4700 River Road Unit 118, Riverdale, MD 20737-1238.

The supplemental environmental assessment and any comments we

receive on this docket may be viewed at www.regulations.gov or in our reading room, which is located in room 1620 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. Robert S. Pfannenstiel, Acting Assistant Director, Pests, Pathogens and Biocontrol Permitting, Plant Health Programs, PPQ, APHIS, 4700 River Road Unit 133, Riverdale, MD 20737-1231; (301) 851-2198; email: bob.pfannenstiel@usda.gov.

SUPPLEMENTARY INFORMATION: Invasive knotweeds in North America are a complex of three closely related species in the family Polygonaceae that were introduced from Japan during the late 19th century. They include *Fallopia japonica* (Japanese knotweed), *F. sachalinensis* (Giant knotweed), and the hybrid between the two, *F. x bohemica* (Bohemian knotweed). These large herbaceous perennials have spread throughout much of North America, with the greatest infestations in the Pacific Northwest, the northeast of the United States, and eastern Canada. While capable of growing in diverse habitats, the knotweeds have become especially problematic along the banks and floodplains of rivers and streams, where they crowd out native plants and potentially affect stream nutrients and food webs. While several States have active control programs against knotweeds, the inaccessibility of some of the infestations and the difficulty with which the plants are killed suggest that complete eradication of knotweeds within the United States is unlikely.

Previously, the Hokkaido and Kyushu biotypes of the insect, *Aphalara itadori*, were chosen as potential biological control organisms. The biotypes were expected to reduce the severity of infestations of Japanese, Giant, and Bohemian knotweed, and they are known to be highly host specific due to their intimate relationship with their host plants.

On May 28, 2019, the Animal and Plant Health Inspection Service (APHIS) published in the **Federal Register** (84 FR 24463-24464, Docket No. APHIS-2019-0002)¹ a notice in which we announced the availability, for public review and comment, of an

environmental assessment (EA) that examined the potential environmental impacts associated with the release of *A. itadori* from Kyushu and Hokkaido, Japan, for the biological control of Japanese, Giant, and Bohemian knotweed within the contiguous United States. After soliciting and reviewing comments on the EA, we prepared a finding of no significant impact (FONSI). On November 30, 2020, we published in the **Federal Register** (85 FR 76515-76516, Docket No. APHIS-2019-0002) a notice in which we announced the availability of the final EA and FONSI.

In June 2021, APHIS received a request to issue permits for the environmental release of *A. itadori* sourced from Murakami, Japan, into the contiguous United States. Environmental release of the Murakami line of *A. itadori* may be more effective than the Hokkaido and Kyushu lines. It is native to a climate and photoperiod better matched to the primary target knotweed regions of the United States. It is recently collected and thus field-adapted (not lab-adapted as are currently permitted lines). It also performs particularly well on hybrid knotweed (*F. x bohemica*), the most abundant knotweed type in the United States.

Before permits are issued for the release of *A. itadori* from Murakami, Japan, APHIS needs to analyze the potential impacts of the release of *A. itadori* from Murakami, Japan. Accordingly, APHIS has prepared a supplemental EA titled "Field Release of the Knotweed Psyllid *Aphalara itadori* (Hemiptera: Psyllidae) from Murakami, Japan for Classical Biological Control of Japanese, Giant, and Bohemian Knotweeds, *Fallopia japonica*, *F. sachalinensis*, and *F. x bohemica* (Polygonaceae), in the Contiguous United States, Supplemental Environmental Assessment" (November 2022).

We are making the supplemental EA available to the public for review and comment. We will consider all comments that we receive on or before the date listed under the heading DATES at the beginning of this notice.

The supplemental EA may be viewed on the Regulations.gov website or in our reading room (see **ADDRESSES** above for instructions accessing Regulations.gov and information on the location and hours of the reading room). In addition, paper copies may be obtained by calling or writing to the individual listed under

FOR FURTHER INFORMATION CONTACT.

The supplemental EA has been prepared in accordance with: (1) The National Environmental Policy Act of

¹To view the notice, supporting documents, and the comments we received, go to <https://www.regulations.gov>. Enter APHIS-2019-0002 in the Search field.

1969 (NEPA), as amended (42 U.S.C. 4321 *et seq.*); (2) regulations of the Council on Environmental Quality for implementing the procedural provisions of NEPA (40 CFR parts 1500–1508); (3) USDA regulations implementing NEPA (7 CFR part 1b); and (4) Animal and Plant Health Inspection Service's NEPA Implementing Procedures (7 CFR part 372).

Done in Washington, DC, this 6th day of February 2023.

Anthony Shea,

Administrator, Animal and Plant Health Inspection Service.

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DEPARTMENT OF AGRICULTURE

U.S. Codex Office

Codex Alimentarius Commission: Meeting of the Codex Committee on Food Import and Export Inspection and Certification Systems

AGENCY: U.S. Codex Office, USDA.

ACTION: Notice of public meeting and request for comments.

SUMMARY: The U.S. Codex Office is sponsoring a public meeting on March 23, 2023 from 1:00–3:00 p.m. EST. The objective of the public meeting is to provide information and receive public comments on agenda items and draft United States (U.S.) positions to be discussed at the 26th Session of the Codex Committee on Food Import and Export Inspection and Certification Systems (CCFICS) of the Codex Alimentarius Commission, which will meet in Hobart, Tasmania, Australia from May 1–5, 2023. The U.S. Manager for Codex Alimentarius and the Under Secretary for Trade and Foreign Agricultural Affairs recognize the importance of providing interested parties the opportunity to obtain background information on the 26th Session of the CCFICS and to address items on the agenda.

DATES: The public meeting is scheduled for March 23, 2023, from 1–3 p.m. EST.

ADDRESSES: The public meeting will take place via Video Teleconference only. Documents related to the 26th Session of the CCFICS will be accessible via the internet at the following address: <https://www.fao.org/fao-who-codexalimentarius/meetings/detail/en?meeting=CCFICS&session=26>.

Dr. Michelle Catlin, U.S. Delegate to the 26th Session of the CCFICS, invites interested U.S. parties to submit their comments electronically to the

following email address:

michelle.catlin@usda.gov.

Registration: Attendees may register to attend the public meeting here: <https://www.zoomgov.com/meeting/register/vJltc-ypqT4rG02UwvvpvFjgyoCNe5q1vSXA>. After registering, you will receive a confirmation email containing information about joining the meeting.

For further information about the 26th Session of the CCFICS, contact Michelle Catlin, Ph.D., International Coordination Executive, Office of International Coordination, Food Safety and Inspection Service, U.S. Department of Agriculture; Phone: +1 (202) 708–8769, Email: michelle.catlin@usda.gov. For further information about the public meeting, contact the U.S. Codex Office, 1400 Independence Avenue SW, Room 4861, South Agriculture Building, Washington, DC 20250; Phone: +1 (202) 720–9483; Email: uscodex@usda.gov.

SUPPLEMENTARY INFORMATION:

Background

The Codex Alimentarius Commission was established in 1963 by two United Nations organizations, the Food and Agriculture Organization (FAO) and the World Health Organization (WHO). Through adoption of food standards, codes of practice, and other guidelines developed by its committees, and by promoting their adoption and implementation by governments, Codex seeks to protect the health of consumers and ensure fair practices in the food trade.

The Terms of Reference for the Codex Committee on Food Import and Export Inspection and Certification Systems (CCFICS) are:

(a) to develop principles and guidelines for food import and export inspection and certification systems with a view to harmonising methods and procedures which protect the health of consumers, ensure fair trading practices and facilitate international trade in foodstuffs;

(b) to develop principles and guidelines for the application of measures by the competent authorities of exporting and importing countries to provide assurance where necessary that foodstuffs comply with requirements, especially statutory health requirements;

(c) to develop guidelines for the utilisation, as and when appropriate, of quality assurance systems¹ to ensure that foodstuffs conform with

¹ *Quality assurance* means all those planned and systematic actions necessary to provide adequate confidence that a product or service will satisfy given requirements for quality (ISO–8402 Quality—Vocabulary)

requirements and to promote the recognition of these systems in facilitating trade in food products under bilateral/multilateral arrangements by countries;

(d) to develop guidelines and criteria with respect to format, declarations and language of such official certificates as countries may require with a view towards international harmonization;

(e) to make recommendations for information exchange in relation to food import/export control;

(f) to consult as necessary with other international groups working on matters related to food inspection and certification systems; and,

(g) to consider other matters assigned to it by the Commission in relation to food inspection and certification systems.

The CCFICS is hosted by Australia, and the meeting is attended by the United States as a member country of the Codex Alimentarius.

Issues To Be Discussed at the Public Meeting

The following items on the agenda for the 26th Session of the CCFICS will be discussed during the public meeting:

- Matters referred by CAC and other subsidiary bodies
- Matters of interest arising from FAO/WHO
- Proposed draft guidelines on recognition and maintenance of equivalence of National Food Control Systems (NFCS)
- Proposed draft Guidance on the prevention and control of food fraud
- Proposed draft Principles and Guidelines on the Use of Remote Audit and Verification in Regulatory Frameworks
- Proposed draft consolidated Codex Guidelines related to equivalence
- Discussion paper on review and update of the “Principles for Traceability/Product Tracing as a Tool Within a Food Inspection and Certification System (CXG 60–2006)
- Other business and future work

Public Meeting

At the public meeting on March 23, 2023, draft U.S. positions on the agenda items will be described and discussed, and attendees will have the opportunity to pose questions and offer comments. Written comments may be offered at the meeting or sent to Dr. Michelle Catlin, U.S. Delegate to the 26th Session of the CCFICS (see **ADDRESSES**). Written comments should state that they relate to activities of the 26th Session of the CCFICS.