

# Notices

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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

### Agricultural Marketing Service

[Doc. No. AMS-NOP-14-0062; NOP-14-01]

### National Organic Program: Notice of Draft Guidance for Accredited Certifying Agents, Certified Operations and Applicants for Organic Certification

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

**ACTION:** Notice of availability of draft guidance with request for comments.

**SUMMARY:** The National Organic Program (NOP) is announcing the availability of a draft guidance document intended for use by accredited certifying agents and certified operations. The draft guidance document is entitled as follows: Natural Resources and Biodiversity Conservation for Certified Organic Operations (NOP 5020). This draft guidance document is intended to inform the public of NOP's current thinking on this topic. The Agricultural Marketing Service (AMS) invites organic producers, handlers, certifying agents, material evaluation programs, consumers and other interested parties to submit comments about these guidance provisions.

A notice of availability of final guidance on this topic will be issued upon its final approval. Once finalized, this guidance document will be available from the NOP through, "The Program Handbook: Guidance and Instructions for Accredited Certifying Agents (ACAs) and Certified Operations." This Handbook provides those who own, manage, or certify organic operations with guidance and instructions that can assist them in complying with the USDA organic regulations. The current addition of the Program Handbook is available online at: <http://www.ams.usda.gov/nop> or in print upon request.

**DATES:** Comments must be submitted on or before February 27, 2015.

**ADDRESSES:** Submit written requests for hard copies of this draft guidance document to Stacy Jones King, Agricultural Marketing Specialist, National Organic Program, USDA-AMS-NOP, 1400 Independence Ave. SW., Room 2646—So., Ag Stop 0268, Washington, DC 20250-0268. See the **SUPPLEMENTARY INFORMATION** section for electronic access to the draft guidance documents.

Interested persons may submit comments on this draft guidance document using the following procedures:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.
- *Mail:* Stacy Jones King, Agricultural Marketing Specialist, National Organic Program, USDA-AMS-NOP, 1400 Independence Ave. SW., Room 2646—So., Ag Stop 0268, Washington, DC 20250-0268.

Written comments responding to this request should be identified with the document number AMS-NOP-14-0062; NOP-14-01. You should clearly indicate your position and the reasons supporting your position. If you are suggesting changes to the draft guidance document, you should include recommended language changes, as appropriate, along with any relevant supporting documentation.

USDA intends to make available all comments, including names and addresses when provided, regardless of submission procedure used, on [www.regulations.gov](http://www.regulations.gov) and at USDA, AMS, NOP, Room 2646—South building, 1400 Independence Ave. SW., Washington, DC, from 9 a.m. to noon and from 1 to 4 p.m., Monday through Friday (except official Federal holidays). Persons wanting to visit the USDA South building to view comments from the public to this notice are requested to make an appointment by calling (202) 720-3252.

**FOR FURTHER INFORMATION CONTACT:** Shannon Nally Yanessa, Acting Director, Standards Division, National Organic Program (NOP), USDA-AMS-NOP, 1400 Independence Ave. SW., Room 2646—So., Ag Stop 0268, Washington, DC 20250-0268, Telephone: (202) 720-3252, Email: [NOP.Guidance@ams.usda.gov](mailto:NOP.Guidance@ams.usda.gov), or visit

the NOP Web site at: [www.ams.usda.gov/nop](http://www.ams.usda.gov/nop).

### SUPPLEMENTARY INFORMATION:

#### I. Background

The draft guidance document announced through this notice was developed in response to a May 2009 request from the National Organic Standards Board (NOSB) that AMS clarify the requirements and limitations of the general natural resources and biodiversity conservation requirement of the USDA organic regulations (7 CFR part 205). 7 CFR. 205.200 requires operations to "maintain or improve the natural resources of the operation, including soil and water quality." Section 205.2 of the USDA organic regulations defines "natural resources of the operation" as the "physical, hydrological, and biological features of a production operation, including soil, water, wetlands, woodlands, and wildlife."

This draft guidance provides examples of production practices that support these conservation principles and demonstrate compliance with 7 CFR. 205.200. This guidance also clarifies: (1) The certified organic operator's responsibility to select, carry out, and record production practices that "maintain or improve the natural resources of the operation;" (2) the accredited certifying agent's responsibility to verify operator compliance with this requirement; and (3) how domestic organic operations that participate in a USDA Natural Resources Conservation Service (NRCS) program and the NOP can reduce their paperwork burdens.

#### II. Significance of Guidance

This draft guidance document is being issued in accordance with the Office of Management and Budget (OMB) Bulletin on Agency Good Guidance Practices (GGPs) (January 25, 2007, 72 FR 3432-3440).

The purpose of GGPs is to ensure that program guidance documents are developed with adequate public participation, are readily available to the public, and are not applied as binding requirements. The draft guidance, when finalized, will represent the NOP's current thinking on these topics. It does not create or confer any rights for, or on, any person and does not operate to bind the NOP or the public. Guidance

documents are intended to provide a uniform method for operations to comply that can reduce the burden of developing their own methods and simplify audits and inspections. Alternative approaches that can demonstrate compliance with the Organic Foods Production Act (OFPA), as amended (7 U.S.C. 6501–6522), and its implementing regulations are also acceptable. The NOP strongly encourages industry to discuss alternative approaches with the NOP before implementing them to avoid unnecessary or wasteful expenditures of resources and to ensure the proposed alternative approach complies with the Act and its implementing regulations.

### III. Electronic Access

Persons with access to Internet may obtain the draft guidance at either NOP's Web site at <http://www.ams.usda.gov/nop> or <http://www.regulations.gov>.

Requests for hard copies of the draft guidance documents can be obtained by submitting a written request to the person listed in the **ADDRESSES** section of this Notice.

**Authority:** 7 U.S.C. 6501–6522.

Dated: December 22, 2014.

**Rex A. Barnes,**

Associate Administrator, Agricultural Marketing Service.

[FR Doc. 2014-30303 Filed 12-24-14; 8:45 am]

BILLING CODE 3410-02-P

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

[Document No. AMS-ST-14-0066]

### Plant Variety Protection Board; Request for Nominations

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

**ACTION:** Notice.

**SUMMARY:** The Plant Variety Protection Office (PVPO) is seeking candidates for the Plant Variety Protection Board (PVP Board). The PVP Board consists of 14 members, each of whom is appointed for a 2-year period, with no member appointed for more than three 2-year periods. The term of the present Board will expire in May 2015. In order to provide the Secretary of Agriculture with a broad choice from a diverse group of applicants, the PVPO is asking for nominated members to serve on the Board for 2 years from the date of appointment. PVP Board members will serve without compensation, except for standard government reimbursable expenses.

**DATES:** Nomination packages (an Application for Committee Membership (AD-755) and resume) must be received on or before February 6, 2015.

**ADDRESSES:** Nominations should be sent to Paul Zankowski, Plant Variety Protection Office (PVPO), Science and Technology, AMS, USDA, 1400 Independence Avenue SW., Room 4512, Washington, DC 20250; Telephone: (202) 720-1128; Fax: (202) 260-8976; Email: [Paul.Zankowski@ams.usda.gov](mailto:Paul.Zankowski@ams.usda.gov).

**SUPPLEMENTARY INFORMATION:** The Plant Variety Protection Act (PVPA) (7 U.S.C. 2321 *et seq.*) provides legal protection in the form of intellectual property rights to developers of new varieties of plants, which are reproduced sexually by seed or are tuber-propagated. A Certificate of Plant Variety Protection is awarded to an owner of a crop variety after an examination shows that it is new, distinct from other varieties, and genetically uniform and stable through successive generations. The term of protection is 20 years for most crops and 25 years for trees, shrubs, and vines.

The PVPA also provides for a statutory Board to be appointed by the Secretary of Agriculture (7 U.S.C. 2327). The duties of the Board are to: (1) Advise the Secretary of Agriculture concerning the adoption of rules and regulations to facilitate the proper administration of the PVPA; (2) provide advisory counsel to the Secretary of Agriculture on all appeals from the Examiner; and (3) advise the Secretary of Agriculture on any other matters under the Regulations and Rules of Practice and on all questions under section 44 of the PVPA, "Public Interest in Wide Usage" (7 U.S.C. 2404). Reestablishing the PVP Board is necessary and in the public interest.

The PVPA provides that "The Board shall consist of individuals who are experts in various areas of varietal development covered by this Act." (7 U.S.C. 2327(a)). The Board membership "shall include farmer representation and shall be drawn approximately equally from the private or seed industry sector and from the sector of government or the public." (7 U.S.C. 2327(a)).

The PVP Board consists of 14 members, each of whom is appointed for a 2-year period, with no member appointed for more than three 2-year periods. The term of the present Board will expire in May 2015. The first meeting of the new Board will most likely be held in the summer of 2015. In order to provide the Secretary of Agriculture with a broad choice from a diverse group of applicants, the PVPO is asking for nominated members to serve

on the Board for 2 years from the date of appointment. PVP Board members will serve without compensation, except for standard government reimbursable expenses.

To ensure that the recommendations of the PVP Board take into account the needs of the diverse groups served by the U.S. Department of Agriculture (USDA) (from research and production to trade, use, and consumption), the USDA will vet every candidate who applies for membership to the Federal Advisory Committee. Each applicant must clear all stages of the vetting process. Vetting is a comprehensive personal and professional background investigation that specifically includes, but is not limited to, an analysis of each candidate's criminal history, bankruptcy filings, liens and judgments, affiliations and associations, lobbyist status, and prior involvement with USDA. This process is used to ensure that the finest candidates are selected to represent the interests of the USDA.

Nomination packages with completed AD 755 background information forms and resumes should be submitted no later than February 6, 2015. Final selection of members will be made by the Secretary of Agriculture. All nomination materials should be mailed in a single, complete package to: Paul Zankowski, Commissioner; Plant Variety Protection Office; 1400 Independence Avenue SW., Room 4512; Washington DC 20250.

USDA has special interest in assuring that women, minority groups, and the physically disabled are adequately represented on these advisory committees. Nominations for female, minority, or disabled candidates are welcomed and encouraged.

Please see <http://www.ams.usda.gov/PVPO> and click on PVPO Board (under Resources on the right side) for information on the Charter, and AD 755 form. The AD-755 form can also be found on the USDA Advisory Committee Web site ([www.usda.gov/advisory\\_committees.xml](http://www.usda.gov/advisory_committees.xml)). The Charter for the PVP Board is available on the Web site at: [http://www.facadatabase.gov/download.aspx?fn=Charters/1309\\_2013.09.11\\_PVPBCharter2.7.13\\_\(2013-09-11-05-03-31\).pdf](http://www.facadatabase.gov/download.aspx?fn=Charters/1309_2013.09.11_PVPBCharter2.7.13_(2013-09-11-05-03-31).pdf) or may be requested by contacting the individual identified in the **ADDRESSES** section of this notice.

USDA prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, and marital or family status. Persons with disabilities who require alternative means for communication of program information