

vii. Explain your views as clearly as possible, avoiding the use of profanity or personal threats.

viii. Make sure to submit your comments by the comment period deadline identified.

## II. Registration Applications

EPA received the application as follows to register a pesticide product containing an active ingredient not included in any previously registered products pursuant to the provision of section 3(c)(4) of FIFRA. Notice of receipt of this application does not imply a decision by the Agency on the application.

### *Product Containing a New Active Ingredient not Included in any Previously Registered Product*

**File Symbol:** 84863-R. **Applicant:** BioNext sprl, Passage des deportes, 2, B-5030 Gembloux, Belgium, submitted by SynTech Global, LLC, P.O. Box 640, Hockessin, DE 19707. **Product name:** NEXY. Biofungicide. **Active ingredient:** Candida oleophila strain O at 57%. **Proposal classification/Use:** Post-harvest control of grey and blue mold on apples and pears.

### List of Subjects

Environmental protection, Pesticides and pest.

Dated: March 19, 2008.

**Janet L. Andersen,**

*Director, Biopesticides and Pollution Prevention Division, Office of Pesticide Programs.*

[FR Doc. E8-6266 Filed 3-27-08; 8:45 am]

**BILLING CODE 6560-50-S**

## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2007-1026; FRL-8354-5]

### Registration Review; Biopesticide Dockets Opened for Review and Comment

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** EPA has established registration review dockets for the pesticides listed in the table in Unit III.A. With this document, EPA is opening the public comment period for these registration reviews. Registration review is EPA's periodic review of pesticide registrations to ensure that each pesticide continues to satisfy the statutory standard for registration, that is, the pesticide can perform its intended function without unreasonable

adverse effects on human health or the environment. Registration review dockets contain information that will assist the public in understanding the types of information and issues that the Agency may consider during the course of registration reviews. Through this program, EPA is ensuring that each pesticide's registration is based on current scientific and other knowledge, including its effects on human health and the environment. This document also announces the Agency's intent not to open a registration review docket for thyme herbs and ground sesame plant. These pesticides do not currently have any active federally registered pesticide products and are not, therefore, scheduled for review under the registration review program.

**DATES:** Comments must be received on or before May 27, 2008.

**ADDRESSES:** Submit your comments identified by the docket identification (ID) number for the specific pesticide of interest provided in the table in Unit III.A., by one of the following methods:

- **Federal eRulemaking Portal:** <http://www.regulations.gov>. Follow the on-line instructions for submitting comments.

- **Mail:** Office of Pesticide Programs (OPP) Regulatory Public Docket (7502P), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001.

- **Delivery:** OPP Regulatory Public Docket (7502P), Environmental Protection Agency, Rm. S-4400, One Potomac Yard (South Bldg.), 2777 S. Crystal Dr., Arlington, VA. Deliveries are only accepted during the Docket's normal hours of operation (8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays). Special arrangements should be made for deliveries of boxed information. The Docket Facility telephone number is (703) 305-5805.

**Instructions:** Direct your comments to the docket ID numbers listed in the table in Unit III.A. for the pesticides you are commenting on. EPA's policy is that all comments received will be included in the docket without change and may be made available on-line at <http://www.regulations.gov>, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through [www.regulations.gov](http://www.regulations.gov) or e-mail. The [www.regulations.gov](http://www.regulations.gov) website is an "anonymous access" system, which means EPA will not know your identity or contact information unless you

provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through [www.regulations.gov](http://www.regulations.gov), your e-mail address will be automatically captured and included as part of the comment that is placed in the docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

**Docket:** All documents in the docket are listed in the docket index available at [www.regulations.gov](http://www.regulations.gov). To access the electronic docket, go to <http://www.regulations.gov>, select "Advanced Search," then "Docket Search." Insert the docket ID number where indicated and select the "Submit" button. Follow the instructions on the [www.regulations.gov](http://www.regulations.gov) website to view the docket index or access available documents. Although listed in the index, some information is not publicly available, e.g., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available electronically at <http://www.regulations.gov>, or, if only available in hard copy, at the OPP Regulatory Public Docket in Rm. S-4400, One Potomac Yard (South Bldg.), 2777 S. Crystal Dr., Arlington, VA. The hours of operation of this Docket Facility are from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The Docket Facility telephone number is (703) 305-5805.

**FOR FURTHER INFORMATION CONTACT:** For information about the pesticides included in this document, contact the specific Regulatory Action Leader (RAL) as identified in the table in Unit III.A. for the pesticide of interest.

For general questions on the registration review program, contact Peter Caulkins, Special Review and Reregistration Division (7508P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 305-6550; fax number: (703) 308-8090; e-mail address: [caulkins.peter@epa.gov](mailto:caulkins.peter@epa.gov).

**SUPPLEMENTARY INFORMATION:**

## I. General Information

### A. Does this Action Apply to Me?

This action is directed to the public in general, and may be of interest to a wide range of stakeholders including environmental, human health, farmworker, and agricultural advocates; the chemical industry; pesticide users; and members of the public interested in the sale, distribution, or use of pesticides. Since others also may be interested, the Agency has not attempted to describe all the specific entities that may be affected by this action. If you have any questions regarding the applicability of this action to a particular entity, consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

### B. What Should I Consider as I Prepare My Comments for EPA?

1. *Submitting CBI.* Do not submit this information to EPA through regulations.gov or e-mail. Clearly mark the part or all of the information that you claim to be CBI. For CBI information in a disk or CD-ROM that you mail to EPA, mark the outside of the disk or CD-ROM as CBI and then identify electronically within the disk or CD-ROM the specific information that is claimed as CBI. In addition to one complete version of the comment that includes information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket. Information so marked will not be disclosed except in

accordance with procedures set forth in 40 CFR part 2.

2. *Tips for preparing your comments.* When submitting comments, remember to:

- i. Identify the document by docket ID number and other identifying information (subject heading, **Federal Register** date and page number).
- ii. Follow directions. The Agency may ask you to respond to specific questions or organize comments by referencing a Code of Federal Regulations (CFR) part or section number.
- iii. Explain why you agree or disagree; suggest alternatives and substitute language for your requested changes.
- iv. Describe any assumptions and provide any technical information and/or data that you used.
- v. If you estimate potential costs or burdens, explain how you arrived at your estimate in sufficient detail to allow for it to be reproduced.
- vi. Provide specific examples to illustrate your concerns and suggest alternatives.
- vii. Explain your views as clearly as possible, avoiding the use of profanity or personal threats.
- viii. Make sure to submit your comments by the comment period deadline identified.

## II. Authority

EPA is initiating its reviews of the pesticides identified in this document pursuant to section 3(g) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and the Procedural Regulations for Registration Review at

40 CFR part 155, subpart C. Section 3(g) of FIFRA provides, among other things, that the registrations of pesticides are to be periodically reviewed. The goal is a review of a pesticide's registration every 15 years. Under FIFRA section 3(a), a pesticide product may be registered or remain registered only if it meets the statutory standard for registration given in FIFRA section 3(c)(5). When used in accordance with widespread and commonly recognized practice, the pesticide product must perform its intended function without unreasonable adverse effects on the environment; that is, without any unreasonable risk to man or the environment, or a human dietary risk from residues that result from the use of a pesticide in or on food.

## III. Registration Reviews

### A. What Action is the Agency Taking?

As directed by FIFRA section 3(g), EPA is periodically reviewing pesticide registrations to assure that they continue to satisfy the FIFRA standard for registration—that is, they can still be used without unreasonable adverse effects on human health or the environment. The implementing regulations establishing the procedures for registration review appear at 40 CFR part 155. A pesticide's registration review begins when the Agency establishes a docket for the pesticide's registration review case and opens the docket for public review and comment. At present, EPA is opening registration review dockets for the cases identified in the following table.

TABLE 1.—REGISTRATION REVIEW DOCKETS OPENING

Registration Review Case Name and Number	Pesticide Docket ID Number	[RAL], Telephone Number, E-mail Address
<i>Bacillus subtilis</i> , Case no. 6012	EPA-HQ-OPP-2007-1026	Susanne Cerrelli, (703) 308-8077, cerrelli.susanne@epa.gov

EPA is also announcing that it will not be opening a docket for registration review case 6060, thyme herbs and ground sesame plant because these pesticides are not included in any products actively registered under FIFRA section 3. The last federally registered thyme herbs (PC Code 128894) and ground sesame plant (PC Code 128970) products were cancelled for non-payment of the required annual maintenance fees of 2005 and 2006, respectively (August 3, 2005; 70 FR 44637; FRL-7726-4 and August 2, 2006; 71 FR 43748; FRL-8079-6).

Products containing either thyme herbs or ground sesame stalk as the active ingredient, when in accordance

with all of the criteria of 40 CFR 152.25(f), are 'minimum risk pesticides' exempt from the requirements of FIFRA. The Federal Food, Drug, and Cosmetics Act (FFDCA) coverage necessary for any 40 CFR 152.25(f)-compliant thyme herbs or ground sesame plant food-use product is provided by the exemption from the requirement of a tolerance under 40 CFR 180.950 for spices and herbs, and by the sesame stalks tolerance exemption under 40 CFR 180.1087. The tolerance exemption under 40 CFR 180.950 was established in 2002, and that at 40 CFR 180.1087 was reassessed in 2002; both have been determined to meet the safety standards

of the FFDCA, as amended by the FQPA of 1996.

The Agency requires no further risk assessments or submission of data for the uses of thyme herbs and ground sesame plant when these active ingredients are used in a manner compliant with 40 CFR 152.25(f).

The Agency will take separate actions to cancel any remaining FIFRA section 24(c) Special Local Needs registrations with these or any other active ingredient in this docket and to propose revocation of any affected tolerances that are not supported for import purposes only.

**B. Docket Content**

1. *Review dockets.* The registration review dockets contain information that the Agency may consider in the course of the registration review. The Agency may include information from its files including, but not limited to, the following information:

- i. An overview of the registration review case status.
- ii. A list of current product registrations and registrants.
- iii. **Federal Register** notices regarding any pending registration actions.
- iv. **Federal Register** notices regarding current or pending tolerances.
- v. Risk assessments.
- vi. Bibliographies concerning current registrations.
- vii. Summaries of incident data.
- viii. Any other pertinent data or information.

Each docket contains a document summarizing what the Agency currently knows about the pesticide case and a preliminary work plan for anticipated data and assessment needs. Additional documents provide more detailed information. During this public comment period, the Agency is asking that interested persons identify any additional information they believe the Agency should consider during the registration reviews of these pesticides. The Agency identifies in each docket the areas where public comment is specifically requested, though comment in any area is welcome.

2. *Other related information.* More information on these cases, including the active ingredients for each case, may be located in the registration review schedule on the Agency's website at [http://www.epa.gov/oppsrrd1/registration\\_review/schedule.htm](http://www.epa.gov/oppsrrd1/registration_review/schedule.htm). Information on the Agency's registration review program and its implementing regulation may be seen at [http://www.epa.gov/oppsrrd1/registration\\_review](http://www.epa.gov/oppsrrd1/registration_review).

3. *Information submission requirements.* Anyone may submit data or information in response to this document. To be considered during a pesticide's registration review, the submitted data or information must meet the following requirements:

- i. To ensure that EPA will consider data or information submitted, interested persons must submit the data or information during the comment period. The Agency may, at its discretion, consider data or information submitted at a later date.
- ii. The data or information submitted must be presented in a legible and useable form. For example, an English translation must accompany any

material that is not in English and a written transcript must accompany any information submitted as an audiographic or videographic record. Written material may be submitted in paper or electronic form.

iii. Submitters must clearly identify the source of any submitted data or information.

iv. Submitters may request the Agency to reconsider data or information that the Agency rejected in a previous review. However, submitters must explain why they believe the Agency should reconsider the data or information in the pesticide's registration review.

v. As provided in 40 CFR 155.58, the registration review docket for each pesticide case will remain publicly accessible through the duration of the registration review process; that is, until all actions required in the final decision on the registration review case have been completed.

**List of Subjects**

Environmental protection, Pesticides and pests.

Dated: March 19, 2008.

**Janet L. Andersen,**

*Director, Biopesticides and Pollution Prevention Division, Office of Pesticide Programs.*

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**BILLING CODE 6560-50-S**

**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-8548-6]

**Science Advisory Board Staff Office; Request for Nominations of Experts to Augment the Science Advisory Board Homeland Security Advisory Committee**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** The Environmental Protection Agency (EPA or Agency) Science Advisory Board (SAB) Staff Office is requesting public nominations of experts in microbiology. Nominees with appropriate expertise will be considered for service on the SAB Homeland Security Advisory Committee (HSAC) to provide consultative advice on a *Draft Federal Inter-agency Anthrax Technical Assistance Document*.

**DATES:** Nominations for the specific microbiological expertise noted below should be submitted by April 18, 2008.

**FOR FURTHER INFORMATION CONTACT:** Members of the public who wish to

obtain further information regarding how to submit nominations may contact Ms. Vivian Turner, Designated Federal Officer, by telephone: (202) 343-9697 or e-mail at: [turner.vivian@epa.gov](mailto:turner.vivian@epa.gov). The SAB Mailing address is: U.S. EPA Science Advisory Board (1400F), U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., Washington, DC 20460. General information about the SAB as well as any updates concerning this request for nominations may be found on the SAB Web Site at <http://www.epa.gov/sab>.

**Technical Contact:** For questions and information concerning the draft technical documents and background information, contact Captain Colleen Petullo at (702) 784-8004, or [petullo.colleen@epa.gov](mailto:petullo.colleen@epa.gov).

**SUPPLEMENTARY INFORMATION:** EPA's Office of Solid Waste and Emergency Response (OSWER) is charged with preserving and restoring the land by using innovative waste management practices and cleaning up contaminated properties to reduce risks posed by of harmful substances. EPA has a major role in reducing the risk to human health and the environment posed by accidental or intentional releases of harmful substances. For Emergency Preparedness, Response and Homeland Security, EPA works closely with sixteen other Federal agencies on the National Response Team (NRT). EPA's OSWER, on behalf of the NRT, is requesting the Science Advisory Board (SAB) to conduct a consultation on the *Draft Federal Inter-Agency Anthrax Technical Assistance Document* (TAD). The TAD is an interim technical resource document developed in response to the 2001 anthrax incidents. The NRT requested that the Weapons of Mass Destruction (WMD) Subcommittee to the Science and Technology Committee revise the TAD based on consultative advice from the SAB.

The SAB was established by 42 U.S.C. 4365 to provide independent scientific and technical advice to the EPA Administrator on the technical basis for Agency positions and regulations. The SAB is a Federal Advisory Committee chartered under the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C., App. The SAB will comply with the provisions of FACA and all appropriate SAB Staff Office procedural policies. In response to the OSWER request, the SAB Homeland Security Advisory Committee (HSAC) will conduct this consultation and provide scientific and technical advice to the EPA Administrator through the chartered SAB on scientific matters pertaining to EPA's mission in