

Notices

Federal Register

Vol. 73, No. 140

Monday, July 21, 2008

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–2008–0012]

Notice of Determination of the High Pathogenicity Avian Influenza Subtype H5N1 Status of Denmark and France

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice.

SUMMARY: We are advising the public of our determination regarding the high pathogenicity avian influenza (HPAI) subtype H5N1 status of Denmark and France. Based on assessments of the animal health status of the two countries, which we made available to the public for review and comment through a previous notice, the Administrator has determined that the importation of live birds, poultry carcasses, parts or products of poultry carcasses, and eggs (other than hatching eggs) of poultry, game birds, and other birds from either Denmark or France presents a low risk of introducing HPAI H5N1 into the United States.

DATES: *Effective Date:* August 5, 2008.

FOR FURTHER INFORMATION CONTACT: Dr. Julia Punderson, Regionalization Evaluation Services-Import, Sanitary Trade Issues Team, National Center for Import and Export, VS, APHIS, 4700 River Road Unit 38, Riverdale, MD 20737–1231, (301) 734–4356.

SUPPLEMENTARY INFORMATION:

Background

On March 27, 2008, we published in the **Federal Register** (73 FR 16245–16246) a notice¹ in which we announced the availability for review and comment of assessments of the

animal health status of Denmark and France relative to high pathogenicity avian influenza (HPAI) subtype H5N1. In the assessments, titled “APHIS Analysis of the Status of High Pathogenicity Avian Influenza H5N1 in Denmark” (December 2007) and “APHIS Analysis of the Status of High Pathogenicity Avian Influenza H5N1 in France” (December 2007), we presented the results of our evaluation of the prevalence of HPAI H5N1 in domestic poultry in the two countries in light of the actions taken by Danish and French animal health authorities during and since the outbreaks of HPAI H5N1 that occurred in those two regions in 2006.

Our assessments concluded that both Denmark and France had adequate detection and control measures in place at the time of the outbreak, that they have been able to effectively control and eradicate HPAI H5N1 in their domestic poultry populations since that time, and that both Danish and French animal health authorities have control measures in place to rapidly identify, control, and eradicate the disease should it be reintroduced into Denmark or France in either wild birds or domestic poultry.

We solicited comments on the notice for 30 days ending on April 28, 2008. We received one comment on our assessments, from the chief veterinary officer of Denmark. The commenter agreed with our findings, but suggested several nonsubstantive changes to our assessment of Denmark. We concur with the points raised by the commenter, and have updated the assessment accordingly. The updated assessment may be viewed on the Regulations.gov Web site.²

In our March 2008 notice we stated that, if we could identify no additional risk factors that would indicate that domestic poultry in either Denmark or France continue to be affected with HPAI H5N1 by the end of the comment period, we would conclude that the importation of live birds, poultry carcasses, parts or products of poultry carcasses, and eggs (other than hatching eggs) of poultry, game birds, or other birds from either Denmark or France presents a low risk of introducing HPAI H5N1 into the United States. Based on the absence of adverse comments received during the comment period, we

have decided that no additional risk factors exist.

Therefore we are removing our prohibition on the importation of these products from Denmark and France into the United States. Specifically:

- We are no longer requiring that processed poultry products from Denmark and France be accompanied by a VS import permit and government certification confirming that the products have been treated according to APHIS requirements;
- We are allowing unprocessed poultry products from Denmark and France to enter the United States in passenger luggage; and
- We are removing restrictions regarding the regions in Denmark and France from which processed poultry products may originate in order to be allowed entry into the United States in passenger luggage.

However, live birds from Denmark and France are still subject to the inspections at ports of entry and post-importation quarantines set forth in 9 CFR part 93, unless granted an exemption by the Administrator or destined for diagnostic purposes and accompanied by a limited permit.

Done in Washington, DC, this 15th day of July 2008.

Kevin Shea,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. E8–16586 Filed 7–18–08; 8:45 am]

BILLING CODE 3410–34–P

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[Docket No. APHIS–2008–0073]

Sirex Woodwasp; Availability of an Environmental Assessment

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice of availability and request for comments.

SUMMARY: We are advising the public that an environmental assessment has been prepared by the Animal and Plant Health Inspection Service relative to a proposed biological control program for Sirex woodwasp. The environmental assessment documents our review and analysis of environmental impacts

¹ To view the notice, the assessments, and the comment we received, go to <http://www.regulations.gov/fdmspublic/component/main?main=DocketDetail&d=APHIS-2008-0012>.

² See footnote 1.

associated with the proposed biological control program. We are making this environmental assessment available to the public for review and comment.

DATES: We will consider all comments that we receive on or before August 20, 2008.

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

- Federal eRulemaking Portal: Go to <http://www.regulations.gov/fdmspublic/component/main?main=DocketDetail&d=APHIS-2008-0073> 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-2008-0073, Regulatory Analysis and Development, PPD, APHIS, Station 3A-03.8, 4700 River Road Unit 118, Riverdale, MD 20737-1238. Please state that your comment refers to Docket No. APHIS-2008-0073.

Reading Room: You may read any comments that we receive on the environmental assessment 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: Ms. Lynn Evans-Goldner, Staff Officer, Emergency and Domestic Programs, PPQ, APHIS, 4700 River Road, Unit 137, Riverdale, MD 20737-1231; (301) 734-7228.

SUPPLEMENTARY INFORMATION:

Background

The Sirex woodwasp (*Sirex noctilio* Fabricius [Hymenoptera: Siricidae]) is a member of the horntail wasp family native to Europe, Asia, and northern Africa, where it is generally considered to be a secondary pest. In its native range, it attacks pines, such as Austrian (*Pinus nigra*), maritime (*P. pinaster*), and Scotch (*P. sylvestris*) pines, almost exclusively. While stressed trees are most at risk, Sirex woodwasp can also attack and kill healthy trees. Adult wasps are strong fliers and can naturally disperse up to 25 miles, especially when aided by strong winds. Sirex woodwasp can survive transportation in infested materials, such as logs, that are moved

long distances and then be capable of infesting new areas. Because Sirex woodwasp inhabits the sapwood and larvae tunnel deep into host trees, this pest is difficult to detect with inspection.

Pines are the main hosts of Sirex woodwasp, which can complete its lifecycle on many species of pines. Thus far, in North America, jack pine (*P. banksiana*), red pine (*P. resinosa*), Scotch pine (*P. sylvestris*), and white pine (*P. strobus*) have served as hosts for Sirex woodwasp. In addition, Sirex woodwasp has been recorded on other conifers such as Douglas fir (*Pseudotsuga* spp.), fir (*Abies* spp.), larch (*Larix* spp.), and spruce (*Picea* spp.).

The first detection of a breeding population of the Sirex woodwasp in the United States was in 2004 in Oswego County, NY. As a result of surveys conducted in 2005, 2006, and 2007 by State and Federal officials, the Sirex woodwasp has been detected in additional counties in Michigan, New York, Pennsylvania, and Vermont.

In an environmental assessment prepared in March 2007, APHIS considered a program to control Sirex woodwasp in New York and Pennsylvania, the only States where Sirex woodwasp had been detected at that time. The environmental assessment evaluated four alternatives: No action, a quarantine program, a biological control program, and a combination of quarantine and biological control (preferred action) in New York and Pennsylvania. A finding of no significant impact was signed on June 21, 2007, in which APHIS determined that the proposed program (including quarantine and biological control) identified as the preferred action would not have a significant impact on the quality of the human environment in those States. Since that time, Sirex woodwasp has been detected in additional States, and APHIS would like to implement a biological control program in those States. In addition, if Sirex woodwasp were detected in other States, APHIS would want to implement a biological control program in those States, as well. Therefore, this environmental assessment considers the potential effects on the quality of the human environment from implementing a program for control of Sirex woodwasp in all of the currently infested States and in surrounding States where Sirex woodwasp would most likely be detected if it were to spread.

APHIS' review and analysis of the potential environmental impacts associated with this proposed biological

control program are documented in detail in an environmental assessment entitled "Proposed Program for the Control of the Woodwasp *Sirex noctilio* F. (Hymenoptera: Siricidae) in the Northeastern United States" (May 2008). We are making this environmental assessment 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 environmental assessment may be viewed on the Regulations.gov Web site or in our reading room (see **ADDRESSES** above for a link to Regulations.gov and information on the location and hours of the reading room). You may request paper copies of the environmental assessment by calling or writing to the person listed under **FOR FURTHER INFORMATION CONTACT**. Please refer to the title of the environmental assessment when requesting copies.

The environmental assessment has been prepared in accordance with: (1) The National Environmental Policy Act of 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 1), and (4) APHIS' NEPA Implementing Procedures (7 CFR part 372).

Done in Washington, DC, this 15th day of July 2008.

Kevin Shea,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. E8-16585 Filed 7-18-08; 8:45 am]

BILLING CODE 3410-34-P

DEPARTMENT OF AGRICULTURE

Rural Housing Service

Notice for Request to Reinstate Previously Approved Information Collection

AGENCY: Rural Housing Service, USDA.

ACTION: Proposed collection; comments requested.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces the Rural Housing Service's (RHS) intent to reinstate a previously approved information collection in support of the Single Family Housing Guaranteed Loan Program.

DATES: Comments on this notice must be received by September 19, 2008 to be assured of consideration.

FOR FURTHER INFORMATION CONTACT: