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: For information regarding regulations for the black stem rust quarantine and regulations, contact Dr. Vedpal S. Malik, Agriculturist, Emergency and Domestic Programs, PPQ, APHIS, 4700 River Road Unit 134, Riverdale MD 20737; (301) 734–6774. For copies of more detailed information on the information collection, contact Mrs. Celeste Sickles, APHIS' Information Collection Coordinator, at (301) 734–7477.

SUPPLEMENTARY INFORMATION:

Title: Black Stem Rust; Identification Requirements for Addition of Rust-Resistant Varieties.

OMB Number: 0579–0186.

Type of Request: Extension of approval of an information collection.

Abstract: The Plant Protection Act (7 U.S.C. 7701 *et seq.*) authorizes the Secretary of Agriculture to prohibit or restrict the importation, entry, or interstate movement of plants and plant products to prevent the introduction of plant pests into the United States or their dissemination within the United States.

Black stem rust is one of the most destructive plant diseases of small grains that is known to exist in the United States. The disease is caused by a fungus that reduces the quality and yield of infected wheat, oat, barley, and rye crops by robbing host plants of food and water. In addition to infecting small grains, the fungus lives on a variety of alternate host plants that are species of the genera *Berberis*, *Mahoberberis*, and *Mahonia.* The fungus is spread from host to host by wind-borne spores.

The black stem rust quarantine and regulations, contained in 7 CFR 301.38 through 301.38–8 (referred to below as the regulations), quarantine the conterminous 48 States and the District of Columbia and govern the interstate movement of certain plants of the genera *Berberis*, *Mahoberberis*, and *Mahonia*, known as barberry plants. The species of these plants are categorized as either rust-resistant or rust-susceptible. Rust-resistant plants do not pose a risk of spreading black stem rust or of contributing to the development of new races of the rust; rust-susceptible plants do pose such risks.

Persons who request the Animal and Plant Health Inspection Service to add a variety to the list of rust-resistant barberry varieties in the regulations must provide the Agency with a description of the variety, including a written description and color pictures that can be used by State nursery inspectors to clearly identify the variety and distinguish it from other varieties. This requirement helps to ensure that State plant inspectors can clearly determine whether plants moving into or through their States are rust-resistant varieties listed in 7 CFR 301.38–2.

We are asking the Office of Management and Budget (OMB) to approve our use of these information collection activities for an additional 3 years.

The purpose of this notice is to solicit comments from the public (as well as affected agencies) concerning our information collection activity. APHIS needs this outside input to help accomplish the following:

(1) Evaluate whether the collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of our estimate of the burden of the information collection, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the information collection on those who are to respond, through use, as appropriate, of automated, electronic, mechanical, and other collection technologies, *e.g.*, permitting electronic submission of responses.

Estimate of Burden: The public reporting burden for this collection of information is estimated to average 4 hours per response.

Respondents: Nurseries.

Estimated Annual Number of Respondents : 4.

Estimated Annual Number of Responses per Respondent: 2.

Estimated Annual Number of Responses: 8.

Estimated Total Annual Burden on Respondents: 32 hours. (Due to averaging, the total annual burden hours may not equal the product of the annual number of responses multiplied by the reporting burden per response.)

All responses to this notice will be summarized and included in the request for OMB approval. All comments will also become a matter of public record.

Done in Washington, DC, this 27th day of July 2007.

Kevin Shea,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. E7–15009 Filed 8–1–07; 8:45 am]

BILLING CODE 3410–34–P

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[Docket No. APHIS–2006–0195]

Monsanto Company; Determination of Nonregulated Status for Soybean Genetically Engineered for Glyphosate Herbicide Tolerance

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice.

SUMMARY: We are advising the public of our determination that a soybean line developed by the Monsanto Company, designated as transformation event MON 89788, which has been genetically engineered for tolerance to the herbicide glyphosate, is no longer considered a regulated article under our regulations governing the introduction of certain genetically engineered organisms. Our determination is based on our evaluation of data submitted by the Monsanto Company in its petition for a determination of nonregulated status, our analysis of other scientific data, and comments received from the public in response to a previous notice announcing the availability of the petition for nonregulated status and an environmental assessment. This notice also announces the availability of our written determination and finding of no significant impact.

DATES: *Effective Date:* July 23, 2007.

ADDRESSES: You may read the petition, environmental assessment, determination, finding of no significant impact, the comments we received on our previous notice, and our responses to those comments 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. To view those documents on the Internet, go to *http://www.regulations.gov,* click on the ''Advanced Search'' tab, and select ''Docket Search.'' In the Docket ID field, enter APHIS–2006–0195, then click ''Submit.'' Clicking on the Docket ID link in the search results page will produce a list of all documents in the docket.

FOR FURTHER INFORMATION CONTACT: Dr. Virgil Meier, Biotechnology Regulatory Services, APHIS, 4700 River Road, Unit 147, Riverdale, MD 20737–1236; (301) 734–3363. To obtain copies of the

petition, environmental assessment, or the finding of no significant impact, contact Ms. Cynthia Eck at (301) 734–0667; *cynthia.a.eck@aphis.usda.gov.* Those documents may also be viewed on the Internet at *http://www.aphis.usda.gov/brs/aphisdocs/06_17801p.pdf* and *http://www.aphis.usda.gov/brs/aphisdocs/06_17801p_ea.pdf*.

SUPPLEMENTARY INFORMATION:

Background

The regulations in 7 CFR part 340, ''Introduction of Organisms and Products Altered or Produced Through Genetic Engineering Which Are Plant Pests or Which There Is Reason to Believe Are Plant Pests,'' regulate, among other things, the introduction (importation, interstate movement, or release into the environment) of organisms and products altered or produced through genetic engineering that are plant pests or that there is reason to believe are plant pests. Such genetically engineered organisms and products are considered ''regulated articles.''

The regulations in § 340.6(a) provide that any person may submit a petition to the Animal and Plant Health Inspection Service (APHIS) seeking a determination that an article should not be regulated under 7 CFR part 340. Paragraphs (b) and (c) of § 340.6 describe the form that a petition for a determination of nonregulated status must take and the information that must be included in the petition.

On June 27, 2006, APHIS received a petition seeking a determination of nonregulated status (APHIS Petition Number 06–178–01p) from Monsanto Company of St. Louis, MO (Monsanto), for soybean (*Glycine max* L.) designated as transformation event MON 89788, which has been genetically engineered for tolerance to the herbicide glyphosate, stating that soybean line MON 89788 does not present a plant pest risk and, therefore, should not be a regulated article under APHIS' regulations in 7 CFR part 340.

As described in the petition, MON 89788 soybean plants have been genetically engineered to express a 5-enolpyruvylshikimate-3-phosphate synthase protein from *Agrobacterium* sp. strain CP4 (CP4 EPSPS), which confers tolerance to the herbicide glyphosate. Expression of the added gene is controlled, in part, by gene sequences derived from *Arabidopsis thaliana* and the plant pathogen figwort mosaic virus. The *Agrobacterium tumefaciens* transformation method was used to transfer the added genetic material into the recipient parental soybean line A3244.

MON 89788 soybean plants have been considered regulated articles under the regulations in 7 CFR part 340 because they contain gene sequences from plant pathogens. MON 89788 soybean plants have been field tested in the United States since 2001 under notifications authorized by APHIS. In the process of reviewing the notifications for field trials of the subject soybean plants, APHIS determined that the vectors and other elements were disarmed and that field trials, which were conducted under conditions of reproductive and physical confinement or isolation, would not present a risk of plant pest introduction or dissemination.

In a notice [1] published in the **Federal Register** on February 5, 2007 (72 FR 5261–5263, Docket No. APHIS–2006–0195), APHIS announced the availability of Monsanto's petition and the associated environmental assessment (EA). APHIS solicited comments on whether the subject soybean would present a plant pest risk for 60 days ending April 6, 2007. APHIS received 23 comments during the comment period, with 12 comments submitted in support of the conclusions drawn in the EA and 11 opposed. APHIS' responses to these comments can be found in an attachment to the finding of no significant impact.

Determination

Based on APHIS' analysis of field, greenhouse, and laboratory data submitted by Monsanto, references provided in the petition, other relevant information described in the EA, and comments provided by the public, APHIS has determined that Monsanto's soybean line, designated as MON 89788, will not pose a plant pest risk for the following reasons: (1) Gene introgression from MON 89788 soybean into its sexually compatible relatives in the United States and its territories is extremely unlikely and consequently the potential impact of introgression is not foreseeable; (2) the subgenus *Glycine max,* on which MON 89788 is based, is not considered to be a weed and does not persist in unmanaged ecosystems; (3) it does not pose a risk to non-target organisms, including beneficial organisms and threatened or endangered species, because the CP4 EPSPS protein is not known to have any toxic properties and has minimal potential to be a food allergen; (4) MON 89788 exhibits no traits that should cause increased weediness, and that its unconfined cultivation should not lead to increased weediness of other sexually compatible relatives (of which there are none in the United States); (5) if MON 89788 were to be grown commercially, the effect on agricultural practices from introducing MON 89788 into the environment should be no different than for the previously deregulated Roundup Ready 40–3–2 soybean line expressing the same CP4 EPSPS protein from *Agrobacterium* sp. Strain CP4, with which APHIS has over 10 years of experience; (6) APHIS does not expect MON 89788 to have any impacts on the development of herbicide resistant weeds or a cumulative impact in combination with other glyphosate tolerant crops; (7) there should be no significant impact from the stacking of herbicide resistant traits; (8) if MON 89788 were to be grown commercially, the potential impact on organic farming should not change from the current situation where close to 90 percent of soybeans produced are Roundup Ready and organic farmers or other farmers who choose not to plant or sell Roundup Ready soybean or other transgenic soybeans will still be able to purchase and grow nontransgenic soybeans and will be able to coexist with biotech soybean producers as they do now; (9) APHIS' analysis of data on agronomic performance, disease and insect susceptibility, and compositional profiles of MON 89788 and its non-genetically engineered counterpart indicates no significant differences between the two that would be expected to cause either a direct or indirect plant pest effect on raw or processed plant commodities from the deregulation of MON 89788; (10) APHIS has reviewed field performance data submitted by the petitioner, and these data indicate that the engineered plant is not different in any fitness characteristics from its parent that might cause MON 89788 to become invasive; and (11) none of the alternatives proposed in the EA are expected to have significant human health or environmental effects.

National Environmental Policy Act

To provide the public with documentation of APHIS' review and analysis of any potential environmental impacts associated with the determination of nonregulated status for MON 89788, an EA was prepared. The EA was 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

[1] To view the notice, the EA, and the comments we received, go to *http://www.regulations.gov/fdmspublic/component/main?main=DocketDetail&d=APHIS–2006–0195.*

of NEPA (40 CFR parts 1500–1508), (3) USDA regulations implementing NEPA (7 CFR part 1b), and (4) APHIS' NEPA Implementing Procedures (7 CFR part 372). Based on that EA, APHIS has reached a finding of no significant impact with regard to the determination that Monsanto soybean line MON 89788 and lines developed from it are no longer regulated articles under its regulations in 7 CFR part 340. Copies of the EA and finding of no significant impact are available as indicated in the **ADDRESSES** and **FOR FURTHER INFORMATION CONTACT** sections of this notice.

Authority: 7 U.S.C. 7701–7772 and 7781–7786; 31 U.S.C. 9701; 7 CFR 2.22, 2.80, and 371.3.

Done in Washington, DC, this 27th day of July 2007.

Kevin Shea,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. E7–15001 Filed 8–1–07; 8:45 am]

BILLING CODE 3410–34–P

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[Docket No. APHIS–2007–0106]

Secretary's Advisory Committee on Foreign Animal and Poultry Diseases; Meeting

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice of meeting.

SUMMARY: Pursuant to the Federal Advisory Committee Act (5 U.S.C. App. II), we are giving notice of a meeting of the Secretary's Advisory Committee on Foreign Animal and Poultry Diseases.

DATES: A session open to the public will be held on August 21, 2007, from 8 a.m. to 5 p.m.

ADDRESSES: The meeting will be held in the Jamie L. Whitten Federal Building, 12th Street and Jefferson Drive, SW., Washington, DC, in room 107A.

FOR FURTHER INFORMATION CONTACT: Dr. Bethany O'Brien, Acting Director Interagency Coordination, National Center for Animal Health Emergency Management, VS, APHIS, 4700 River Road, Unit 41, Riverdale, MD 20737; (301) 734–0825.

SUPPLEMENTARY INFORMATION: The Secretary's Advisory Committee on Foreign Animal and Poultry Diseases (the Committee) advises the Secretary of Agriculture on actions necessary to prevent the introduction of foreign diseases of livestock and poultry into the United States. In addition, the Committee advises the Secretary on contingency planning and on maintaining a state of preparedness to deal with these diseases, if introduced.

The meeting will focus on the U.S. animal health emergency management system and on the foreign animal disease situation worldwide and its relevance to the United States. The session will be open to the public. However, due to time constraints, the public will not be allowed to participate in the Committee's discussions.

You may obtain an agenda for the meeting by contacting Dr. Bethany O'Brien at the address listed under **FOR FURTHER INFORMATION CONTACT**. Written statements on meeting topics may be filed with the Committee before or after the meeting by sending them to the person listed under **FOR FURTHER INFORMATION CONTACT**. Written statements may also be filed at the meeting. Please refer to Docket No. APHIS–2007–0106 when submitting your statements.

Upon entering the Whitten Building, visitors should inform security personnel that they are attending the Advisory Committee meeting on Foreign Animal and Poultry Diseases. Photo identification is required. Visitor badges must be worn at all times while inside the building.

Done in Washington, DC, this 27th day of July 2007.

Kevin Shea,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. E7–14987 Filed 8–1–07; 8:45 am]

BILLING CODE 3410–34–P

DEPARTMENT OF AGRICULTURE

Food Safety and Inspection Service

[Docket No. FSIS–2007–0027]

National Advisory Committee on Meat and Poultry Inspection

AGENCY: Food Safety and Inspection Service, USDA.

ACTION: Notice of public meeting.

SUMMARY: Pursuant to the Federal Advisory Committee Act, 5 U.S.C. App., the National Advisory Committee on Meat and Poultry Inspection (NACMPI) will hold a public meeting on August 8–9, 2007, to review and discuss the following issues: (1) Data Collection and Analysis at the Food Safety and Inspection Service (FSIS): Standard Operating Procedures, (2) Linking FSIS Activities to its Public Health Goals, and (3) Pilot Project to Explore Mechanisms for Sharing Industry Data with FSIS.

The first issue, Data Collection and Analysis at FSIS: Standard Operating Procedures, will be presented to the entire Committee for discussion during the morning session on August 8, 2007. The other two issues will be presented to the entire Committee in the afternoon session. The committee will then divide into two subcommittees. These subcommittees will meet in the afternoon of August 8, 2007, to discuss the issues Linking FSIS Activities to its Public Health Goals and Pilot Project to Explore Mechanisms for Sharing Industry Data with FSIS. Each subcommittee will provide a report of their comments and recommendations to the full committee on the morning of August 9, 2007.

DATES: The full Committee will hold a public meeting on Wednesday, August 8, and Thursday, August 9, 2007, from 8:30 a.m. to 2 p.m. Subcommittees will hold open meetings on Wednesday, August 8, 2007, from 2 p.m. to 6 p.m.

ADDRESSES: All Committee meetings will take place at George Mason University, 3401 N. Fairfax Drive, Arlington, VA 22201. A meeting agenda is available on the Internet at the NACMPI Web site, *http://www.fsis.usda.gov/about_fsis/nacmpi/index.asp.* The NACMPI meeting agenda, together with information and resource materials on public health-based inspection, is also available on the Internet at, *http://www.fsis.usda.gov/Regulations_&_Policies/Risk_Based_Inspection/index.asp.* FSIS welcomes comments on the topics to be discussed at the NACMPI public meeting. Comments may be submitted by any of the following methods:

Electronic mail: NACMPI@fsis.usda.gov.

Mail, including floppy disks or CD–ROMs: Send to National Advisory Committee on Meat and Poultry Inspection, United States Department of Agriculture, Food Safety and Inspection Service, 14th & Independence Avenue, SW., Mail Drop 405 Aerospace, Washington, DC 20250.

Hand- or courier-delivered items: Deliver to Loraine Cannon at 901 D Street SW., Washington, DC. To deliver these items, the building security guard must first call (202) 690–6520.

Facsimile: Send to Loraine Cannon, (202) 690–6519. All submissions received must include the Agency name and docket number FSIS–2007–0027.

FOR FURTHER INFORMATION CONTACT: Robert Tynan for technical information at (202) 720–3884, or e-mail *robert.tynan@fsis.usda.gov* and Loraine Cannon for meeting information at (202)