

*Estimated Annual Number of Responses:* 104,300.

*Estimated Total Annual Burden on Respondents:* 287 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 6th day of March 2009.

**Kevin Shea,**

*Acting Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. E9-5371 Filed 3-11-09; 8:45 am]

BILLING CODE 3410-34-P

## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

[Docket No. APHIS-2009-0008]

#### Availability of an Environmental Assessment for a Biological Control Agent for Russian Knapweed

**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 an environmental assessment relative to the control of Russian knapweed, *Acroptilon repens*. The environmental assessment considers the effects of, and alternatives to, the release of a gall midge, *Jaapiella ivannikovi*, into the continental United States for use as a biological control agent to reduce the severity of Russian knapweed infestations. We are making the environmental assessment available to the public for review and comment.

**DATES:** We will consider all comments that we receive on or before April 13, 2009.

**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-2009-0008> 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-2009-0008, 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-2009-0008.

**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:** Dr. L. Carmen Soileau, Senior Staff Entomologist, Permits, Registrations, Imports, and Manuals, PPQ, APHIS, 4700 River Road Unit 133, Riverdale, MD 20737-1237; (866) 524-5421.

#### SUPPLEMENTARY INFORMATION:

##### Background

The Animal and Plant Health Inspection Service (APHIS) is proposing to issue permits for the release of a gall midge, *Jaapiella ivannikovi*, into the continental United States for use as a biological control agent to reduce the severity of Russian knapweed (*Acroptilon repens*) infestations.

Russian knapweed is a long-lived perennial in the plant tribe Asteraceae (sunflower, aster, or daisy family). The highly invasive weed was first introduced into North America in 1898. By 1998, the weed had spread to 313 counties in 45 of the 48 contiguous States in the United States with 80 percent of the infestation occurring in the States of Colorado, Idaho, Washington, and Wyoming. Russian knapweed thrives in a variety of habitats and is found in both irrigated and arid environments and in croplands, pastures, rangelands, and wastelands. The weed is a strong competitor and produces a chemical substance that inhibits the growth of other plant species, and, as a result, dense (100-300 plants/square meter) infestations may develop. It is generally not used for forage because of its bitter taste and because it presents a risk of causing neurological disorders in horses if consumed. Additionally, it reduces wildlife habitats, suppresses other plants, and has no beneficial qualities.

Existing Russian knapweed management options are ineffective, expensive, and temporary and have

negative impacts on other species of plants. Therefore, APHIS is proposing to issue permits for the release of a gall midge, *J. ivannikovi*, into the continental United States for use as a biological control agent to reduce the severity of Russian knapweed infestations.

The proposed biological control agent, *J. ivannikovi*, is an insect measuring 1.6 to 2.5 mm in length with relatively large wings, long legs, and a long ovipositor (egg-laying organ) that can be extended from the tip of the abdomen. The female gall midge deposits its eggs on the surface of the buds situated on the tips of the main and side shoots of the Russian knapweed. Larval feeding causes stunted growth of the shoot and fusion of leaves, resulting in a so-called "rosette gall."

Host specificity laboratory tests conducted at the CABI Bioscience Centre in Deleémont, Switzerland, and open-field experiments in Uzbekistan indicate that *J. ivannikovi* is host-specific to Russian knapweed. The list of plants tested in the laboratory consisted of the target plant, Russian knapweed, collected in the native range (Uzbekistan), a population of Russian knapweed collected in North America (Wyoming), and 50 non-target plant species or varieties. During these tests, several male and female *J. ivannikovi* gall midges were placed into a plastic cylinder that covered each plant. After exposure, the plants were inspected for gall formation. In these laboratory tests, galls occurred only on the target weed Russian knapweed and on the Eurasian knapweed.

In addition to the laboratory tests, gall formation tests were conducted under open-field conditions in an experimental garden at the Institute of Zoology, Tashkent, Uzbekistan. Test plant species were either grown from seed or collected in the local area and transplanted to the experimental sites and were arranged with Russian knapweed in a randomized design. *J. ivannikovi* galls were collected locally over an approximate span of 2 years. In these tests, gall formation was recorded in large numbers on Russian knapweed but on no other test plant species, including the Eurasian knapweed.

APHIS' review and analysis of the proposed action are documented in detail in an environmental assessment (EA) entitled "Field Release of *Jaapiella ivannikovi* (Diptera: Cecidomyiidae), an Insect for Biological Control of Russian Knapweed (*Acroptilon repens*), in the Continental United States" (December 2008). We are making the 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 EA may be viewed on the Regulations.gov Web site or in our reading room (see **ADDRESSES** above for instructions for accessing *Regulations.gov* and information on the location and hours of the reading room). You may request paper copies of the EA by calling or writing to the person listed under **FOR FURTHER INFORMATION CONTACT**. Please refer to the title of the EA when requesting copies.

The EA 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 6th day of March 2009.

**Kevin Shea,**

*Acting Administrator, Animal and Plant Health Inspection Service.*

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## DEPARTMENT OF AGRICULTURE

### Food Safety and Inspection Service

[Docket No. FSIS–2009–0009]

#### National Advisory Committee on Microbiological Criteria for Foods

**AGENCY:** Food Safety and Inspection Service, USDA.

**ACTION:** Notice of public meeting.

**SUMMARY:** This notice announces that the National Advisory Committee on Microbiological Criteria for Foods (NACMCF) will hold public meetings of the full Committee and subcommittees on March 16–20, 2009. The Committee will discuss: (1) Determination of the most appropriate technologies for the Food Safety and Inspection Service (FSIS) to adopt in performing routine and baseline microbiological analyses, and (2) Parameters for inoculated-pack challenge study protocols.

**DATES:** The full Committee will hold an open meeting on Friday, March 20, 2009, from 9 a.m. to 4 p.m. The Subcommittee on Determination of the Most Appropriate Technologies for the FSIS to Adopt in Performing Routine and Baseline Microbiological Analyses will hold open meetings on Monday,

March 16, and Tuesday, March 17, 2009, from 8:30 a.m. to 5 p.m.; and Wednesday, March 18, from 8:30 a.m. to 12 p.m. The Subcommittee on Parameters for inoculated-pack challenge study protocols will hold open meetings on Wednesday, March 18, and Thursday, March 19, 2009, from 8:30 a.m. to 5 p.m.

**ADDRESSES:** The March 16–19, 2009, subcommittee meetings will be held at the Aerospace Center, 901 D Street, SW., Rooms 369–371, Washington, DC 20024. The March 20, 2009, full Committee meeting will be held in the conference room at the south end of the U.S. Department of Agriculture (USDA) cafeteria located in the South Building, 1400 Independence Avenue, SW., Washington, DC 20250. All documents related to the full Committee meeting will be available for public inspection in the FSIS Docket Room, USDA, 1400 Independence Avenue, SW., Room 2534 South Building, Washington, DC 20250, between 8:30 a.m. and 4:30 p.m., Monday through Friday, as soon as they become available. The NACMCF documents will also be available on the Internet at [http://www.fsis.usda.gov/Regulations\\_Policies/2009\\_Notices\\_Index/index.asp](http://www.fsis.usda.gov/Regulations_Policies/2009_Notices_Index/index.asp).

FSIS will finalize an agenda on or before the meeting dates and post it on the FSIS Web page at [http://www.fsis.usda.gov/News/Meetings\\_Events/](http://www.fsis.usda.gov/News/Meetings_Events/). Please note that the meeting agenda is subject to change due to the time required for Committee discussions; thus, sessions could start or end earlier or later than anticipated. Please plan accordingly if you would like to attend a particular session or participate in a public comment period.

Also, the official transcript of the March 20, 2009, full Committee meeting, when it becomes available, will be kept in the FSIS Docket Room at the above address and will also be posted on [http://www.fsis.usda.gov/About/NACMCF\\_Meetings/](http://www.fsis.usda.gov/About/NACMCF_Meetings/).

The mailing address for the contact person is: Karen Thomas-Sharp, USDA, FSIS, Office of Public Health Science, 1400 Independence Avenue, SW., 333 Aerospace Center, Washington, DC 20250–3766.

**FOR FURTHER INFORMATION CONTACT:**

Persons interested in making a presentation, submitting technical papers, or providing comments at the March 20, plenary session should contact Karen Thomas-Sharp, phone (202) 690–6620, fax (202) 690–6334, e-mail: [Karen.thomas-sharp@fsis.usda.gov](mailto:Karen.thomas-sharp@fsis.usda.gov) or at the mailing address above. Persons requiring a sign language interpreter or other special accommodations should

notify Mrs. Thomas-Sharp by March 9, 2009.

**SUPPLEMENTARY INFORMATION:**

**Background**

The NACMCF was established in 1988, in response to a recommendation of the National Academy of Sciences for an interagency approach to microbiological criteria for foods, and in response to a recommendation of the U.S. House of Representatives Committee on Appropriations, as expressed in the Rural Development, Agriculture, and Related Agencies Appropriation Bill for fiscal year 1988. The charter for the NACMCF is available for viewing on the FSIS Internet Web page at [http://www.fsis.usda.gov/About/NACMCF\\_Charter/](http://www.fsis.usda.gov/About/NACMCF_Charter/).

The NACMCF provides scientific advice and recommendations to the Secretary of Agriculture and the Secretary of Health and Human Services on public health issues relative to the safety and wholesomeness of the U.S. food supply, including development of microbiological criteria and review and evaluation of epidemiological and risk assessment data and methodologies for assessing microbiological hazards in foods. The Committee also provides scientific advice and recommendations to the Centers for Disease Control and Prevention and the Departments of Commerce and Defense.

Mr. Ronald F. Hicks, Acting Deputy Under Secretary for Food Safety, USDA, is the Committee Chair; Dr. Stephen Sundlof, Director of the Food and Drug Administration's Center for Food Safety and Applied Nutrition (CFSAN), is the Vice-Chair; and Gerri Ransom, FSIS, is the Executive Secretary.

At the subcommittee meetings the week of March 16–19, 2009, the groups will discuss:

- The determination of the most appropriate technologies for the FSIS to adopt in performing routine and baseline microbiological analyses, and
- Parameters for inoculated-pack challenge study protocols.

**Documents Reviewed by NACMCF**

FSIS intends to make available to the public all materials that are reviewed and considered by NACMCF regarding its deliberations. Generally, these materials will be made available as soon as possible after the full Committee meeting. Further, FSIS intends to make these materials available in electronic format on the FSIS Web page (<http://www.fsis.usda.gov>), as well as in hard copy format in the FSIS Docket Room. Often, an attempt is made to make the materials available at the start of the full