

contacted on VHF-FM marine band radio channel 13 (165.65 Mhz) and channel 16 (156.8 Mhz).

(d) *Enforcement Period:* This regulation will be enforced from 8 a.m. to 11 p.m. beginning July 30, 2009, to August 8, 2009.

Dated: July 2, 2009.

**M.S. Ogle,**

*Captain, U.S. Coast Guard Captain of the Port Hampton Roads.*

[FR Doc. E9-16829 Filed 7-14-09; 8:45 am]

BILLING CODE 4910-15-P

## POSTAL SERVICE

### 39 CFR Part 111

#### Price Marking Requirements for Commercial Base and Commercial Plus Pricing

**AGENCY:** Postal Service™.

**ACTION:** Final rule.

**SUMMARY:** The Postal Service is implementing new price marking requirements on Express Mail® and Priority Mail® pieces mailed at commercial base and commercial plus prices. The new markings are needed to fulfill our revenue reporting and revenue assurance requirements.

**DATES:** *Effective Date:* November 2, 2009.

**FOR FURTHER INFORMATION CONTACT:** Monica Grein, 202-268-8411.

**SUPPLEMENTARY INFORMATION:** On April 3, 2009, the Postal Service published a **Federal Register** proposed rule (Volume 74, Number 63, pages 15226-15227) inviting comments on a revision to require price markings on Express Mail and Priority Mail pieces mailed at commercial base and commercial plus prices. We received two sets of comments. After reviewing those comments, and upon further consideration of the proposed revisions, the Postal Service has decided to adopt the proposed regulations with no revisions.

As noted in the **SUPPLEMENTARY INFORMATION** section of the proposed rule, the Postal Service is revising the *Mailing Standards of the United States Postal Service*, Domestic Mail Manual (DMM®) to require price markings on Express Mail and Priority Mail pieces mailed at the commercial base or the commercial plus prices. The new markings will help us determine which price was applied to these pieces, and verify that the pieces qualify for the price claimed. The markings must appear on pieces paid by any means

except permit imprint or Express Mail Corporate Account.

Under this final rule, mailers must print or produce as part of the meter imprint or PC Postage® indicia—“Commercial Base Price,” “Commercial Base Pricing,” or “ComBasPrice,” for pieces paid at the Commercial Base price; and “Commercial Plus Price,” “Commercial Plus Pricing,” or “ComPlsPrice” for pieces paid at the Commercial Plus price. The appropriate marking must appear directly above, directly below, or to the left of the postage.

#### Evaluation of Comments Received

The Postal Service received two sets of comments. Both of the comments suggested that the Postal Service allow the markings “Express CBP” and “Priority CBP.” We have decided not to add these markings to the list of acceptable price markings because “Priority Mail” and “Express Mail” are trademarks owned by the Postal Service for expedited delivery services and expedited delivery packaging. The use of an incomplete trademark, *i.e.*, the single words “Priority” or “Express” on “Priority Mail” pieces or “Express Mail” pieces is unacceptable to the Postal Service.

One commenter also asked that we extend our effective date past the 90 days we proposed. Even though the Postal Service thinks 90 days is sufficient time to conform to this rule, mailers requiring additional time may submit a request for an exception to the Manager, Mailing Standards. Requests will be evaluated based on the circumstances of the individual mailer’s progress towards transition.

The Postal Service adopts the following changes to *Mailing Standards of the United States Postal Service*, Domestic Mail Manual (DMM®), which is incorporated by reference in the Code of Federal Regulations. *See* 39 CFR 111.1.

#### List of Subjects in 39 CFR Part 111

Administrative practice and procedure, Postal Service.

■ Accordingly, 39 CFR Part 111 is amended as follows:

#### PART 111—[AMENDED]

■ 1. The authority citation for 39 CFR Part 111 continues to read as follows:

**Authority:** 5 U.S.C. 552(a); 39 U.S.C. 101, 401, 403, 404, 414, 416, 3001-3011, 3201-3219, 3403-3406, 3621, 3622, 3626, 3632, 3633, and 5001.

■ 2. Revise the following sections of *Mailing Standards of the United States*

*Postal Service*, Domestic Mail Manual (DMM) as follows:

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#### 400 Commercial Parcels

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#### 402 Elements on the Face of a Mailpiece

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### 2.0 Placement and Content of Markings

[Renumber 2.1 through 2.5 as 2.2 through 2.6 and add new 2.1, Express Mail and Priority Mail Markings, as follows:]

#### 2.1 Express Mail and Priority Mail Markings

Except for pieces paid using permit imprint or an Express Mail Corporate Account, Express Mail and Priority Mail pieces claiming the commercial base or commercial plus price must bear the appropriate price marking, printed on the piece or produced as part of the meter imprint or PC Postage indicia. Place the marking directly above, directly below, or to the left of the postage. Markings are as follows: a. “Commercial Base Price,” “Commercial Base Pricing,” or “ComBasPrice.” b. “Commercial Plus Price,” “Commercial Plus Pricing,” or “ComPlsPrice.”

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#### 410 Express Mail

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#### 415 Mail Preparation

[Reorganize and revise section 1.0 by adding a new 1.2 as follows:]

### 1.0 General Information for Mail Preparation

#### 1.1 Express Mail Packaging Provided by the USPS

Express Mail packaging provided by the USPS must be used only for Express Mail. Regardless of how the packaging is reconfigured or how markings may be obliterated, any material mailed in USPS-provided Express Mail packaging is charged the appropriate Express Mail price.

#### 1.2 Price Marking

Except for pieces paid using an Express Mail Corporate Account, Express Mail pieces claiming the commercial base or commercial plus price must bear the appropriate price marking, printed on the piece or produced as part of the meter imprint or PC Postage indicia. Place the marking directly above, directly below, or to the left of the postage. Markings are as follows:

a. "Commercial Base Price," "Commercial Base Pricing," or "ComBasPrice."

b. "Commercial Plus Price," "Commercial Plus Pricing," or "ComPlsPrice."

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420 Priority Mail

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425 Mail Preparation

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2.0 Marking

[Reorganize and revise section 2.0 as follows:]

2.1 Product Marking

The marking "Priority Mail" must be placed prominently on the address side of each piece of Priority Mail.

2.2 Price Marking

Except for pieces paid using permit imprint, Priority Mail pieces claiming the commercial base or commercial plus price must bear the appropriate price marking, printed on the piece or produced as part of the meter imprint or PC Postage indicia. Place the marking directly above, directly below, or to the left of the postage. Markings are as follows:

a. "Commercial Base Price," "Commercial Base Pricing," or "ComBasPrice."

b. "Commercial Plus Price," "Commercial Plus Pricing," or "ComPlsPrice."

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Stanley F. Mires,

Attorney, Legislative.

[FR Doc. E9-16205 Filed 7-14-09; 8:45 am]

BILLING CODE 7710-12-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[EPA-HQ-OPP-2008-0458; FRL-8423-8]

Fenamidone; Pesticide Tolerances

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This regulation establishes tolerances for residues of fenamidone in or on cilantro, leaves; grape; okra; turnip, greens; and vegetable, root, except sugar beet, subgroup 1B, except radish; and combined residues of fenamidone and its metabolite RPA 717879 in or on corn, field, forage; corn, field, grain; corn, field, stover; corn,

sweet, forage; corn, sweet, kernel plus cob with husks removed; corn, sweet, stover; soybean, forage; soybean, hay; and soybean, seed. It also removes existing permanent and time-limited tolerances on carrot that are superseded by the new tolerance on vegetable, root, except sugar beet, subgroup 1B, except radish. The new tolerance on grape will be a tolerance with regional registration (East of the Rocky Mountains) and will replace the current tolerance which is restricted to imported grapes. Interregional Research Project Number 4 (IR-4) and Bayer CropScience requested these tolerances under the Federal Food, Drug, and Cosmetic Act (FFDCA).

**DATES:** This regulation is effective July 15, 2009. Objections and requests for hearings must be received on or before September 14, 2009, and must be filed in accordance with the instructions provided in 40 CFR part 178 (see also Unit I.C. of the **SUPPLEMENTARY INFORMATION**).

**ADDRESSES:** EPA has established a docket for this action under docket identification (ID) number EPA-HQ-OPP-2008-0458. All documents in the docket are listed in the docket index available at <http://www.regulations.gov>. Although listed in the index, some information is not publicly available, e.g., Confidential Business Information (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 in the electronic docket 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 Docket Facility is open 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:** Susan Stanton, Registration Division (7505P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 305-5218; e-mail address: [stanton.susan@epa.gov](mailto:stanton.susan@epa.gov).

**SUPPLEMENTARY INFORMATION:**

**I. General Information**

*A. Does this Action Apply to Me?*

You may be potentially affected by this action if you are an agricultural producer, food manufacturer, or

pesticide manufacturer. Potentially affected entities may include, but are not limited to those engaged in the following activities:

- Crop production (NAICS code 111).
- Animal production (NAICS code 112).
- Food manufacturing (NAICS code 311).
- Pesticide manufacturing (NAICS code 32532).

This listing is not intended to be exhaustive, but rather to provide a guide for readers regarding entities likely to be affected by this action. Other types of entities not listed in this unit could also be affected. The North American Industrial Classification System (NAICS) codes have been provided to assist you and others in determining whether this action might apply to certain entities. 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. How Can I Access Electronic Copies of this Document?*

In addition to accessing electronically available documents at <http://www.regulations.gov>, you may access this **Federal Register** document electronically through the EPA Internet under the "**Federal Register**" listings at <http://www.epa.gov/fedrgstr>. You may also access a frequently updated electronic version of EPA's tolerance regulations at 40 CFR part 180 through the Government Printing Office's e-CFR cite at <http://www.gpoaccess.gov/ecfr>.

*C. Can I File an Objection or Hearing Request?*

Under section 408(g) of FFDCA, 21 U.S.C. 346a, any person may file an objection to any aspect of this regulation and may also request a hearing on those objections. You must file your objection or request a hearing on this regulation in accordance with the instructions provided in 40 CFR part 178. To ensure proper receipt by EPA, you must identify docket ID number EPA-HQ-OPP-2008-0458 in the subject line on the first page of your submission. All requests must be in writing, and must be mailed or delivered to the Hearing Clerk as required by 40 CFR part 178 on or before September 14, 2009.

In addition to filing an objection or hearing request with the Hearing Clerk as described in 40 CFR part 178, please submit a copy of the filing that does not contain any CBI for inclusion in the public docket that is described in **ADDRESSES**. Information not marked confidential pursuant to 40 CFR part 2 may be disclosed publicly by EPA