

associated with garlic from the EU and other countries.

We solicited comments on the notice for 60 days ending on May 20, 2011. We received three comments by that date. They were from an association of garlic producers, a State agricultural agency, and a governmental organization. One commenter was in favor of allowing the importation of garlic from the EU and other countries under the conditions described in the CIED. The remaining comments are discussed below.

Two commenters expressed concern that visual inspection and a phytosanitary certificate may not be sufficient to prevent the potential accidental introduction of the two weevils (*Brachymerus* spp. and *Dyspessa ulula*) into the United States. One of these commenters recommended the continued use of vacuum fumigation of garlic bulbs originating from countries where these weevils occur because larvae develop within garlic bulbs and could easily go undetected by visual inspection.

As mentioned in the CIED published with the previous notice, garlic infested with *Brachymerus* spp. or *D. ulula* is likely to be detected during inspection. Garlic heads infested with *D. ulula* have large internal cavities and darkened holes, often with secondary mold. The cloves may be completely eaten, leaving only the outer coverings of the garlic head with the larval excrements, and a strongly attacked batch of garlic can be detected by a weight shortage (between 40 percent and 80 percent of the normal weight).

Regarding the risk of introducing *Brachymerus* spp. via the importation of garlic, *Brachymerus* spp. are rarely intercepted even in passenger baggage, with only 16 interceptions from all countries, all sources, over a 27-year period. When they are present, adult females lay clusters of eggs in holes chewed in the garlic bulb. *Brachymerus* spp. larvae bore into the garlic bulb, leaving bulging lumps, holes, frass, and fungal decay, while mature larvae are often visible externally. Because *Brachymerus* spp. cause noticeable damage to the commodity, garlic bulbs infested with this pest would be culled during packing processes or identified during inspection by the NPPO in the originating country and, therefore, are unlikely to be included in shipments. The symptoms of *Brachymerus* spp. infestation can also be readily inspected for at the port of entry into the United States.

One commenter also stated that APHIS provided no technical or scientific reason to revise regulations and no underlying, scientific, or

technical basis for the historical fumigation exemption for France, Italy, and Spain. The commenter noted that pests have been intercepted in shipments of fresh garlic from countries currently allowed to ship without fumigation and that removing the fumigation requirement because the interceptions have been infrequent is inappropriate.

Although we do not have the background for the exemptions afforded to these countries, we can conclude that the decision was based on a historical lack of pest detections. Garlic from Spain and Italy has been allowed entry into the United States without methyl bromide fumigation since at least 1972. Garlic from France has been imported under similar restrictions for some time as well. Although pests have been found on garlic imported from these countries, such interceptions have occurred very rarely and these pests have not been introduced into the United States since importation of garlic from these countries began. Our experience inspecting garlic from France, Italy, and Spain, as reflected in the pest interception data, suggests that visual inspection is sufficient to mitigate the risks of introducing or disseminating plant pests or noxious weeds via the importation of garlic into the continental United States.

For these reasons, APHIS has concluded that commercial garlic for export from the EU and other countries is unlikely to contain the identified quarantine pests and any pests associated with this commodity would be detected by inspection. Accordingly, we have determined that no changes to the CIED are necessary based on these comments.

Therefore, in accordance with the regulations in § 319.56–4(c)(2)(ii), we are announcing our decision to authorize the importation into the continental United States of fresh garlic from the European Union and other countries subject to the following phytosanitary measures:

- The garlic must be accompanied by a phytosanitary certificate with an additional declaration attesting freedom from *Brachymerus* spp. and *Dyspessa ulula*.
- The garlic may be imported into the continental United States in commercial consignments only.

These conditions will be listed in the Fruits and Vegetables Import Requirements database (available at <http://www.aphis.usda.gov/favir>). In addition to these specific measures, garlic from the European Union and other countries will be subject to the general requirements listed in § 319.56–

3 that are applicable to the importation of all fruits and vegetables.

**Authority:** 7 U.S.C. 450, 7701–7772, and 7781–7786; 21 U.S.C. 136 and 136a; 7 CFR 2.22, 2.80, and 371.3.

Done in Washington, DC, this 22nd day of July 2011.

**Kevin Shea,**

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

[FR Doc. 2011–19036 Filed 7–26–11; 8:45 am]

**BILLING CODE 3410–34–P**

## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

[Docket No. APHIS–2011–0023]

#### **Monsanto Co.; Availability of Petition, Plant Pest Risk Assessment, and Environmental Assessment for Determination of Nonregulated Status for Corn Genetically Engineered for Drought Tolerance**

**AGENCY:** Animal and Plant Health Inspection Service, USDA.

**ACTION:** Notice; reopening of comment period.

**SUMMARY:** We are reopening the comment period for a petition received from the Monsanto Company seeking a determination of nonregulated status for corn designated as MON 87460, which has been genetically engineered for drought tolerance. This action will allow interested persons additional time to prepare and submit comments on the Monsanto petition, our plant pest risk assessment, and our draft environmental assessment for the proposed determination of nonregulated status.

**DATES:** We will consider all comments that we receive on or before August 12, 2011.

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

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov/#!documentDetail;D=APHIS-2011-0023-0001>.

- *Postal Mail/Commercial Delivery:* Send your comment to Docket No. APHIS–2011–0023, Regulatory Analysis and Development, PPD, APHIS, Station 3A–03.8, 4700 River Road, Unit 118, Riverdale, MD 20737–1238.

Supporting documents and any comments we receive on this docket may be viewed at <http://www.regulations.gov/#!docketDetail;D=APHIS-2011-0023> or in our reading room, which 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.

The petition, draft environmental assessment, and plant pest risk assessment are also available on the APHIS Web site at [http://www.aphis.usda.gov/brs/aphisdocs/09\\_05501p.pdf](http://www.aphis.usda.gov/brs/aphisdocs/09_05501p.pdf), [http://www.aphis.usda.gov/brs/aphisdocs/09\\_05501p\\_dea.pdf](http://www.aphis.usda.gov/brs/aphisdocs/09_05501p_dea.pdf), and [http://www.aphis.usda.gov/brs/aphisdocs/09\\_05501p\\_dpra.pdf](http://www.aphis.usda.gov/brs/aphisdocs/09_05501p_dpra.pdf).

**FOR FURTHER INFORMATION CONTACT:** Mr. Evan Chestnut, Policy Analyst, Biotechnology Regulatory Services, APHIS, 4700 River Road, Unit 147, Riverdale, MD 20737-1236; (301) 734-0942, e-mail: [evan.a.chestnut@aphis.usda.gov](mailto:evan.a.chestnut@aphis.usda.gov). To obtain copies of the petition, draft environmental assessment, or plant pest risk assessment, contact Ms. Cindy Eck at (301) 734-0667, e-mail: [cynthia.a.eck@aphis.usda.gov](mailto:cynthia.a.eck@aphis.usda.gov).

**SUPPLEMENTARY INFORMATION:** On May 11, 2011, we published in the **Federal Register** (76 FR 27303-27304, Docket No. APHIS-2011-0023) a notice<sup>1</sup> advising the public that the Animal and Plant Health Inspection Service (APHIS) has received a petition from the Monsanto Company seeking a determination of nonregulated status for corn designated as MON 87460, which has been genetically engineered for drought tolerance.

Comments on the Monsanto petition, our plant pest risk assessment, and our draft environmental assessment for the proposed determination of nonregulated status were required to be received on or before July 11, 2011. We are reopening the comment period on Docket No. APHIS-2011-0023 for an additional 30 days, ending August 12, 2011. We will also consider all comments received between July 12, 2011 (the day after the close of the original comment period) and the date of this notice. This action will allow interested persons additional time to prepare and submit comments on the Monsanto petition, our plant pest risk assessment, and our draft environmental assessment for the proposed determination of nonregulated status.

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

<sup>1</sup> To view the notice, supporting documents, and any comments we have received, go to <http://www.regulations.gov/#!docketDetail;D=APHIS-2011-0023>.

Done in Washington, DC, this 22nd day of July 2011.

**Kevin Shea,**

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

[FR Doc. 2011-19039 Filed 7-26-11; 8:45 am]

**BILLING CODE 3410-34-P**

## DEPARTMENT OF AGRICULTURE

### Forest Service

#### Information Collection; Locatable Minerals

**AGENCY:** Forest Service, USDA.

**ACTION:** Notice, request for comment.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, the Forest Service is seeking comments from all interested individuals and organizations on the extension of a currently approved information collection, Locatable Minerals-36 CFR part 228, subpart A.

**DATES:** Comments must be received in writing on or before September 26, 2011 to be assured of consideration.

Comments received after that date will be considered to the extent practicable.

**ADDRESSES:** Comments concerning this notice should be addressed to: USDA, Forest Service, Minerals and Geology Management Staff, Mail Stop 1126, 1601 N. Kent Street, 5th Floor, Arlington, VA 22209.

Comments also may be submitted via facsimile to 703-605-1575 or by e-mail to: [36cfr228a@fs.fed.us](mailto:36cfr228a@fs.fed.us).

The public may inspect comments received at USDA Forest Service, Minerals and Geology Management Staff, 1601 N. Kent St., 5th Floor, Arlington, Virginia 22209, during normal business hours. Visitors are encouraged to call ahead to 703-605-4794 to facilitate entry to the building.

**FOR FURTHER INFORMATION CONTACT:**

Tony Ferguson, Director, Minerals and Geology Management, at 703-605-4785. Individuals who use telecommunication devices for the deaf (TDD) may call the Federal Relay Service (FRS) at 1-800-877-8339 twenty-four hours a day, every day of the year, including holidays.

**SUPPLEMENTARY INFORMATION:**

*Title:* Locatable Minerals—36 CFR Part 228, Subpart A.

*OMB Number:* 0596-0022.

*Expiration Date of Approval:* December 31, 2011.

*Type of Request:* Extension of a currently approved collection.

*Abstract:* This collection of information is necessary to ensure that the environmental impacts associated

with locatable mineral operations on National Forest System (NFS) lands are minimized to the extent practicable. The Forest Service regulations at 36 CFR 228.5 require mining operators, with some exceptions, to notify the authorized Forest Service officer of their intent to conduct a locatable mineral operation on NFS lands by filing a Notice of Intent or Plan of Operations. Title 36 CFR part 228.10 requires mining operators to submit a Cessation of Operation when mining operations are temporarily ceased, other than for seasonal closure.

There is not a required format for the information collection, but all information identified in 36 CFR part 228 must be included. Form FS-2800-5, Plan of Operations for Mining Activities on National Forest System Lands, is available for use by mining operators to simplify this process. The information required in a Plan of Operations, detailed in 36 CFR 228.4(c), (d), and (e), includes:

1. The name and legal mailing address of operators (and claimants if they are not the same) and their lessees, assigns, or designees.

2. A map or sketch showing information sufficient to locate:

a. The proposed area of operations on the ground.

b. Existing and/or proposed roads or access routes to be used in connection with the operation as set forth in 36 CFR 228.12 on access.

c. The approximate location and size of areas where surface resources will be disturbed.

3. Information sufficient to describe:

a. The type of operations proposed and how they would be conducted.

b. The type and standard of existing and proposed roads or access routes.

c. The means of transportation used or to be used as set forth in 36 CFR 228.12.

d. The period during which the proposed activity will take place.

e. Measures to be taken to meet the requirements for environmental protection in 36 CFR 228.8.

A Notice of Intent is required, as detailed in 36 CFR 228.4(a)(2), to include information sufficient to identify the area involved, the nature of the proposed operation, the route of access to the area of operations, and the method of transport. A Cessation of Operations is required, as detailed in 36 CFR 228.10, to include verification of intent to maintain structures, equipment, and other facilities; expected reopening date; and an estimate of extended durations of operations.

These collections of information are crucial to protecting surface resources,