

DEPARTMENT OF AGRICULTURE**Agricultural Marketing Service****[Document No. AMS-ST-13-0019]****Plant Variety Protection Board; Open Teleconference Meeting****AGENCY:** Agricultural Marketing Service, USDA.**ACTION:** Notice of meeting.**SUMMARY:** This notice is intended to notify the public of their opportunity to attend an open meeting of the Plant Variety Protection Board.**DATES:** July 31, 2013 2:00 p.m. to 4:00 p.m., open to the public.**ADDRESSES:** The meeting will be held at the United States Department of Agriculture, Room 4530, South Building, 1400 Independence Avenue SW., Washington, DC 20250.**FOR FURTHER INFORMATION CONTACT:** Ms. Jennifer Banks, Plant Variety Protection Office, Science and Technology Programs, Agricultural Marketing Service, United States Department of Agriculture, 1400 Independence, Avenue SW., Washington, DC 20250. Telephone number (202) 260-8983, fax (202) 260-8976, or email: jennifer.banks@ams.usda.gov.**SUPPLEMENTARY INFORMATION:** Pursuant to the provisions of section 10(a) of the Federal Advisory Committee Act (5 U.S.C., Appendix 2), this notice is given regarding an upcoming Plant Variety Protection (PVP) Board meeting. The Plant Variety Protection Act (PVPA) (7 U.S.C. 2321 *et seq.*) provides legal protection in the form of intellectual property rights to developers of new varieties of plants, which are reproduced sexually by seed or are tuber-propagated. A Certificate of Plant Variety Protection is awarded to an owner of a crop variety after an examination shows that it is new, distinct from other varieties, genetically uniform and stable through successive generations. The term of protection is 20 years for most crops and 25 years for trees, shrubs, and vines. The PVPA also provides for a statutory Board (7 U.S.C. 2327). The duties of the Board are to: (1) Advise the Secretary concerning the adoption of rules and regulations to facilitate the proper administration of the Act; (2) provide advisory counsel to the Secretary on appeals concerning decisions on applications by the PVP Office and on requests for emergency public-interest compulsory licenses; and (3) advise the Secretary on any other matters under the Regulations and Rules of Practice and on all questions under

Section 44 of the Act, "Public Interest in Wide Usage" (7 U.S.C. 2404).

The purpose of the meeting will be to introduce the topics of the PVP Office's 2013 achievements, ongoing process improvements, plans for electronic applications/database conversion, and concepts on using molecular techniques for PVP distinctness characterization. The proposed agenda for the PVP Board meeting will include a welcome by Department officials followed by a discussion focusing on program activities that encourage the development of new plant varieties and appeals to the Secretary. The agenda will also include presentations on the PVP Process Improvement, electronic PVP application/computer database development, and the use of molecular markers for PVP applications.

The meeting will be open to the public. Those wishing to attend or phone into the meeting are encouraged to pre-register by July 24, 2013 with the person listed under **FOR FURTHER INFORMATION CONTACT**. If you require accommodations, such as sign language interpreter, please contact the person listed under **FOR FURTHER INFORMATION CONTACT**. Minutes of the meeting will be available for public review 30 days following the meeting at the address listed under **FOR FURTHER INFORMATION CONTACT**. The minutes will also be posted on the Internet Web site <http://www.ams.usda.gov/PVPO>.

Dated: June 14, 2013.

Rex A. Barnes,*Associate Administrator, Agricultural Marketing Service.*

[FR Doc. 2013-14713 Filed 6-19-13; 8:45 am]

BILLING CODE 3410-02-P**DEPARTMENT OF AGRICULTURE****Agricultural Marketing Service****[Doc. No. AMS-FV-13-0035; FV13-996-1]****Peanut Standards Board****AGENCY:** Agricultural Marketing Service, USDA.**ACTION:** Notice; request for nominations.**SUMMARY:** The Farm Security and Rural Investment Act of 2002 (2002 Farm Bill) requires the Secretary of Agriculture to establish a Peanut Standards Board (Board) for the purpose of advising the Secretary on quality and handling standards for domestically produced and imported peanuts. The initial Board was appointed by the Secretary and announced on December 5, 2002. USDA seeks nominations for individuals to be considered for selection as Board members for terms of office ending June

30, 2016. Selected nominees would replace three producer and three industry representatives who currently serve on the Board and have terms of office that end June 30, 2013. Also, one individual would fill a currently vacant industry position for a term of office ending June 30, 2015. The Board consists of 18 members representing producers and the industry. USDA values diversity. In an effort to obtain diversity among candidates, USDA encourages the nomination of men and women of all racial and ethnic groups and persons with a disability.

DATES: Written nominations must be received on or before July 22, 2013.**ADDRESSES:** Nominations should be sent to Jennie M. Varela, Marketing Order and Agreement Division, Fruit and Vegetable Program, AMS, USDA, 799 Overlook Drive, Suite A, Winter Haven, FL 33884; Telephone: (863) 324-3375; Fax: (863) 325-8793; Email: Jennie.Varela@ams.usda.gov.**SUPPLEMENTARY INFORMATION:** Section 1308 of the 2002 Farm Bill requires the Secretary of Agriculture to establish and consult with the Board for the purpose of advising the Secretary regarding the establishment of quality and handling standards for all domestic and imported peanuts marketed in the United States.

The 2002 Farm Bill provides that the Board's makeup will include three producers and three peanut industry representatives from States specified in each of the following producing regions: Southeast (Alabama, Georgia, and Florida); Southwest (Texas, Oklahoma, and New Mexico); and Virginia/Carolina (Virginia and North Carolina).

The term "peanut industry representatives" includes, but is not limited to, representatives of shellers, manufacturers, buying points, and marketing associations and marketing cooperatives. The 2002 Farm Bill exempted the appointment of the Board from the requirements of the Federal Advisory Committee Act.

USDA invites individuals, organizations, and groups affiliated with the categories listed above to nominate individuals for membership on the Board. Nominees sought by this action would fill two positions in the Southeast region; three positions in the Southwest region, one of which is currently vacant; and two positions in the Virginia/North Carolina region.

Nominees should complete a Peanut Standards Board Background Information form and submit it to Jennie Varela at the address provided in the "Addresses" section above. Copies of this form may be obtained at the Internet site www.ams.usda.gov/

PeanutStandardsBoard, or from Jennie Varela. USDA seeks a diverse group of members representing the peanut industry.

Equal opportunity practices will be followed in all appointments to the Board in accordance with USDA policies. To ensure that the recommendations of the Board have taken into account the needs of the diverse groups within the peanut industry, membership shall include, to the extent practicable, individuals with demonstrated abilities to represent minorities, women, persons with disabilities, and limited resource agriculture producers.

Authority: 7 U.S.C. 7958.

Dated: June 14, 2013.

Rex A. Barnes,

Associate Administrator, Agricultural Marketing Service.

[FR Doc. 2013-14714 Filed 6-19-13; 8:45 am]

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DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[Docket No. APHIS-2012-0026]

Pioneer Hi-Bred International, Inc.; Determination of Nonregulated Status of Maize Genetically Engineered for Herbicide and Insect Resistance

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice.

SUMMARY: We are advising the public of our determination that a maize line developed by Pioneer Hi-Bred International Inc., designated as maize event DP-ØØ4114-3, which has been genetically engineered to be resistant to certain lepidopteran and coleopteran pests and to the herbicide glufosinate, 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 Pioneer Hi-Bred International, Inc., in its petition for a determination of nonregulated status, our analysis of available scientific data, and comments received from the public in response to our previous notice announcing the availability of the petition for nonregulated status and its associated environmental assessment and plant pest risk assessment. This notice also announces the availability of our written determination and finding of no significant impact.

DATES: *Effective Date:* June 20, 2013.

ADDRESSES: Supporting documents, comments we received on our previous notice announcing our preliminary determination, and our responses to those comments may be viewed at <http://www.regulations.gov/#!docketDetail;D=APHIS-2012-0026> 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) 799-7039 before coming. Supporting documents are also available on the APHIS Web site at http://www.aphis.usda.gov/biotechnology/petitions/table_pending.shtml under APHIS petition Number 11-244-01p.

FOR FURTHER INFORMATION CONTACT: Dr. Rebecca Stankiewicz Gabel, Chief, Environmental Risk Analysis Programs, Biotechnology Regulatory Services, APHIS, 4700 River Road Unit 147, Riverdale, MD 20737-1236; (301) 851-3927, email: rebecca.l.stankiewicz-gabel@aphis.usda.gov. To obtain copies of the documents referred to in this notice, contact Ms. Cindy Eck at (301) 851-3892, email: cynthia.a.eck@aphis.usda.gov.

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.

APHIS received a petition (APHIS Petition Number 11-244-01p) from Pioneer Hi-Bred International, Inc., (Pioneer) of Johnston, IA, seeking a

determination of nonregulated status for maize (*Zea mays*) designated as maize event DP-ØØ4114-3 (event 4114), which has been genetically engineered to be resistant to certain lepidopteran pests, including European corn borer (*Ostrinia nubilalis*), and certain coleopteran pests, including western corn rootworm (*Diabrotica virgifera virgifera*), as well as to the herbicide glufosinate. The petition stated that this maize is unlikely to pose a plant pest risk and, therefore, should not be a regulated article under APHIS’ regulations in 7 CFR part 340.

In a notice¹ published in the **Federal Register** on February 27, 2013 (78 FR 13312-13313, Docket No. APHIS-2012-0026), APHIS announced the availability of the Pioneer petition, a plant pest risk assessment (PPRA), and a draft environmental assessment (EA) for public comment. APHIS solicited comments on the petition, whether the subject maize is likely to pose a plant pest risk, the draft EA, and the PPRA for 60 days ending on April 29, 2013.

APHIS received 12 comments during the comment period: Several of these comments included electronic attachments consisting of a consolidated document of identical letters for a total of 573 comments. Issues raised during the comment period include potential effects on human and animal health and non-target organisms, herbicide resistance, corn rootworm resistance, effects of stacked genes, and the length of the comment period. APHIS has addressed the issues raised during the comment period and has provided responses to comments as an attachment to the finding of no significant impact.

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 of Pioneer’s maize event 4114, an EA has been 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 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 our EA, the response to public comments, and other pertinent

¹ To view the notice, petition, draft EA, the PPRA, and the comments we received, go to <http://www.regulations.gov/#!docketDetail;D=APHIS-2012-0026>.