

# Rules and Regulations

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This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

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## MERIT SYSTEMS PROTECTION BOARD

### 5 CFR Parts 1201 and 1209

#### Practices and Procedures

**AGENCY:** Merit Systems Protection Board.

**ACTION:** Final rule.

**SUMMARY:** The Merit Systems Protection Board (MSPB or the Board) is adopting as final an interim rule that conformed the Board's regulations to legislative changes that amended whistleblower protections for Federal employees and the penalties available in cases where the MSPB determines that a Federal employee or a State or local officer or employee violated restrictions on partisan political activity.

**DATES:** *Effective:* September 16, 2013.

**FOR FURTHER INFORMATION CONTACT:** William D. Spencer, Clerk of the Board, Merit Systems Protection Board, 1615 M Street NW., Washington, DC 20419; phone: (202) 653-7200; fax: (202) 653-7130; or email: [mspb@mspb.gov](mailto:mspb@mspb.gov).

**SUPPLEMENTARY INFORMATION:** On July 2, 2013, the Board published an interim final rule amending 5 CFR parts 1201 and 1209. 78 FR 39543. The interim final rule was necessary to conform the MSPB's regulations to recent amendments to Federal law contained in the Hatch Act Modernization Act of 2012, Public Law 112-230 (the Act) and the Whistleblower Protection Enhancement Act of 2012, Public Law 112-199 (WPEA). A detailed discussion of the amendments to the Board's regulations required by the Act and the WPEA is set forth in the interim rule.

The Board received no comments in response to the interim rule. Therefore, the Board has determined to adopt the interim rule as final without change.

### List of Subjects in 5 CFR Parts 1201 and 1209

Administrative practice and procedure.

**William D. Spencer,**  
*Clerk of the Board.*

### Interim Rule Adopted as Final Without Change

Accordingly, the interim rule amending 5 CFR parts 1201 and 1209, which was published at 78 FR 39543, on July 2, 2013, is adopted as a final rule without change.

[FR Doc. 2013-22439 Filed 9-13-13; 8:45 am]

**BILLING CODE 7400-01-P**

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

#### 7 CFR Part 205

**[Document Number AMS-NOP-13-0057; NOP-13-03]**

#### National Organic Program—Sunset Process

**AGENCY:** Agricultural Marketing Service, USDA.

**ACTION:** Notification of sunset process.

**SUMMARY:** This document describes the sunset review and renewal process for substances on the National List of Allowed and Prohibited Substances (National List), a subpart of the U.S. Department of Agriculture (USDA) organic regulations. The Organic Foods Production Act of 1990 (OFPA) requires that the National Organic Standards Board (NOSB), a 15-member federal advisory committee, review all substances and that the Secretary of Agriculture (Secretary) renew these substances, within 5 years of their addition to or renewal on the National List. This action of NOSB review and USDA renewal is commonly referred to as the "Sunset Process." This document informs stakeholders about the process that the NOSB will use to complete their responsibility to review substances under OFPA's sunset provision. This document also informs stakeholders about the process that the Secretary and the Agricultural Marketing Service's (AMS) National Organic Program (NOP) will use to complete the USDA's responsibilities under OFPA's sunset provision.

**DATES:** The process announced by this document is effective on September 17, 2013.

**FOR FURTHER INFORMATION CONTACT:** Melissa Bailey, Ph.D., Director, Standards Division, Telephone: (202) 720-3252; Fax: (202) 205-7808.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

##### *What is the National List?*

The OFPA authorized the establishment of a National List of Allowed and Prohibited Substances (National List) (7 U.S.C. 6517). The National List, a subpart of the USDA organic regulations, identifies the synthetic substances that are allowed (exemptions) and the nonsynthetic (natural) substances that are not allowed (prohibitions) in organic production (7 CFR 205.601-604). Nonsynthetic substances are generally permitted to be used in organic production and are not required to be included on the National List. The USDA organic regulations specifically prohibit the use of any synthetic substance in organic production and handling unless the synthetic substance is on the National List (§ 205.105). The National List also identifies the nonorganic substances that may be used in organic handling (§§ 205.605-205.606). Any nonorganic substance used in organic handling must also be included on the National List (§ 205.105).

Changes to the National List may be requested by any individual or organization through the National List Petition Process. Petitioners may submit a petition requesting the addition of a substance, the removal of a substance, or an amendment to a substance already on the National List. Section 205.607 of the USDA organic regulations addresses amending the National List. In addition, AMS published in the **Federal Register** guidelines regarding the submission of petitions for the National List on January 18, 2007 (72 FR 2167). This information can also be accessed through the NOP Web site at <http://www.ams.usda.gov/nop>.

##### *What is the National Organic Standards Board?*

The NOSB is a 15-member Federal Advisory Committee that assists in the development of standards for substances to be used in organic production and handling (7 U.S.C. 6518(a)). The NOSB