

**SUMMARY:** In accordance with the Federal Advisory Committee Act (FACA) (5 U.S.C. App.), this notice announces that the Secretary of Agriculture intends to renew the Plant Variety Protection Board (PVP Board).

**FOR FURTHER INFORMATION CONTACT:** Paul Zankowski, USDA, Agricultural Marketing Service (AMS), Plant Variety Protection Office; 1400 Independence Avenue SW., Room 4512; Washington, DC 20250 or by phone at (202) 720-1128 or by Internet: <http://www.regulations.gov> or by email: [Paul.Zankowski@ams.usda.gov](mailto:Paul.Zankowski@ams.usda.gov).

**SUPPLEMENTARY INFORMATION:** 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, and 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) to be appointed by the Secretary of Agriculture. 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). Renewing the PVP Board is necessary and in the public interest.

The PVPA provides that "the Board shall consist of individuals who are experts in various areas of varietal development covered by this Act." The Board membership "shall include farmer representation and shall be drawn approximately equally from the private or seed industry sector and from the sector of government or the public." The Board consists of 14 members, each of whom is appointed for a 2-year period, with no member appointed for more than three 2-year periods. Nominations are made by farmers' associations, trade associations in the seed industry, professional associations representing expertise in seed technology, plant breeding, and variety development, public and private

research and development institutions (13 members) and the USDA (one member).

Equal opportunity practices, in agreement with USDA nondiscrimination policies, will be followed in all membership appointments to the Board. To ensure that the suggestions of the Board have taken into account the needs of the diverse groups served by USDA, membership shall include, to the extent practicable, individuals with demonstrated ability to represent minorities, women, and persons with disabilities.

The Charter for the PVP Board will be available on the Web site at: [http://www.facadatabase.gov/download.aspx?fn=Charters/1309\\_2013.09.11\\_PVPBCharter2.7.13\\_\(2013-09-11-05-03-31\).pdf](http://www.facadatabase.gov/download.aspx?fn=Charters/1309_2013.09.11_PVPBCharter2.7.13_(2013-09-11-05-03-31).pdf) or may be requested by contacting the individual identified in the **FOR FURTHER INFORMATION CONTACT** section of this notice.

USDA prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, and marital or family status. Persons with disabilities who require alternative means for communication of program information (Braille, large print, or audiotape) should contact USDA's Target Center at 202-720-2600 (voice and TTY).

To file a written complaint of discrimination, write USDA, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue SW., Washington, DC 20250-9410 or call 202-720-5964 (voice and TTY). USDA is an equal opportunity provider and employer.

Dated: February 23, 2015.

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

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**BILLING CODE 3410-02-P**

## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

[Docket No. APHIS-2015-0007]

#### Notice of Availability of a Treatment Evaluation Document; Methyl Bromide Fumigation of Figs

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

**ACTION:** Notice of availability.

**SUMMARY:** We are advising the public that we have determined that it is necessary to immediately add to the

Plant Protection and Quarantine Treatment Manual a new treatment schedule for methyl bromide fumigation of figs for external pests, including Chilean false red mite. We have prepared a treatment evaluation document that describes the new treatment schedule and explains why we have determined that it is effective at neutralizing these pests. We are making the treatment evaluation document available to the public for review and comment.

**DATES:** We will consider all comments that we receive on or before May 28, 2015.

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

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov/#/docketDetail;D=APHIS-2015-0007>.

- *Postal Mail/Commercial Delivery:* Send your comment to Docket No. APHIS-2015-0007, 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-2015-0007> 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.

**FOR FURTHER INFORMATION CONTACT:** Dr. Inder P.S. Gadh, Senior Risk Manager-Treatments, PPQ, APHIS, 4700 River Road Unit 133, Riverdale, MD 20737; (301) 851-2018.

**SUPPLEMENTARY INFORMATION:** The regulations in 7 CFR chapter III are intended, among other things, to prevent the introduction or dissemination of plant pests and noxious weeds into or within the United States. Under the regulations, certain plants, fruits, vegetables, and other articles must be treated before they may be moved into the United States or interstate. The phytosanitary treatments regulations contained in 7 CFR part 305 (referred to below as the regulations) set out standards for treatments required in 7 CFR parts 301, 318, and 319 for fruits, vegetables, and other articles.

In § 305.2, paragraph (b) states that approved treatment schedules are set out in the Plant Protection and

Quarantine (PPQ) Treatment Manual.<sup>1</sup> Section 305.3 sets out a process for adding, revising, or removing treatment schedules in the PPQ Treatment Manual. In that section, paragraph (b) sets out the process for adding, revising, or removing treatment schedules when there is an immediate need to make a change. The circumstances in which an immediate need exists are described in § 305.3(b)(1). They are:

- PPQ has determined that an approved treatment schedule is ineffective at neutralizing the targeted plant pest(s).
- PPQ has determined that, in order to neutralize the targeted plant pest(s), the treatment schedule must be administered using a different process than was previously used.
- PPQ has determined that a new treatment schedule is effective, based on efficacy data, and that ongoing trade in a commodity or commodities may be adversely impacted unless the new treatment schedule is approved for use.
- The use of a treatment schedule is no longer authorized by the U.S. Environmental Protection Agency or by any other Federal entity.

A treatment schedule currently listed in the PPQ Treatment Manual (T101-i-2-1) requires baby kiwi (*Actinidia arguta*), fig (*Ficus carica*), grape (*Vitis* spp.), and pomegranate (*Punica granatum*) to be treated with methyl bromide (MB) to prevent the introduction into the United States of external pests, including Chilean false red mite (*Brevipalpus chilensis*). The treatment as originally approved required the use of 1.5 lb □ 4.0 lb of MB gas per 1,000 ft<sup>3</sup> for 2 hours at temperatures of 40 °F or above. However, in 2006, APHIS determined that this treatment was insufficient to mitigate the risk from the mite on grapes. Therefore, as an emergency measure, the treatment was amended to require a longer exposure time of up to 3 hours under tarpaulin or 2.5 hours in chamber. As an emergency measure, this action was done administratively and was not meant to be permanent.

On April 4, 2011, APHIS published a notice<sup>2</sup> in the **Federal Register** (76 FR 18511–18512, Docket No. APHIS–2009–0097) that approved the use of this revised treatment to treat figs from Chile

in order to meet U.S. entry requirements. Since publication of that notice, we have determined that figs have a higher sorption rate of the MB gas than other commodities. Therefore, in order to achieve 100 percent mortality of Chilean false red mite on figs, the figs must be exposed to a higher dose of MB.

In accordance with § 305.3(b)(2), we are providing notice that we have determined that it is necessary to add new treatment schedule T101-i-2-22, which provides for a MB treatment schedule for figs during an exposure period of 3 hours in a chamber at a dosage rate of 3.5 lbs gas/1,000 ft<sup>3</sup> at a temperature between 50 °F and 59 °F, 3 lbs gas/1,000 ft<sup>3</sup> at a temperature between 60 °F and 69 °F, and 2.5 lbs gas/1,000 ft<sup>3</sup> at a temperature of 70 °F or above. Since the efficacy of new schedule T101-i-2-2 was not verified under tarpaulin, the new treatment schedule is applicable only in chambers. This action also amends treatment schedule T101-i-2-1 by removing figs from the schedule and making the revised treatment schedule permanent. Revised treatment schedule T101-i-2-1 will continue to be applicable both in chambers and under tarpaulin for grapes, baby kiwis, and pomegranates. APHIS' experience with successful importation of these commodities using the existing treatment schedule has provided sufficient evidence to prove the effectiveness of the treatment. In order to have minimum adverse impact on the ongoing trade of figs and using the immediate process as provided in § 305.3(b), these changes are effective immediately upon publication of this notice. The new treatment schedule will be listed in a separate section of the PPQ Treatment Manual, which will indicate that T101-i-2-22 was added through the immediate process described in paragraph (b) of § 305.3 and that it is subject to change or removal based on public comment.

The reasons for the addition of this treatment schedule are described in detail in a treatment evaluation document we have prepared to support this action. The treatment evaluation document 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 treatment evaluation document by calling or writing to the person listed under **FOR FURTHER INFORMATION CONTACT**. Please refer to the subject of

the treatment evaluation document when requesting copies.

After reviewing the comments we receive, we will announce our decision regarding the new treatment schedule that is described in the treatment evaluation document in a subsequent notice, in accordance with paragraph (b)(3) of § 305.3. If we do not receive any comments, or the comments we receive do not change our determination that the treatment is effective, we will affirm the treatment schedule's addition to the PPQ Treatment Manual and make available a new version of the PPQ Treatment Manual in which T101-i-2-2 is listed in the main body of the PPQ Treatment Manual. If we receive comments that cause us to determine that T101-i-2-2 needs to be changed or removed, we will make available a new version of the PPQ Treatment Manual that reflects changes to or the removal of T101-i-2-2.

**Authority:** 7 U.S.C. 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 23rd day of February 2015.

**Kevin Shea,**

*Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 2015–04172 Filed 2–26–15; 8:45 am]

**BILLING CODE 3410–34-P**

## DEPARTMENT OF AGRICULTURE

### Forest Service

[EIS No. 2011–13640]

#### Retraction of Salt River Allotments Vegetative Management EIS

**AGENCY:** Forest Service, USDA.

**ACTION:** Retraction of NOI.

**SUMMARY:** The Forest Service has published a Notice of Intent (NOI) on May 25, 2011 for Salt River Allotments Vegetative Management EIS. This Environmental Impact Statement was first designed due to complexities encountered with a variety of current activities and environmental conditions that interconnect along Salt River. These activities include: White water rafting, wilderness values, critical habitat of aquatic and terrestrial species. Planned livestock grazing project included a desire by term-grazing permittees to graze livestock (*i.e.*, cattle) along river. **DATES:** Not Applicable.

**ADDRESSES:** No further comments will be received on this project.

**FOR FURTHER INFORMATION CONTACT:** A. Jamie Wages 7680 South Sixshooter Canyon Road Globe, Arizona 85501,

<sup>1</sup> The Treatment Manual is available on the Internet at [http://www.aphis.usda.gov/import\\_export/plants/manuals/ports/downloads/treatment.pdf](http://www.aphis.usda.gov/import_export/plants/manuals/ports/downloads/treatment.pdf) or by contacting the Animal and Plant Health Inspection Service, Plant Protection and Quarantine, Manuals Unit, 92 Thomas Johnson Drive, Suite 200, Frederick, MD 21702.

<sup>2</sup> To view the notice and the comments we received, go to <http://www.regulations.gov/#/docketDetail;D=APHIS-2009-0097>.