

would be inequitable or harmful to competition”).

⁸⁷ In the matter of Nestlé Holdings, Inc., et al., C–4082, 2005 WL 1786402, at *3 (F.T.C. July 15, 2005).

⁸⁸ In the matter of the Readers’ Digest Ass’n. No. C–2075, 102 F.T.C. 1268, 1971 WL 128725, at *2 (Sept. 30, 1983).

⁸⁹ Statement of Motives, P. de la C. 2440 (“Act 228”) (as translated) at 2.

⁹⁰ See Ximena Benavides, Disparate Health Care In Puerto Rico: A Battle Beyond Statehood, 23 Univ. of Penn. J. of Law and Social Change 163, 175 (2020).

⁹¹ *Id.*

⁹² *Id.*

⁹³ *Id.*

⁹⁴ NCPA, Local Pharmacies on the Brink, New Survey Reveals, <https://ncpa.org/newsroom/newsreleases/2024/02/27/local-pharmacies-brink-new-survey-reveals> (Feb. 27, 2024).

⁹⁵ NCPA, NCPA Report for February 2024 Survey of Independent Pharmacy Owners/Managers, <https://ncpa.org/sites/default/files/2024-02/Feb2024-DIRsurvey.Exec%20Summary.pdf> (Feb. 2024).

⁹⁶ NCPA, Local Pharmacies on the Brink, New Survey Reveals, at 1 <https://ncpa.org/newsroom/newsreleases/2024/02/27/local-pharmacies-brink-new-survey-reveals> (Feb. 27, 2024).

⁹⁷ *Id.*

⁹⁸ *Id.*

⁹⁹ Oct. 24, 2016 Letter to Sen. Orrin Hatch and Jose B. Carrión III, [https://www.finance.senate.gov/imo/media/doc/Puerto%20Rico%20Community%20Pharmacies%20Association%20\(Late%20-%20Submission%201\).pdf](https://www.finance.senate.gov/imo/media/doc/Puerto%20Rico%20Community%20Pharmacies%20Association%20(Late%20-%20Submission%201).pdf) (Oct. 24, 2016).

¹⁰⁰ *Id.* at 2.

¹⁰¹ *Id.*

¹⁰² RURAL HEALTH RESEARCH GATEWAY, Research Alert: Sept. 1, 2022, <https://www.ruralhealthresearch.org/alerts/504#:~:text=Between%202003%20and%202021%2C%20the,percent%20during%20the%20same%20period> (last accessed June 19, 2024).

¹⁰³ RUPRI CENTER FOR RURAL HEALTH POLICY ANALYSIS, Update on Rural Independently Owned Pharmacy Closures in the United States, 2003–2021, <https://rupri.publichealth.uiowa.edu/publications/policybriefs/2022/Independent%20Pharmacy%20Closures.pdf> (last accessed June 19, 2024).

¹⁰⁴ See notes 78 and 79, *supra*. See also “Letter to Pharmacy Benefit Managers, Medicare Part D Plans, Medicaid Managed Care Plans, and Private Insurance Plans,” <https://www.cms.gov/newsroom/fact-sheets/cms-letter-plansand-pharmacy-benefit-managers> (Dec. 13, 2023); see also, Sens. Wyden, Crapo Call for Swift Passage of Bipartisan PBM Reforms, <https://www.finance.senate.gov/chairmans-news/wyden-crapo-call-for-swift-passage-ofbipartisan-pbm-reforms> (Mar. 14, 2024).

¹⁰⁵ In Re Toys ‘R Us, Petition to Modify Order, FTC File No. 131–0052, Docket C–4405, at 4, located at <https://www.ftc.gov/sites/default/files/documents/cases/140109toysruspetition.pdf> (Jan. 3, 2014).

¹⁰⁶ In Re Toys ‘R Us, Modified Order, FTC File No. 131–0052, Docket C–4405, at 4, located at <https://www.ftc.gov/system/files/documents/cases/140415toysrusorder.pdf> (Apr. 11, 2014).

¹⁰⁷ *Id.* at 4.

¹⁰⁸ See In the Matter of Occidental Petroleum Corp., 101 F.T.C. 373, 1974 WL 175259, at *1.

¹⁰⁹ In the Matter of Pendleton Woolen Mills, Inc., 122 F.T.C. 267, 270, FTC Docket No. C–2985 (1996).

¹¹⁰ In the Matter of Onkyo U.S.A. Corp., 122 F.T.C. 325, 326, FTC Docket No. C–3092 (1996).

¹¹¹ In the Matter of Nat’l Fire Hose Corp., No. C–2935, 1978 WL 206076, at *10 (F.T.C. Nov. 1, 1978).

¹¹² See n. 8, *supra*.

¹¹³ See Analysis of Agreement Containing Consent Order To Aid Public Comment to In the Matter of Coopharma, File No. 101–0079 at 4 (August 21, 2012). It should also be noted that the Commission has recognized the enactment of and applicable of Act 228 “when negotiating with any Payor in compliance with Act 228.” See In the Matter of Cooperativa de Médicos Oftalmólogos de Puerto Rico, No. C–4603 at 4 (Decision and Order, Mar. 3, 2017). Moreover, Act 228 covers all of the conduct which is addressed in the Order, and, in fact goes further than the Order in prohibiting specific conduct. By way of specific example, 26 P.R. Laws § 3107 explicitly states that any “threats to boycott, go on strike or other coordinated action by the providers shall be subject to oversight by the Antitrust Affairs Office of the Department of Justice, in order to determine whether the same is in violation of the provisions of this chapter or the Antitrust Act.” The section further authorizes the imposition of civil and/or criminal liability on any Health Care Cooperative engaged in such conduct.

[FR Doc. 2024–20811 Filed 9–12–24; 8:45 am]

BILLING CODE 6750–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[Docket No. CDC–2024–0065, NIOSH–352–A]

Request for Public Comment on the Draft Hazard Review: Wildland Fire Smoke Exposure Among Farmworkers and Other Outdoor Workers

AGENCY: Centers for Disease Control and Prevention (CDC), Department of Health and Human Services (HHS).

ACTION: Request for comment.

SUMMARY: The National Institute for Occupational Safety and Health (NIOSH) in the Centers for Disease Control and Prevention (CDC), an Operating Division of the Department of Health and Human Services (HHS), requests public comment and technical

review on the draft Hazard Review: Wildland Fire Smoke Exposure Among Farmworkers and Other Outdoor Workers.

DATES: Electronic or written comments must be received by November 12, 2024.

ADDRESSES: You may submit comments, identified by docket number CDC–2024–0065 and docket number NIOSH–352–A, by either of the following methods:

- **Federal eRulemaking Portal:** <https://www.regulations.gov>. Follow the instructions for submitting comments.

- **Mail:** National Institute for Occupational Safety and Health, NIOSH Docket Office, 1090 Tusculum Avenue, MS C–34, Cincinnati, Ohio 45226–1998.

Instructions: All information received in response to this notice must include the agency name and docket number (CDC–2024–0065; NIOSH–352–A). All relevant comments, including any personal information provided, will be posted without change to <https://www.regulations.gov>. Do not submit comments by email. CDC does not accept comments by email. For access to the docket to read the draft Hazard Review document or comments received, go to <https://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT: R. Todd Niemeier, Ph.D., National Institute for Occupational Safety and Health, MS–C15, 1090 Tusculum Avenue, Cincinnati, OH 45226. Telephone: (513) 533–8166.

SUPPLEMENTARY INFORMATION: NIOSH is requesting public comment and technical review of the draft Hazard Review: Wildland Fire Smoke Exposure Among Farmworkers and Other Outdoor Workers, which is accessible in the docket (CDC–2024–0065; NIOSH–352–A). The final document will be edited, so comments that focus on the technical content are requested. The final document will be used as the scientific evidence base to inform the development of supplementary educational materials for workers, employers, and other relevant audiences to support the implementation of the recommendations. Therefore, comments that focus on the understandability, accessibility, and feasibility of the recommendations are requested. To facilitate the review of this document, NIOSH requests that responses to the following specific questions be considered:

1. How could the outdoor worker populations who may be exposed to wildland fire smoke be more completely characterized in Chapter 2? Please provide supporting references.

2. How could this document better identify and characterize the health hazards of exposures to wildland fire smoke based on the available scientific literature in Chapter 3? Is there additional scientific information to be considered regarding the adverse health endpoints associated with exposure to wildland fire smoke? Please provide scientific references to support your response as necessary.

3. What additional information should NIOSH consider adding or how should NIOSH modify the discussion of exposure assessment methods for wildland fire smoke (based on PM_{2.5} airborne concentration, and when desired, other airborne exposures) to measure outdoor worker exposures in Chapter 4? What are the barriers to employers to implement these recommended methods? Please provide scientific evidence to support your response as necessary.

4. How can the recommendation in Chapter 4 to use the air quality index (AQI) for PM_{2.5} to define exposure control categories be better explained and supported from both a scientific and health communications standpoint? Please provide scientific evidence to support your response as necessary.

5. What additional information should NIOSH consider to improve the strategies identified in Chapter 5 for controlling exposure to wildland fire smoke (e.g., engineering controls, work practices, personal protective equipment) to make them more effective and reduce barriers to implementation? What additional controls could be considered to protect outdoor workers from wildland fire smoke? Please provide scientific evidence to support your response as necessary.

6. Do the recommendations in Chapter 5 adequately address the protection of potentially disadvantaged or at-risk outdoor workers, such as persons with pre-existing health conditions (e.g., asthma, cardiovascular disease), migrant workers, persons of lower socioeconomic status, and elderly or minor workers? If not, how could the recommendations be changed to better protect these populations? Are there additional recommendations to consider to protect these at-risk workers?

7. How could the recommendations in Chapter 5 better address accessibility and feasibility for outdoor workers and employers?

8. What are the potential barriers to the understandability of the recommendations in Chapter 5 for outdoor workers and employers? When developing supplementary educational materials to support the implementation

of these recommendations, how can NIOSH best address those barriers?

9. What other research needs should be considered in addition to those included in Chapter 6, Research Needs? Please provide a scientific justification for additional research needs.

The draft Hazard Review was developed to provide the scientific rationale for characterizing hazards of exposure to wildland fire smoke for outdoor workers. The draft Hazard Review also provides recommendations and guidance for minimizing exposures and potential health effects associated with wildland fire smoke for outdoor workers.

After the comments received on the draft Hazard Review are considered and addressed, the final Hazard Review will be posted on the NIOSH website.

Background: The purpose of the Hazard Review document is to provide an overview of the relevant health effects literature and present evidence-based recommendations to protect outdoor workers, including farm workers, construction workers, oil and gas workers, park rangers, emergency responders, and others from the adverse health effects of occupational exposure to wildland fire smoke. On March 14, 2024, CDC/NIOSH published a Request for Information (RFI) in the **Federal Register** (89 FR 18638). The **Federal Register** notice announced plans to develop a Hazard Review document that summarizes the scientific literature about the health effects from exposures to wildland fire smoke and provides recommendations to protect outdoor workers [NIOSH 2024]. In response to the RFI, NIOSH received 10 comment submissions, all of which were reviewed and considered during the development of this draft Hazard Review. The RFI and comments received are accessible in the docket (CDC-2024-0019, NIOSH-352). In addition to requesting information from the public, the Hazard Review development process involved review and assessment of the scientific literature about exposures to wildland fire smoke, potential health effects, outdoor worker populations at risk, and development or update of recommendations to protect outdoor workers. The information presented in this draft Hazard Review represents the scientific rationale and the current methodology about approaches to assess and control the hazards of wildland fire smoke to outdoor workers. Scientific information related to wildland fire smoke presented in the draft Hazard Review covers the following topics:

- Background on wildland fire smoke

- History of NIOSH and other government organizations' related activity
- Chemical and physical properties of the smoke
- Population of outdoor workers with potential exposure
- Routes of worker exposure
- Health equity
- Health effects of exposure
- Exposure assessment
- Controlling workplace exposures
- Medical surveillance and medical monitoring
- Research needs

Reference

NIOSH [2024]. National Institute for Occupational Safety and Health; Outdoor workers exposed to wildland fire smoke; Request for information. 89 FR 18638. <https://www.federalregister.gov/documents/2024/03/14/2024-05403/national-institute-for-occupational-safety-and-health-outdoor-workers-exposed-to-wildland-fire-smoke>.

Dated: September 9, 2024.

John J. Howard,

Director, National Institute for Occupational Safety and Health, Centers for Disease Control and Prevention, Department of Health and Human Services.

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

Notice of Award of a Sole Source Cooperative Agreement To Fund Northwestern Provincial Health Office in Zambia

AGENCY: Centers for Disease Control and Prevention (CDC), Department of Health and Human Services (HHS).

ACTION: Notice.

SUMMARY: The Centers for Disease Control and Prevention (CDC), located within the Department of Health and Human Services (HHS), announces the award of approximately \$4,450,000, for Year 1 funding to Northwestern Provincial Health Office (NWPHO) in Zambia. The award will provide NWPHO with CDC Technical Assistance and financial support to maintain and sustain the province's overall oversight and quality assurance for the implementation of high-impact HIV combination prevention, treatment, and support services, including clinical, surveillance, and laboratory services as well as to identify and mitigate emerging disease threats for people