

Plant Variety Protection Certification and Objective Description of Variety.”

**DATES:** Comments on this notice must be received by July 30, 2012. All comments submitted in response to this notice will be included in the record and will be made available to the public. Please be advised that the identity of the individuals or entities submitting the comments will be made public on the Internet via [www.regulations.gov](http://www.regulations.gov).

**Additional Information or Comments:** Contact Bernadette Thomas, Information Technology Specialist, Plant Variety Protection Office (PVPO), Science and Technology, AMS, Room 401, National Agricultural Library (NAL), 10301 Baltimore Avenue, Beltsville, MD 20705. Telephone (301) 504-5297 and Fax (301) 504-5291.

**SUPPLEMENTARY INFORMATION:**

**Title:** Regulations Governing the Application for Plant Variety Protection Certificate and Reporting Requirements under the Plant Variety Protection Act.

**OMB Number:** 0581-0055.

**Expiration Date of Approval:** November 30, 2012.

**Type of Request:** Extension and revision of a currently approved information collection.

**Abstract:** The Plant Variety Protection Act (PVPA) (7 U.S.C. 2321 *et seq.*) was established “To encourage the development of novel varieties of sexually reproduced plants and make them available to the public, providing protection available to those who breed, develop, or discover them, and thereby promote progress in agriculture in the public interest.”

The PVPA is a voluntary user funded program which grants intellectual property rights protection to breeders of new, distinct, uniform, and stable seed reproduced and tuber propagated plant varieties. To obtain these rights the applicant must provide information which shows the variety is eligible for protection and that it is indeed new, distinct, uniform, and stable as the law requires. Application forms, descriptive forms, and ownership forms are furnished to applicants to identify the information which is required to be furnished by the applicant in order to legally issue a certificate of protection (ownership). The certificate is based on claims of the breeder and cannot be issued on the basis of reports in publications not submitted by the applicant. Regulations implementing the PVPA appear at 7 CFR part 92.

Currently approved forms ST-470, Application for Plant Variety Protection Certificate, ST-470 A, Origin and Breeding History, ST-470 B, Statement of Distinctness, Form ST-470 series,

Objective Description of Variety (Exhibit C), Form ST-470-E, Basis of Applicant's Ownership, are the basis by which the determination, by experts at PVPO, is made as to whether a new, distinct, uniform, and stable seed reproduced or tuber-propagated variety in fact exists and is entitled to protection.

The revised ST 470 application form has been revised to combine Exhibits A, B, and E into one form. The information received on applications, with certain exceptions, is required by law to remain confidential until the certificate is issued (7 U.S.C. 2426).

The information collection requirements in this request are essential to carry out the intent of the PVPA, to provide applicants with certificates of protection, to provide the respondents the type of service they request, and to administer the program.

**Estimate of Burden:** Public reporting burden for this collection of information is estimated to average 1.23 hours per response.

**Respondents:** Businesses or other for-profit, not-for-profit institutions, and Federal Government.

**Estimated Number of Respondents:** 76.

**Estimated Number of Responses per Respondent:** 30.

**Estimated Total Annual Burden on Respondents:** 2,839.

**Comments are invited on:** (1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden of the proposed collection of information including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology. Comments may be sent to Bernadette Thomas, Information Technology Specialist, Plant Variety Protection Office, Room 401, NAL Building, 10301 Baltimore Avenue, Beltsville, MD 20705. All comments received will be available for public inspection during regular business hours at the same address.

All responses to this notice will be summarized and included in the request for OMB approval. All comments will become a matter of public record.

Dated: May 22, 2012.

**David R. Shipman,**

*Administrator, Agricultural Marketing Service.*

[FR Doc. 2012-13066 Filed 5-29-12; 8:45 am]

**BILLING CODE 3410-02-P**

## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

[Docket No. APHIS-2011-0028]

#### Importation of Fresh Bananas From the Philippines Into the Continental United States; Availability of an Environmental Assessment

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

**ACTION:** Notice of availability and request for comments.

**SUMMARY:** We are advising the public that we have prepared an environmental assessment relative to our recent proposal to allow the importation of fresh bananas from the Philippines into the continental United States. The environmental assessment documents our review and analysis of environmental impacts associated with the proposed action. We are making this environmental assessment available to the public for review and comment.

**DATES:** We will consider all comments that we receive on or before June 29, 2012.

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

- **Federal eRulemaking Portal:** Go to <http://www.regulations.gov/#!documentDetail;D=APHIS-2011-0028-0001>.

- **Postal Mail/Commercial Delivery:** Send your comment to Docket No. APHIS-2011-0028, Regulatory Analysis and Development, PPD, APHIS, Station 3A-03.8, 4700 River Road Unit 118, Riverdale, MD 20737-1238.

The proposed rule, environmental assessment, other supporting documents, and any comments we receive may be viewed at <http://www.regulations.gov/#!docketDetail;D=APHIS-2011-0028> 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:** Ms. Meredith Jones, Regulatory

Coordination Specialist, PPQ, RPM, RCC, APHIS, 4700 River Road Unit 39, Riverdale, MD 20737-1231; (301) 851-2289.

#### SUPPLEMENTARY INFORMATION:

##### Background

In a proposed rule<sup>1</sup> titled "Importation of Fresh Bananas from the Philippines into the Continental United States" and published in the **Federal Register** on April 16, 2012 (77 FR 22510-22514, Docket No. APHIS-2011-0028), we proposed to amend the regulations in 7 CFR part 319 to allow the importation of fresh bananas from the Philippines into the continental United States. We initiated this proposal in response to a request from the national plant protection organization (NPPO) of the Philippines.

To determine the potential pest risks inherent in allowing importation of fresh bananas from the Philippines, and to determine measures that might be effective in mitigating the pest risk, APHIS prepared a pest risk assessment and a risk management analysis. Based on the results of those studies, the proposed rule describes a systems approach under which bananas from the Philippines would have to be produced, packed, and transported in order to mitigate the potential risks associated with the importation. The systems approach is considered to be an appropriate safeguard to ensure that consignments of bananas from the Philippines would have a low likelihood of containing fruit with the potential to cause the introduction of a plant pest into the United States.

APHIS' review and analysis of the potential environmental impacts associated with allowing the importation of fresh bananas from the Philippines into the continental United States are documented in detail in an environmental assessment entitled "Importation of Bananas (*Musa* spp.) from the Philippines into the Continental United States" (April 2012). We are making this environmental assessment available to the public for review and comment. We will consider all comments that we receive on or before the date listed under the heading **DATES** at the beginning of this notice.

The environmental assessment may be viewed on the Regulations.gov Web site or in our reading room (see **ADDRESSES** above for a link to Regulations.gov and information on the location and hours of the reading room).

You may request paper copies of the environmental assessment by calling or writing to the person listed under **FOR FURTHER INFORMATION CONTACT**. Please refer to the title of the environmental assessment when requesting copies.

The environmental assessment has been 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).

Done in Washington, DC, this 23rd day of May 2012.

**Kevin Shea,**

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

[FR Doc. 2012-13057 Filed 5-29-12; 8:45 am]

**BILLING CODE 3410-34-P**

#### DEPARTMENT OF AGRICULTURE

##### Grain Inspection, Packers and Stockyards Administration

##### Opportunity for Designation in the West Sacramento, CA; Frankfort, IN; Indianapolis, IN; and Richmond, VA Areas; Request for Comments on the Official Agencies Servicing These Areas

**AGENCY:** Grain Inspection, Packers and Stockyards Administration, USDA.

**ACTION:** Notice.

**SUMMARY:** The designations of the official agencies listed below will end on December 31, 2012. We are asking persons or governmental agencies interested in providing official services in the areas presently served by these agencies to submit an application for designation. In addition, we are asking for comments on the quality of services provided by the following designated agencies: California-Agri Inspection Company, Ltd. (Cal-Agri); Frankfort Grain Inspection, Inc. (Frankfort); Indianapolis Grain Inspection and Weighing Service, Inc. (Indianapolis); and Virginia Department of Agriculture and Consumer Services (Virginia).

**DATE:** Applications and comments must be received by June 29, 2012.

**ADDRESSES:** Submit applications and comments concerning this notice using any of the following methods:

- *Applying for Designation on the Internet:* Use FGISONline ([https://fgis.gipsa.usda.gov/default\\_home\\_FGIS.aspx](https://fgis.gipsa.usda.gov/default_home_FGIS.aspx)) and then click

on the Delegations/Designations and Export Registrations (DDR) link. You will need to obtain an FGISONline customer number and USDA eAuthentication username and password prior to applying.

- *Submit Comments Using the Internet:* Go to Regulations.gov (<http://www.regulations.gov>). Instructions for submitting and reading comments are detailed on the site.

- *Mail, Courier or Hand Delivery:* Eric J. Jabs, Chief, USDA, GIPSA, FGIS, QACD, QADB, 10383 North Ambassador Drive, Kansas City, MO 64153.

- *Fax:* Eric J. Jabs, 816-872-1258

- *Email:* [Eric.J.Jabs@usda.gov](mailto:Eric.J.Jabs@usda.gov).

*Read Applications and Comments:*

All applications and comments will be available for public inspection at the office above during regular business hours (7 CFR 1.27(c)).

**FOR FURTHER INFORMATION CONTACT:** Eric J. Jabs, 816-659-8408 or [Eric.J.Jabs@usda.gov](mailto:Eric.J.Jabs@usda.gov).

**SUPPLEMENTARY INFORMATION:** Section 79(f) of the United States Grain Standards Act (USGSA) authorizes the Secretary to designate a qualified applicant to provide official services in a specified area after determining that the applicant is better able than any other applicant to provide such official services (7 U.S.C. 79(f)). Under section 79(g) of the USGSA, designations of official agencies are effective for three years unless terminated by the Secretary, but may be renewed according to the criteria and procedures prescribed in section 79(f) of the USGSA.

##### Areas Open for Designation

###### Cal-Agri

Pursuant to Section 79(f)(2) of the USGSA, the following geographic area, in the State of California, is assigned to this official agency. Bounded on the North by the northern California State line east to the eastern California State line; Bounded on the East by the eastern California State line south to the southern San Bernardino County line; Bounded on the South by the southern San Bernardino and Orange County lines west to the western California State line; and Bounded on the West by the western California State line north to the northern California State line. California Agri's assigned geographic area does not include the export port locations inside California Agri's area which are serviced by GIPSA.

###### Frankfort

Pursuant to Section 79(f)(2) of the Act, the following geographic area, in the State of Indiana, is assigned to this

<sup>1</sup> To view the proposed rule, the environmental assessment, and the pest risk assessment, go to <http://www.regulations.gov/#!docketDetail;D=APHIS-2011-0028>.