to the Department concerning the proposed requirement that carriers report the total number of animals transported during a calendar year with that year's December reports, the cost to carriers of amending the definition of ''animal'' for reporting purposes, and the number of carriers affected by the reporting requirement.

Issues Concerning the Proposed Requirement That Carriers Report the Total Number of Animals Transported in the Calendar Year in the December Reports

The petitioners state that there are conflicting statements between the NPRM summary and the NPRM Regulatory Analyses and Notices (RAN) section with respect to the proposed requirement that carriers report the total number of animals transported in the calendar year in the December reports. They state that while the RAN section indicates that carriers would be required to report only during the months where the carriers experience a reportable animal incident, the preamble asks whether carriers should be required to file reports in months when no incident takes place. The petitioners seek clarification on this issue and request that the RAN section of the preamble be clarified if the proposal is that carrier be required to file negative reports.

As stated in the RAN section, in addition to proposing that covered carriers report the total number of animals transported in the calendar year in their December reports, the Department proposed that covered carriers only submit a report during the months when the carriers have a reportable animal incident. However, we also sought comment on whether to require carriers to file reports even if the carriers did not have any incidents involving the loss, injury, or death of an animal during a particular month. This is not inconsistent. The NPRM is not proposing that carriers file a negative report but is soliciting comment on this point so we can determine whether the final rule should include a general requirement that covered carriers must submit reports each month even if the carriers do not have any reportable incidents during a particular month or perhaps a requirement that carriers must file a December report regardless of whether any incidents occurred in that month to cover the total number of animals transported that year.

Issues Concerning the Cost to Covered Carriers of Amending the Definition of Animal

The petitioners state that for the 15 carriers that are currently required to report incidents involving the loss, injury, or death of an animal during air transport, the RAN is incorrect in stating that there would be no additional costs associated with amending the definition of ''animal'' for reporting purposes to include all cats and dogs transported by the carrier regardless of whether the cat or dog is transported as a pet by its owner or as part of a commercial shipment. They state that the 15 carriers already subject to the reporting requirement would likely incur additional costs, and the Department should correct the RAN.

The statement in the RAN that there would be no additional costs to the 15 carriers that already collect information on incidents involving loss, injury, or death of an animal refers to costs associated with actually filing monthly reports. The Department acknowledges that there would be costs associated with collecting more information to report, i.e., not only on incidents involving pets but also incidents involving dogs and cats that are shipped commercially. In the NPRM, the Department states that it believes the cost of the proposed expanded definition of an animal covered by the reporting rule would impact airlines but the cost would still be minimal. We encourage comments and data about expected costs resulting from the expansion of the definition of ''animal.''

Issues Concerning the Scope of the Reporting Requirement

The petitioners state that although the RAN states that the scope of the carriers covered by the animal incident reporting requirements would expand under the NPRM proposal from 15 to 36 carriers, the NPRM does not list the carriers so there is no way to verify if the list is accurate. They point out that presumably the PRA lists the potentially impacted carriers and that informed comment cannot progress until the PRA and that information is available.

The PRA does in fact list the carriers that would be affected by the NPRM and, as noted above, the PRA was posted in the docket on July 24, 2012. The public is invited to comment on the accuracy of that list.

Issued this 28th day of August, 2012, in Washington, DC under authority delegated in 14 CFR part 1.

Robert S. Rivkin,

General Counsel.

[FR Doc. 2012–21615 Filed 8–31–12; 8:45 am]

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DEPARTMENT OF COMMERCE

Minority Business Development Agency

15 CFR Part 1400

[Docket No. 120517080–2402–04]

Petition for Inclusion of the Arab-American Community in the Groups Eligible for MBDA Services

AGENCY: Minority Business Development Agency, Commerce.

ACTION: Notice of proposed rulemaking and request for comments; amendment.

SUMMARY: The Minority Business Development Administration publishes this notice to extend the date on which it plans to make its decision on a petition from the American-Arab Anti-Discrimination Committee requesting formal designation from August 30, 2012 to November 30, 2012.

FOR FURTHER INFORMATION CONTACT: For further information about this Notice, contact Josephine Arnold, Minority Business Development Agency, 1401 Constitution Avenue NW., Room 5053, Washington, DC 20230, (202) 482–2332.

SUPPLEMENTARY INFORMATION: On May 30, 2012, the Minority Business Development Agency (MBDA) published a notice of proposed rulemaking and request for comments regarding a petition received on January 11, 2012 from the American-Arab Anti-Discrimination Committee (ADC) requesting formal designation of Arab-Americans as a minority group that is socially or economically disadvantaged pursuant to 15 CFR Part 1400. The Notice included a thirty-day comment period that ended on June 29, 2012, but also stated that MBDA will make a decision on the petition no later than June 27, 2012. On June 12, 2012, MBDA published a notice in the **Federal Register** extending the date for making its decision to July 30, 2012. On August 3, 2012, MBDA published a second amendment to extend the deadline for the decision until August 30, 2012, to allow MBDA to complete its independent review and analysis of the issues raised in the petition and comments received to the petition. The Agency has determined that further analysis of the information collected during its independent review is necessary to ensure a reasoned and sound decision. Therefore, MBDA is extending, for an additional ninety (90) day period, its consideration of the issues addressed in the petition and the information presented by MBDA's independent review. The Agency will

make its decision on the petition on or before November 30, 2012. This extension will not prejudice the petitioner.

Minority Business Development Agency.

David Hinson,

National Director.

[FR Doc. 2012–21704 Filed 8–31–12; 8:45 am]

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CONSUMER PRODUCT SAFETY COMMISSION

16 CFR Part 1240

Safety Standard for Magnet Sets

AGENCY: Consumer Product Safety Commission.

ACTION: Notice of Proposed Rulemaking.

SUMMARY: Based on available data, the U.S. Consumer Product Safety Commission (the Commission, the CPSC, or we) has determined preliminarily that there may be an unreasonable risk of injury associated with children ingesting high-powered magnets that are part of magnet sets. These magnet sets are aggregations of separable, permanent, magnetic objects intended or marketed by the manufacturer primarily as a manipulative or construction desk toy for general entertainment, such as puzzle working, sculpture building, mental stimulation, or stress relief. In contrast to ingesting other small parts, when a child ingests a magnet, the magnetic properties of the object can cause serious, life-threatening injuries. When children ingest two or more of the magnets, the magnetic forces pull the magnets together, and the magnets pinch or trap the intestinal walls or other digestive tissue between them, resulting in acute and long-term health consequences. Although magnet sets have only been available since 2008, we have determined that an estimated 1,700 ingestions of magnets from magnet sets were treated in emergency departments between January 1, 2009 and December 31, 2011.

To address the unreasonable risks of serious injury associated with these magnet sets, the Commission is issuing this notice of proposed rulemaking (NPR), which would prohibit such magnet sets. Under the proposal, if a magnet set contains a magnet that fits within the CPSC's small parts cylinder, magnets from that set would be required to have a flux index of 50 or less, or they would be prohibited. The flux index would be determined by the method described in ASTM F963–11, Standard Consumer Safety Specification for Toy Safety.

The Commission solicits written comments concerning the risks of injury associated with these magnet sets, the regulatory alternatives discussed in this NPR, other possible ways to address these risks, and the economic impacts of the various regulatory alternatives. This proposed rule is issued under the authority of the Consumer Product Safety Act (CPSA).

DATES: Written comments in response to this document must be received by the Commission no later than November 19, 2012.

ADDRESSES: You may submit comments, identified by Docket No. CPSC–2012–0050, by any of the following methods:

Submit electronic comments in the following way:

Federal eRulemaking Portal: *http://www.regulations.gov.* Follow the instructions for submitting comments. To ensure timely processing of comments, the Commission is no longer accepting comments submitted by electronic mail (email), except through *www.regulations.gov.*

Submit written submissions in the following way:

Mail/Hand delivery/Courier (for paper, disk, or CD–ROM submissions), preferably in five copies, to: Office of the Secretary, Consumer Product Safety Commission, Room 820, 4330 East West Highway, Bethesda, MD 20814; telephone (301) 504–7923.

Instructions: All submissions received must include the agency name and docket number for this notice. All comments received may be posted without change, including any personal identifiers, contact information, or other personal information provided, to *http://www.regulations.gov.* Do not submit confidential business information, trade secret information, or other sensitive or protected information electronically. Such information should be submitted in writing.

FOR FURTHER INFORMATION CONTACT: Jonathan D. Midgett, Ph.D., Project Manager, Office of Hazard Identification and Reduction, Consumer Product Safety Commission, 4330 East West Highway, Bethesda, MD 20814–4408; telephone: (301) 504–7692, or email: *jmidgett@cpsc.gov.*

SUPPLEMENTARY INFORMATION:

A. Background

The Commission is proposing a safety standard that would prohibit magnet sets that have been involved in serious injuries. The Commission believes that this proposed rule is necessary to address an unreasonable risk of injury and death associated with these magnet sets.

1. History With Magnetic Toys

In the mid-2000s, construction toys for children featuring small, powerful magnets were introduced into the toy market. Several children's magnetic construction toys were recalled because the magnets detached from the plastic housing of the toy. (Release #07–164). We received reports of incidents in which children and infants had swallowed the small magnets that had detached from such toys. In some incidents, children swallowed intact magnetic components that were small parts.[1] These incidents revealed that if a child swallows more than one small, powerful magnet or one such magnet and a ferromagnetic object, the objects can attract each other across tissue inside the stomach and intestines and cause perforations and/or blockage, which, if not treated immediately, can be fatal. We are aware of one death and numerous cases requiring intestinal surgery following ingestion of multiple small, powerful magnets from these toys.

To address the hazard in toys, the CPSC worked with ASTM to develop voluntary standard requirements for toys containing magnets. These requirements became part of ASTM F963, *Consumer Safety Specification for Toy Safety,* which is now a mandatory CPSC standard. ASTM F963–11 defines a ''hazardous magnet'' and a ''hazardous magnetic component'' (*i.e.,* a toy piece that contains an embedded hazardous magnet) as one that has a flux index greater than 50 and that is a small object. ASTM F963 applies to toys intended for children under 14 years of age. The flux index of a magnet is an empirical value developed by ASTM as a way to estimate the attraction force of a magnet. The ASTM working group established a flux index of 50 as a cutoff for what it considered to be a ''safe'' magnet, based on measurements of toys on the market. Most of the measured magnets were cylindrical in shape, and some had been involved in known incidents. When the ASTM graphed their measurements, they showed a good correlation (fairly linear relationship) between calculated flux index and measured attraction force for

[1] The requirements of 16 CFR part 1501 are intended to minimize the hazards from choking, ingestion, or inhalation to children under 36 months of age created by small objects. The requirements state, in part, that no toy (including removable, liberated components, or fragments of toys) shall be small enough without being compressed to fit entirely within a cylinder of the specified dimensions.