DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[Docket No. APHIS–2011–0080]

Scotts Miracle-Gro Co.; Regulatory Status of Kentucky Bluegrass Genetically Engineered for Herbicide Tolerance

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice.

SUMMARY: We are advising the public that the Animal and Plant Health Inspection Service (APHIS) has received a letter from the Scotts Miracle-Gro Company seeking confirmation that their Kentucky bluegrass, which has been genetically engineered for herbicide tolerance without the use of plant pest components, does not meet the definition of a regulated article under APHIS regulations for genetically engineered organisms. Based on the information provided in the letter, we agree that the Kentucky bluegrass does not meet the definition of a regulated article under APHIS regulations for genetically engineered organisms.

ADDRESSES: You may view the letter from Scotts and APHIS' response letter on the Internet at *http://www.aphis.usda.gov/biotechnology/news.shtml.*

FOR FURTHER INFORMATION CONTACT: Dr. Andrea Huberty, Branch Chief, Regulatory and Environmental Analysis Branch, Biotechnology Regulatory Services, APHIS, 4700 River Road, Unit 147, Riverdale, MD 20737–1236; (301) 734–0485, *e-mail: andrea.f.huberty@aphis.usda.gov.* To obtain copies of the letters, contact Ms. Cindy Eck at (301) 734–0667, *e-mail: cynthia.a.eck@aphis.usda.gov.*

SUPPLEMENTARY INFORMATION:

Background

The Plant Protection Act (PPA, 7 U.S.C. 7701 *et seq.*), authorizes the Secretary of Agriculture to prohibit or restrict the importation, entry, exportation, or movement in interstate commerce of any plant, plant product, biological control organism, noxious weed, article, or means of conveyance if the Secretary determines that the prohibition or restriction is necessary to prevent the introduction of a plant pest or noxious weed into the United States or dissemination of a plant pest or noxious weed within the United States.

In section 403 of the PPA, ''plant pest'' is defined as any living stage of any of the following that can directly or indirectly injure, cause damage to, or cause disease in any plant or plant product: A protozoan, a nonhuman animal, a parasitic plant, a bacterium, a fungus, a virus or viroid, an infectious agent or other pathogen, or any article similar to or allied with any of the foregoing.

Under the plant pest authority of the PPA, the Animal and Plant Health Inspection Service (APHIS) administers the regulations in 7 CFR part 340, ''Introduction of Organisms and Products Altered or Produced Through Genetic Engineering Which Are Plant Pests or Which There Is Reason to Believe Are Plant Pests,'' which regulate, among other things, the introduction (importation, interstate movement, or release into the environment) of organisms and products altered or produced through genetic engineering that are plant pests or that there is reason to believe are plant pests. Such genetically engineered (GE) organisms and products are considered ''regulated articles.''

In the past, APHIS has received letters from developers seeking clarification on the regulatory status of GE organisms that the developers believed did not meet the definition of a regulated article. These developers sought confirmation from APHIS that APHIS did not consider the organisms to be regulated under 7 CFR part 340. When APHIS receives such a request, we review the information provided. If APHIS agrees with the developer that the GE organism does not meet the definition of a regulated article, then the organism is not subject to regulation under 7 CFR part 340. If APHIS disagrees, the organism is subject to all of the requirements of 7 CFR part 340.

On September 13, 2010, APHIS received a letter from the Scotts Miracle-Gro Company (Scotts) of Marysville, OH, seeking confirmation that their Kentucky bluegrass (*Poa pratensis* L.), which has been genetically engineered for herbicide tolerance, does not meet the definition of a regulated article under APHIS regulations. Scotts stated that the Kentucky bluegrass was genetically engineered without plant pest components and, therefore, should not be subject to APHIS' regulations in 7 CFR part 340, as it does not meet the definition of a regulated article in those regulations. No permits have been issued or notifications acknowledged by APHIS for the interstate movement or for field releases of Scotts' GE Kentucky bluegrass.

As described in the letter, Scotts' GE Kentucky bluegrass has been genetically engineered to express an enzyme, 5-enolpyruvylshikimate-3-phosphate synthase, from thale cress (*Arabidopsis thaliana*), which imparts tolerance to the herbicide glyphosate. Scotts' GE Kentucky bluegrass was also genetically engineered using genetic material from rice (*Oryza sativa*) and corn (*Zea mays*).

We agree that, according to the description provided by Scotts, their GE Kentucky bluegrass does not meet the definition of a ''regulated article'' and is not subject to the regulations in 7 CFR part 340. Kentucky bluegrass itself is not a plant pest, no organisms used as sources of the genetic material used to create Scotts' GE Kentucky bluegrass are plant pests, and the method used to genetically engineer Scotts' GE Kentucky bluegrass did not involve plant pests. Because no plant pests, unclassified organisms, or organisms whose classification is unknown were used to genetically engineer Scotts' GE Kentucky bluegrass, APHIS has no reason to believe it is a plant pest and therefore does not consider the Kentucky bluegrass described in the Scotts letter to be regulated under 7 CFR part 340.

In addition to plant pests, APHIS regulates noxious weeds under the authority of the PPA. In a separate notice published in today's **Federal Register**, we are advising the public of our decision that Kentucky bluegrass that has been genetically engineered for tolerance to the herbicide glyphosate will not be regulated under APHIS regulations governing noxious weeds in 7 CFR part 360.

Authority: 7 U.S.C. 7701–7772 and 7781–7786; 31 U.S.C. 9701; 7 CFR 2.22, 2.80, and 371.3.

Done in Washington, DC, this 1st day of July 2011.

Gregory L. Parham,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 2011–17117 Filed 7–6–11; 8:45 am]

BILLING CODE 3410–34–P

DEPARTMENT OF AGRICULTURE

Forest Service

Modoc County Resource Advisory Committee

AGENCY: Forest Service, USDA.

ACTION: Notice of meeting.

SUMMARY: The Modoc County Resource Advisory Committee will meet in Alturas, CA. The committee is meeting as authorized under the Secure Rural Schools and Community Self-Determination Act (Pub. L. 110–343) and in compliance with the Federal Advisory Committee Act. The purpose

of the meeting is to review Resource Advisory Committee Project Applications.

DATES: The meeting will be held July 11, 2011, 6 p.m.

ADDRESSES: The meeting will be held at Modoc National Forest Office, Conference Room, 800 West 12th St., Alturas.

FOR FURTHER INFORMATION CONTACT: Kimberly Anderson, Forest Supervisor and Designated Federal Officer, at (530) 233–8700; or Resource Advisory Coordinator, Stephen Riley at (530) 233–8705.

SUPPLEMENTARY INFORMATION: The business meeting on July 11, 2011 will begin at 6 p.m., at the Modoc National Forest Office, Conference Room, 800 West 12th St., Alturas, California 96101. Agenda topics will include voting and discussion of project proposals that meet the intent of Public Law 110–343. Time will also be set aside for public comments at the beginning of the meeting.

Dated: June 23, 2011.

Kimberly H. Anderson,

Forest Supervisor.

[FR Doc. 2011–17022 Filed 7–6–11; 8:45 am]

BILLING CODE 3410–11–P

DEPARTMENT OF AGRICULTURE

Forest Service

Hiawatha East Resource Advisory Committee

AGENCY: Forest Service, USDA.

ACTION: Notice of meeting.

SUMMARY: The Hiawatha East Resource Advisory Committee will meet in Kincheloe, Michigan. The committee is meeting as authorized under the Secure Rural Schools and Community Self-Determination Act (Pub. L. 110–343) and in compliance with the Federal Advisory Committee Act. The purpose is to review project proposal scoring sheets and possibly vote.

DATES: The meeting will be held on July 21, 2011, and will begin at 6 p.m.

ADDRESSES: The meeting will be held at the Chippewa County 911 Center, 4657 Industrial Park Drive, Kincheloe, MI. Written comments should be sent to Janel Crooks, Hiawatha National Forest, 2727 North Lincoln Road, Escanaba, MI 49829. Comments may also be sent via e-mail to *HiawathaNF@fs.fed.us,* or via facsimile to 906–789–3311.

All comments, including names and addresses when provided, are placed in the record and are available for public inspection and copying. The public may inspect comments received at Hiawatha National Forest, 2727 North Lincoln Road, Escanaba, MI. Visitors are encouraged to call ahead to 906–786–4062 to facilitate entry into the building.

FOR FURTHER INFORMATION CONTACT: Janel Crooks, RAC coordinator, USDA, Hiawatha National Forest, 2727 North Lincoln Road, Escanaba, Michigan 49862; (906) 786–4062; E-mail *HiawathaNF@fs.fed.us.*

Individuals who use telecommunication devices for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 between 8 a.m. and 8 p.m., Eastern Standard Time, Monday through Friday.

SUPPLEMENTARY INFORMATION: The meeting is open to the public. The following business will be conducted: (1) Review of Project Proposal Scoring Sheets (2) Public Comment and (3) Vote, if appropriate. Persons who wish to bring related matters to the attention of the Committee may file written statements with the Committee staff before or after the meeting.

June 28, 2011.

Stevan J. Christiansen,

Designated Federal Officer.

[FR Doc. 2011–16849 Filed 7–6–11; 8:45 am]

BILLING CODE 3410–11–P

DEPARTMENT OF AGRICULTURE

Rural Housing Service

Notice of Funding Availability of Applications (NOFA) for Section 514 Farm Labor Housing Loans and Section 516 Farm Labor Housing Grants for Off-Farm Housing for Fiscal Year (FY) 2011

AGENCY: Rural Housing Service, USDA.

ACTION: Notice.

SUMMARY: This notice announces the timeframe to submit pre-applications for section 514 Farm Labor Housing (FLH) loans and section 516 FLH grants for the construction of new off-farm FLH units and related facilities for domestic farm laborers and for the purchase and substantial rehabilitation of an existing non-farm labor housing (FLH) property. The intended purpose of these loans and grants is to increase the number of available housing units for domestic farm laborers. This notice describes the method used to distribute funds, the application process, and submission requirements.

DATES: The deadline for receipt of all applications in response to this is 5 p.m., local time to the appropriate Rural Development State Office on August 22, 2011. The application closing deadline is firm as to date and hour. Rural Development will not consider any application that is received after the closing deadline unless date and time is extended by another Notice published in the **Federal Register**. Applicants intending to mail applications must provide sufficient time to permit delivery on or before the closing deadline. Acceptance by a post office or private mailer does not constitute delivery. Facsimile (FAX) and postage due applications will not be accepted.

Applicants wishing to apply for assistance must contact the Rural Development State Office serving the State of the proposed off-farm labor housing project in order to receive further information and copies of the application package. Rural Development will date and time stamp incoming applications to evidence timely receipt and, upon request, will provide the applicant with a written acknowledgment of receipt. A listing of Rural Development State Offices, their addresses, telephone numbers, and person to contact is under section VII of this Notice.

FOR FURTHER INFORMATION CONTACT: Mirna Reyes-Bible, Finance and Loan Analyst, Multi-Family Housing Preservation and Direct Loan Division, STOP 0781 (Room 1263–S), USDA Rural Development, 1400 Independence Ave., SW., Washington, DC 20250–0781, *telephone:* (202) 720–1753 (this is not a toll free number.), or via *e-mail: Mirna.ReyesBible@wdc.usda.gov.* If you have questions regarding Net Zero Energy Consumption and Energy Generation please contact Carlton Jarratt, Finance and Loan Analyst, Multi-Family Housing Preservation and Direct Loan Division at (804) 287–1524 or via *e-mail: carlton.jarrat@wdc.usda.gov.*

SUPPLEMENTARY INFORMATION:

Paperwork Reduction Act

The reporting requirements contained in this notice have been approved by the Office of Management and Budget under Control Number 0575–0189.

Overview Information

Federal Agency Name: Rural Development.

Funding Opportunity Title: Notice of Funds Availability (NOFA) for Section 514 Farm Labor Housing Loans and Section 516 Farm Labor Housing Grants for Off-Farm Housing for Fiscal Year 2011.