

revised version of SAE Standard J1732. These standards can be obtained from <http://www.sae.org/technical/standards/>.

*J. Executive Order 12898: Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations*

Executive Order (EO) 12898 (59 FR 7629 (Feb. 16, 1994)) establishes federal executive policy on environmental justice. Its main provision directs federal agencies, to the greatest extent practicable and permitted by law, to make environmental justice part of their mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of their programs, policies, and activities on minority populations and low-income populations in the United States.

EPA has determined that this proposed rule will not have disproportionately high and adverse human health or environmental effects on minority or low-income populations because it does not affect the level of protection provided to human health or the environment. This action updates a regulatory reference to an obsolete standard to avoid confusion on the part of refrigerant handling equipment manufacturers, service technicians, automobile dismantling operators, and A/C service shop owners.

**List of Subjects in 40 CFR Part 82**

Environmental protection, Motor vehicle air-conditioning, Recover/recycle equipment, Recover/recycle/recharge equipment, Reporting and certification requirements, Stratospheric ozone layer.

Dated: June 12, 2008.

**Stephen L. Johnson,**  
Administrator.

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**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 180**

**[EPA-HQ-OPP-2002-0043; FRL-8130-3]**

**Pesticide Tolerance Nomenclature Changes; Proposed Technical Amendments**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule; Technical Amendments.

**SUMMARY:** This document proposes minor technical revisions to

terminology of certain commodity terms listed under 40 CFR part 180, subpart A and subpart C. EPA is proposing this action to eventually establish a uniform listing of commodity terms.

**DATES:** Comments must be received on or before August 18, 2008.

**ADDRESSES:** Submit your comments, identified by docket identification (ID) number EPA-HQ-OPP-2002-0043, by one of the following methods:

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

- *Mail:* Office of Pesticide Programs (OPP) Regulatory Public Docket (7502P), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001.

- *Delivery:* OPP Regulatory Public Docket (7502P), Environmental Protection Agency, Rm. S-4400, One Potomac Yard (South Building), 2777 S. Crystal Drive, Arlington, VA. Deliveries are only accepted during the Docket's normal hours of operation (8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays). Special arrangements should be made for deliveries of boxed information. The Docket telephone number is (703) 305-5805.

**Instructions:** Direct your comments to docket ID number EPA-HQ-OPP-2002-0043. EPA's policy is that all comments received will be included in the docket without change and may be made available on-line at <http://www.regulations.gov>, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through regulations.gov or e-mail. The Federal regulations.gov website is an "anonymous access" system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through regulations.gov, your e-mail address will be automatically captured and included as part of the comment that is placed in the docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment.

Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

**Docket:** All documents in the docket are listed in the docket index available in regulations.gov. To access the electronic docket, go to <http://www.regulations.gov>, select "Advanced Search," then "Docket Search." Insert the docket ID number where indicated and select the "Submit" button. Follow the instructions on the regulations.gov web site to view the docket index or access available documents. Although listed in the index, some information is not publicly available, e.g., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available either in the electronic docket at <http://www.regulations.gov>, or, if only available in hard copy, at the OPP Regulatory Public Docket in Rm. S-4400, One Potomac Yard (South Building), 2777 S. Crystal Drive, Arlington, VA. The hours of operation of this Docket Facility are from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The Docket telephone number is (703) 305-5805.

**FOR FURTHER INFORMATION CONTACT:** Stephen Schaible, Registration Division (7505P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 308-9362; fax number: (703) 305-6920; e-mail address: [schaible.stephen@epa.gov](mailto:schaible.stephen@epa.gov).

**SUPPLEMENTARY INFORMATION:**

**I. General Information**

*A. Does this Action Apply to Me?*

You may be potentially affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. Potentially affected entities may include, but are not limited to:

- Crop production (NAICS code 111), e.g., agricultural workers; greenhouse, nursery, and floriculture workers; farmers.

- Animal production (NAICS code 112), e.g., cattle ranchers and farmers, dairy cattle farmers, livestock farmers.

- Food manufacturer (NAICS code 311), e.g., agricultural workers; farmers; greenhouse, nursery, and floriculture workers; ranchers; pesticide applicators.

- Pesticide manufacturer (NAICS code 32532), e.g., agricultural workers; commercial applicators; farmers;

greenhouse, nursery, and floriculture workers; residential users.

This listing is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be affected by this action. Other types of entities not listed in this unit could also be affected. The North American Industrial Classification System (NAICS) codes have been provided to assist you and others in determining whether this action might apply to certain entities. To determine whether you or your business may be affected by this action, you should carefully examine the applicability provisions in [insert appropriate cite to either another unit in the preamble or a section in a rule]. If you have any questions regarding the applicability of this action to a particular entity, consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

*B. What Should I Consider as I Prepare My Comments for EPA?*

1. *Docket.* EPA has established a docket for this action under docket identification (ID) number EPA-HQ-OPP-2002-0043. Publicly available docket materials are available either in the electronic docket at <http://www.regulations.gov>, or, if only available in hard copy, at the Office of Pesticide Programs (OPP) Regulatory Public Docket in Rm. S-4400, One Potomac Yard (South Building), 2777 S. Crystal Drive Arlington, VA. The hours of operation of this Docket Facility are from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The Docket telephone number is (703) 305-5805.

2. *Tips for preparing your comments.* When submitting comments, remember to:

- i. Identify the document by docket ID number and other identifying information (subject heading, **Federal Register** date, and page number).
- ii. Follow directions. The Agency may ask you to respond to specific questions or organize comments by referencing a Code of Federal Regulations (CFR) part or section number.
- iii. Explain why you agree or disagree; suggest alternatives and substitute language for your requested changes.
- iv. Describe any assumptions and provide any technical information and/or data that you used.
- v. If you estimate potential costs or burdens, explain how you arrived at your estimate in sufficient detail to allow for it to be reproduced.
- vi. Provide specific examples to illustrate your concerns and suggest alternatives.

vii. Explain your views as clearly as possible, avoiding the use of profanity or personal threats.

viii. Make sure to submit your comments by the comment period deadline identified.

## II. Background

### A. What Action is the Agency Taking?

EPA's Office of Pesticide Programs (OPP) has developed a commodity vocabulary data base entitled "Food and Feed Commodity Vocabulary." The data base was developed to consolidate all the major OPP commodity vocabularies into one standardized vocabulary. As a result, all future pesticide tolerances issued under 40 CFR part 180 will use the "preferred commodity term" as listed in the aforementioned data base. Previously, seven documents in a series of documents revising the terminology of commodity terms currently in tolerances in 40 CFR part 180 have been published. Final Rules, revising pesticide tolerance nomenclature, were published in the **Federal Register** on June 19, 2002 (67 FR 41802) (FRL-6835-2); June 21, 2002 (67 FR 42392) (FRL-7180-1); July 1, 2003 (68 FR 39428) (FRL-7308-9) and (68 FR 39435) (FRL-7316-9); December 13, 2006 (71 FR 74802) (FRL-8064-3); and September 18, 2007 (72 FR 53134) (FRL-8126-5); corrected on October 31, 2007 (72 FR 61535) (FRL-8151-4).

This document proposes changes to certain commodity terminology in 40 CFR part 180. EPA is proposing to make the following format changes to the terminology of the commodity terms in 40 CFR part 180 to the extent the terminology is not already in this format:

1. The first letter of the commodity term is capitalized. All other letters, including the first letter of proper names, are changed to lower case.
2. Commodity terms are listed in the singular, although there are the following exceptions: leaves, roots, tops, greens, hulls, vines, fractions, shoots, and byproducts.
3. Commodity terms are amended so that generic terms precede modifying terms. Example - Aspirated grain fractions would be replaced with Grain, aspirated fractions.
4. Abbreviated terms would be replaced with the appropriate commodity terms. Example - Cattle, mbypr would be replaced with Cattle, meat byproducts.
5. Crop group terms would be revised to standardize with the "Food and Feed Vocabulary". Examples are:
  - Vegetable, leafy greens, except Brassica, group 4 would be replaced

with Vegetable, leafy, except brassica, group 4.

- Legume vegetables, succulent or dried (except soybean) would be replaced with Vegetable, legume, group 6, except soybean.

- Vegetable, legume, edible podded, subgroup would be replaced with Vegetable, legume, edible podded, subgroup 6A.

### B. Additional Changes

In addition to format changes to the commodity terms, this document also proposes many revisions to the commodity terms in 40 CFR part 180, subpart C. These proposed revisions, if adopted, would replace certain commodity terms that are no longer used by EPA with the appropriate matching term in the "Food and Feed Vocabulary." For example:

1. Carrot would be replaced with Carrot, roots.
2. Cotton, oil and Peanut oil would be replaced with Cotton, refined oil and Peanut, refined oil.
3. Cacao and Cacao bean would be replaced with Cacao bean, bean.
4. Coffee and Coffee, bean would be replaced with Coffee, bean, green.
5. Coffee, postharvest would be replaced with Coffee, bean, roasted bean, postharvest.
6. Citron would be replaced with Citron, citrus.
7. Corn, field, grain, flour would be replaced with Corn, field, flour.
8. Date would be replaced with Date, dried fruit.
9. Grass, fodder would be replaced with Grass, straw.
10. Guar bean would be replaced with Guar, seed.
11. Hop would be replaced with Hop, dried cones.
12. Millet, fodder would be replaced with Millet, straw. Milo, grain; Milo, fodder; and Milo, forage would be replaced with Sorghum, grain, grain; Sorghum, grain, stover; and Sorghum, grain, forage.
13. Mulberry, Indian would be replaced with Noni.
14. Oat milling fractions (except flour) and Oat, milled fractions (except flour) would be replaced with Oat, groats/rolled oats.
15. Pea, vines would be replaced with Pea, field, vines.
16. Peavine, hay would be replaced with Pea, field, hay.
17. Prickly pear cactus, fruit and Prickly pear cactus, pads would be replaced with Cactus, fruit and Cactus, pads.
18. Red beet roots and Red beet tops would be replaced with Beet, garden, roots and Beet, garden tops.

19. Soybean, aspirated grain fractions would be replaced with Grain, aspirated fractions.

20. Wheat, grain, milled byproducts and Wheat, milled feed fractions would be replaced with Wheat, milled byproducts.

In certain instances, more than one replacement commodity term exists in the "Food and Feed Vocabulary" for the older commodity terms in 40 CFR part 180, subpart C. For example, the preferred commodity terms for Grass are Grass, forage and Grass, hay. Certain revisions included in this document were made by choosing a replacement commodity term from the "Food and Feed Vocabulary" based on the old commodity term and existing tolerances for related food or feed commodities. These changes are specific to the amended sections and paragraphs in 40 CFR part 180, subpart C. For example:

In § 180.154(a) and § 180.169(a)(1) the commodity term Alfalfa would be replaced with Alfalfa, forage. Alfalfa, forage and Alfalfa, hay are preferred commodity terms for Alfalfa. Alfalfa, forage was chosen to replace Alfalfa since tolerances are established for Alfalfa, hay.

In § 180.121(e) Beet (with or without tops) would be replaced with Beet, garden roots. Beet, garden, roots and Beet, garden, tops are the preferred commodity terms for Beet (with or without tops). Beet, garden roots was chosen since a tolerance is established for Beet, garden, tops. In § 180.408(a) Beet, garden would be replaced with Beet, garden, roots. A tolerance is established for Beet, garden, tops.

In § 180.154(a) Birdsfoot trefoil would be replaced with Trefoil, forage. Trefoil, forage and Trefoil, hay are the preferred commodity terms for Birdsfoot trefoil. Trefoil forage was chosen since a tolerance is established for Trefoil, hay.

In § 180.154(a) and § 180.169(a)(1) Clover would be replaced with Clover, forage. Clover, forage and Clover, hay are preferred commodity terms for Clover. Clover, forage was chosen since tolerances are established for Clover, hay.

In § 180.121(a), § 180.204(a) and § 180.288(a), the commodity term Corn, forage would be replaced with Corn, field, forage. Corn, field, forage and Corn, sweet, forage are the preferred commodity terms for Corn, forage. Since there are no tolerances for sweet corn; Corn, field, forage was chosen to replace Corn, forage. In § 180.412(a) the commodity term Corn, field, forage was chosen to replace Corn, forage since a tolerance is established for Corn, sweet, forage.

In § 180.111(a)(1) and § 180.169(a)(1) the commodity term Grass would be replaced with Grass, forage. The preferred terms for Grass are Grass, forage and Grass, hay. Grass, forage was chosen since tolerances are established for Grass, hay.

In § 180.121(e) Rutabagas (with or without tops) would be replaced with Rutabaga, roots. Rutabaga, roots and Rutabaga, tops are the preferred terms for Rutabagas (with or without tops). Rutabaga, roots was chosen since a tolerance is established for Rutabaga tops.

In § 180.342(a)(2) Turnip would be replaced with Turnip, roots. The preferred terms for Turnip are Turnip, roots and Turnip, greens. Turnip, roots was chosen since tolerances are established for Turnip, greens. In § 180.121(e) Turnip (with or without tops) would be replaced with Turnip, roots since a tolerance is established for Turnip, greens.

This document also proposes to delete certain terms that are not needed to identify the tolerance commodities. Examples:

1. The term Peanut, meat (hulls removed) would be changed to Peanut.
2. The term Banana, pulp (no peel) would be changed to Banana, pulp.
3. The commodity term Peach (includes nectarines) would be changed to Peach; the "Food and Feed Vocabulary" uses the term Peach to include peach and nectarines.
4. The terms Horseradish, roots and Potato, tuber would be changed to Horseradish and Potato.
5. The terms Garlic, bulb and Garlic (bulb) would be changed to Garlic.
6. The terms Plum (fresh) and Pineapple, fresh would be changed to Plum and Pineapple.

### III. Statutory and Executive Order Reviews

This document proposes technical amendments to the Code of Federal Regulations which have no substantive impact on the underlying regulations, and does not otherwise impose or amend any requirements. As such, the Office of Management and Budget (OMB) has determined that a technical amendment is not a "significant regulatory action" subject to review by OMB under Executive Order 12866, entitled *Regulatory Planning and Review* (58 FR 51735, October 4, 1993). Because this proposed rule has been exempted from review under Executive Order 12866 due to its lack of significance, this proposed rule is not subject to Executive Order 13211, *Actions Concerning Regulations That Significantly Affect Energy Supply,*

*Distribution, or Use* (66 FR 28355, May 22, 2001). This proposed rule does not contain any information collections subject to OMB approval under the Paperwork Reduction Act (PRA), 44 U.S.C. 3501 *et seq.*, or impose any enforceable duty or contain any unfunded mandate as described under Title II of the Unfunded Mandates Reform Act of 1995 (UMRA) (Public Law 104-4). Nor does it require any special considerations under Executive Order 12898, entitled *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations* (59 FR 7629, February 16, 1994); or OMB review or any Agency action under Executive Order 13045, entitled *Protection of Children from Environmental Health Risks and Safety Risks* (62 FR 19885, April 23, 1997). This action does not involve any technical standards that would require Agency consideration of voluntary consensus standards pursuant to section 12(d) of the National Technology Transfer and Advancement Act of 1995 (NTTAA), Public Law 104-113, section 12(d) (15 U.S.C. 272 note). The Regulatory Flexibility Act (RFA) (5 U.S.C. 601 *et seq.*) generally requires an agency to prepare a regulatory flexibility analysis of any rule subject to notice and comment rulemaking requirements under the Administrative Procedure Act or any other statute unless the agency certifies that the rule will not have a significant impact on a substantial number of small entities. Small entities include small businesses, small organizations, and small governmental organizations. After considering the economic impacts of today's proposed rule on small entities, I certify that this action will not have a significant economic impact on a substantial number of small entities. This action proposes technical amendments to the Code of Federal Regulations which have no substantive impact on the underlying regulations. These technical amendments will not have any negative economic impact on any entities, including small entities. In addition, the Agency has determined that this action will not have a substantial direct effect on States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132, entitled *Federalism* (64 FR 43255, August 10, 1999). Executive Order 13132 requires EPA to develop an accountable process to ensure "meaningful and timely input by State and local officials in the development of regulatory policies that

have federalism implications.” “Policies that have federalism implications” is defined in the Executive Order to include regulations that have “substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.” This proposed rule directly regulates growers, food processors, food handlers and food retailers, not States. This action does not alter the relationships or distribution of power and responsibilities established by Congress in the preemption provisions of section 408(n)(4) of the FFDCA. For these same reasons, the Agency has determined that this proposed rule does not have any “tribal implications” as described in Executive Order 13175, entitled *Consultation and Coordination with Indian Tribal Governments* (65 FR 67249, November 6, 2000). Executive Order 13175, requires EPA to develop an accountable

process to ensure “meaningful and timely input by tribal officials in the development of regulatory policies that have tribal implications.” “Policies that have tribal implications” is defined in the Executive Order to include regulations that have “substantial direct effects on one or more Indian tribes, on the relationship between the Federal Government and the Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.” This proposed rule will not have substantial direct effects on tribal governments, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes, as specified in Executive Order 13175. Thus, Executive Order 13175 does not apply to this proposed rule.

#### List of Subjects in 40 CFR Part 180

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pest, Reporting and recordkeeping requirements.

Dated: June 4, 2008.

**Debra Edwards,**

*Director, Office of Pesticide Programs.*

Therefore, 40 CFR chapter I, part 180 is proposed to be amended as follows:

#### PART 180—[AMENDED]

1. The authority citation for part 180 continues to read as follows:

**Authority:** 21 U.S.C. 321(q), 346a, and 371.

2. Section 180.1 is amended by revising the table to paragraph (g) to read as follows:

#### § 180.1 Definitions and interpretations.

\* \* \* \* \*

(g) \* \* \*

A	B
Alfalfa	<i>Medicago sativa</i> L. <i>Subsp. sativa</i> , (alfalfa, lucerne); <i>Onobrychis viciifolia</i> Scop. (sainfoin, holy clover, esparcet); and <i>Lotus corniculatus</i> L. (trefoil); and varieties and/or hybrids of these.
Banana	Banana, plantain.
Bean	<i>Cicer arietinum</i> (chickpea, garbanzo bean); <i>Lupinus</i> spp. (including sweet lupine, white sweet lupine, white lupine, and grain lupine). <i>Phaseolus</i> spp. (including kidney bean, lima bean, mung bean, navy bean, pinto bean, snap bean, and waxbean; <i>Vicia faba</i> (broad bean, fava bean); <i>Vigna</i> spp. (including asparagus bean, blackeyed pea and cowpea).
Bean, dry	All beans above in dry form only.
Bean, succulent	All beans above in succulent form only.
Blackberry	<i>Rubus eubatus</i> (including bingleberry, black satin berry, boysenberry Cherokee blackberry, Chesterberry, Cheyenne blackberry, coryberry, darrowberry, dewberry, Dirksen thornless berry, Himalayaberry, hullberry, Lavacaberry, lowberry, Lucretiaberry, mammoth blackberry, marionberry, nectarberry, olallieberry, Oregon evergreen berry, phenomenalberry, rangerberry, ravenberry, rossberry, Shawnee blackberry, and varieties and/or hybrids of these).
Broccoli	Broccoli, chinese broccoli (gia lon, white flowering broccoli).
Cabbage	Cabbage, Chinese cabbage (tight-heading varieties only).
Caneberry	<i>Rubus</i> spp. (including blackberry); <i>Rubus caesius</i> (youngberry); <i>Rubus loganbaccus</i> (loganberry); <i>Rubus idaeus</i> (red and black raspberry); cultivars, varieties, and/or hybrids of these.
Celery	Celery, Florence fennel (sweet anise, sweet fennel, finocchio) (fresh leaves and stalks only).
Cherry	Cherry, sweet, and cherry, tart.
Endive	Endive, escarole.
Fruit, citrus	Grapefruit, lemon, lime, orange, tangelo, tangerine, citrus citron, kumquat, and hybrids of these.

A	B
Garlic	Garlic, great headed; garlic, and serpent garlic.
Lettuce	Lettuce, head; and lettuce, leaf
Lettuce, head	Lettuce, head; crisphead varieties only
Lettuce, leaf	Lettuce, leaf; cos (romaine), butterhead varieties
Marjoram	<i>Origanum</i> spp. (includes sweet or annual marjoram, wild marjoram or oregano, and pot marjoram).
Melon	Muskmelon, including hybrids and/or varieties of <i>Cucumis melo</i> (including true cantaloupe, cantaloupe, casaba, Santa Claus melon, crenshaw melon, honeydew melon, honey balls, Persian melon, golden pershaw melon, mango melon, pineapple melon, snake melon); and watermelon, including hybrids and/or varieties of ( <i>Citrullus</i> spp.).
Muskmelon	<i>Cucumis melo</i> (includes true cantaloupe, cantaloupe, casaba, Santa Claus melon, crenshaw melon, honeydew melon, honey balls, Persian melon, golden pershaw melon, mango melon, pineapple melon, snake melon, and other varieties and/or hybrids of these.)
Onion	Bulb onion; green onion; and garlic.
Onion, bulb	Bulb onion; garlic; great headed garlic; serpent garlic; Chinese onion; pearl onion; potato onion; and shallot, bulb.
Onion, green	Green onion; lady's leek; leek; wild leek; Beltsville bunching onion; fresh onion; tree onion, tops; Welsh onion; and shallot, fresh leaves.
Peach	Peach, nectarine
Pea	<i>Cajanus cajan</i> (includes pigeon pea); <i>Cicer</i> spp. (includes chickpea and garbanzo bean); <i>Lens culinaris</i> (lentil); <i>Pisum</i> spp. (includes dwarf pea, garden pea, green pea, English pea, field pea, and edible pod pea). [Note: A variety of pesticide tolerances have been previously established for pea and/or bean. Chickpea/garbanzo bean is now classified in both the bean and the pea categories. For garbanzo bean/chickpea only, the highest established pea or bean tolerance will apply to pesticide residues found in this commodity.]
Pea, dry	All peas in dry form only.
Pea, succulent	All peas in succulent form only.
Pepper	All varieties of pepper including pimento and bell, hot, and sweet pepper.
Radish, oriental, roots	<i>Raphanus sativus</i> var. <i>longipinnatus</i> (roots and tops), including Chinese or Japanese radish (both white and red), winter radish, daikon, lobok, lo pak, and other cultivars and/or hybrids of these.
Radish, oriental, tops)	<i>Raphanus sativus</i> var. <i>longipinnatus</i> (roots and tops), including Chinese or Japanese radish (both white and red), winter radish, daikon, lobok, lo pak, and other cultivars and/or hybrids of these.
Rapeseed	<i>Brassica napus</i> , <i>B. campestris</i> , and <i>Crambe abyssinica</i> (oilseed-producing varieties only which include canola and crambe.)
Raspberry	<i>Rubus</i> spp. (including bababerry; black raspberry; blackcap; caneberry; framboise; frambueso; himbeere; keriberry; mayberry; red raspberry; thimbleberry; tulameen; yellow raspberry; and cultivars, varieties, and/or hybrids of these).
Sorghum, grain, grain	<i>Sorghum</i> spp. [sorghum, grain, sudangrass (seed crop), and hybrids of these grown for its seed].
Sorghum, forage, stover	<i>Sorghum</i> spp. [sorghum, forage; sorghum, stover; sudangrass, and hybrids of these grown for forage and/or stover.
Squash	Pumpkin, summer squash, and winter squash.
Sugar apple	<i>Annona squamosa</i> L. (sugar apple, sweetsop, anon), and its hybrid <i>A. squamosa</i> L. x <i>A. cherimoya</i> M. (atemoya). Also <i>A. reticulata</i> L. (true custard apple).

A	B
Squash, summer	Fruits of the gourd ( <i>Cucurbitaceae</i> ) family that are consumed when immature, 100% of the fruit is edible either cooked or raw, once picked it cannot be stored, has a soft rind which is easily penetrated, and if seeds were harvested they would not germinate; e.g., <i>Cucurbita pepo</i> (i.e., crookneck squash, straightneck squash, scallop squash, and vegetable marrow); <i>Lagenaria</i> spp. (i.e., spaghetti squash, hyotan, cucuzza); <i>Luffa</i> spp. (i.e., hechima, Chinese okra); <i>Momordica</i> spp. (i.e., bitter melon, balsam pear, balsam apple, Chinese cucumber); <i>Sechium edule</i> (chayote); and other cultivars and/or hybrids of these.
Sweet potato	Sweet potato, yam.
Tangerine	Tangerine (mandarin or mandarin orange); tangelo, tangor, and other hybrids of tangerine with other citrus.
Tomato	Tomato, tomatillo.
Turnip tops or turnip greens	Broccoli raab (raab, raab salad), hanover salad, turnip tops (turnip greens).
Wheat	Wheat, triticale.

\* \* \* \* \*

**§ 180.412 [Amended]****PART 180—[AMENDED]****§ 180.368 [Amended]**

3. Section 180.368 is amended by removing from the table in paragraph (a)(1) the entry for “Milo, grain.”

4. Section 180.412 is amended by removing from the table in paragraph (a) the entry for “Potato, granules.”

5. Part 180 is amended as follows:

In Section	In paragraph	Remove the term	Add in its place the term
180.106	(a)(1) table	Grass crops (other than Bermuda grass)	Grass, forage, except bermudagrass
180.111	(a)(1) table	Date	Date, dried fruit
180.111	(a)(1) table	Grass	Grass, forage
180.111	(a)(1) table	Hop	Hop, dried cones
180.111	(a)(1) table	Lupine, seed	Lupin, seed
180.111	(a)(1) table	Peavine, hay	Pea, field, hay
180.111	(a)(1) table	Shallots	Shallot, bulb
180.117	table	Bean, castor	Castorbean, seed
180.121	(a) table	Corn, forage	Corn, field, forage
180.121	(a) table	Hop	Hop, dried cones
180.121	(a) table	Soybean	Soybean, seed
180.121	(e) table	Beet (with or without tops)	Beet, garden, roots
180.121	(e) table	Rutabagas (with or without tops)	Rutabaga, roots
180.121	(e) table	Turnip (with or without tops)	Turnip, roots
180.122	(a) table	Sorghum	Sorghum, grain, grain
180.129	table	Citron	Citron, citrus
180.153	(a)(1) table	Potato, sweet	Sweet potato, roots
180.153	(a)(1) table	Sheep, meat (fat basis)	Sheep, meat
180.153	(a)(1) table	Sheep, meat byproducts (fat basis)	Sheep, meat byproducts
180.154	(a) table	Alfalfa	Alfalfa, forage
180.154	(a) table	Birdfoot trefoil	Trefoil, forage

In Section	In paragraph	Remove the term	Add in its place the term
180.154	(a) table	Clover	Clover, forage
180.169	(a)(1) table	Alfalfa	Alfalfa, forage
180.169	(a)(1) table	Clover	Clover, forage
180.169	(a)(1) table	Grass	Grass, forage
180.169	(a)(1) table	Pea (with pods)	Pea, edible podded
180.169	(a)(1) table	Prickly pear cactus, fruit	Cactus, fruit
180.169	(a)(1) table	Prickly pear cactus, pads	Cactus, pad
180.169	(c) table	Dill, fresh	Dillweed, fresh leaves
180.173	(a) table	Cattle, meat (fat basis)	Cattle, meat
180.176	(a) table	Banana, pulp (no peel)	Banana, pulp
180.176	(a) table	Corn grain (except popcorn grain)	Corn, field, grain
180.176	(a) table	Rye, milled feed fraction	Rye, bran
180.176	(a) table	Wheat, milled feed fractions	Wheat, milled byproducts
180.204	(a) table	Corn, forage	Corn, field, forage
180.205	(a) table	Cacao bean	Cacao bean, bean
180.205	(a) table	Guar	Guar, seed
180.206	(a) table	Hop	Hop, dried cones
180.215	(a)(1) table	Hop	Hop, dried cones
180.227	(a)(1) table	Cotton, meal	Cottonseed, meal
180.253	(a) table	Grass, Bermuda	Bermudagrass, forage
180.253	(a) table	Pea, vines	Pea, field, vines
180.288	(a) table	Corn, forage	Corn, field, forage
180.342	(a)(2) table	Legume vegetables, succulent or dried (except soybean)	Vegetable, legume, group 6, except soybean
180.342	(a)(2) table	Peanut oil	Peanut, refined oil
180.342	(a)(2) table	Turnip	Turnip, roots
180.353	(b) table	Red beet roots	Beet, garden, roots
180.353	(b) table	Red beet tops	Beet, garden, tops
180.364	(a) table	Cacao bean	Cacao bean, bean
180.364	(a) table	Coffee, bean	Coffee, bean, green
180.364	(a) table	Date	Date, dried fruit
180.368	(a)(1) table	Millet, fodder	Millet, straw
180.368	(a)(1) table	Milo, fodder	Sorghum, grain, stover
180.368	(a)(1) table	Milo, forage	Sorghum, grain, forage
180.368	(a)(3) table	Garlic, bulb	Garlic
180.379	(a)(1) table	English walnut	Walnut
180.381	(a) table	Date	Date, dried fruit
180.399	(a)(1) table	Bean, dried, vine hay	Cowpea, hay

In Section	In paragraph	Remove the term	Add in its place the term
180.399	(c) table	Chinese mustard	Mustard greens
180.408	(a) table	Beet, garden	Beet, garden, roots
180.410	(a) table	Pineapple, fresh	Pineapple
180.411	(c)(2) table	Coffee, bean	Coffee, bean, green
180.412	(a) table	Corn fodder	Corn, field, stover
180.412	(a) table	Corn forage	Corn, field, forage
180.414	(a)(1) table	Garlic, bulb	Garlic
180.419	(a)(2) table	Oat milling fractions (except flour)	Oat, groats/rolled oats
180.420	(c) table	Hop	Hop, dried cones
180.428	(a)(1) table	Grass, fodder	Grass, straw
180.431	(a) table	Oat, milled fractions (except flour)	Oat, groats/rolled oats
180.435	(a)(1) table	Cotton, oil	Cotton, refined oil
180.436	(a)(1) table	Vegetable, leafy greens, except Brassica, group 4	Vegetable, leafy, except brassica, group 4
180.438	(a)(1) table	Corn, field, grain, flour	Corn, field, flour
180.438	(a)(2) table	Corn, field, grain, flour	Corn, field, flour
180.448	(a) table	Hop	Hop, dried cones
180.450	(a) table	Sorghum, forage, hay	Sorghum, forage
180.466	(a) table	Cotton, oil	Cotton, refined oil
180.474	(a)(1) table	Peach (includes nectarine)	Peach
180.491	(a)(1) table	Cocoa bean, bean	Cacao bean, roasted bean
180.498	(a)(2) table	Horseradish, roots	Horseradish
180.515	(a) table	Cacao	Cacao bean, bean
180.515	(a) table	Coffee	Coffee, bean, green
180.515	(a) table	Date	Date, dried fruit
180.515	(a) table	Grain, cereal, forage (excluding corn and sorghum)	Grain, cereal, forage, fodder and straw group 16, except corn and sorghum; forage
180.515	(a) table	Kava, Kava	Kava, roots
180.515	(a) table	Mulberry, Indian	Noni
180.515	(a) table	Soursop, group	Soursop
180.515	(a) table	Tea	Tea, dried
180.515	(a) table	Wasabia, roots	Wasaba, roots
180.516	(a) table	Carrot	Carrot, roots
180.516	(a) table	Peanut, meat (hulls removed)	Peanut
180.516	(a) table	Yam, true	Yam, true, tuber
180.532	(a)(1) table	Carrot	Carrot, roots
180.564	(a) table	Soybean, aspirated grain fractions	Grain, aspirated fractions
180.565	(a) table	Coffee \1\	Coffee, bean, green \1\



In Section	In paragraph	Remove the term	Add in its place the term
180.565	(a) table	Soybean, aspirated grain fractions	Grain, aspirated fractions
180.567	(a)(2) table	Potato, tuber	Potato
180.568	(a) table	Garlic (bulb)	Garlic
180.569	(a)(2) table	Plum (fresh)	Plum
180.573	(a)(1) table	Soybean, aspirated grain fraction	Grain, aspirated fractions
180.575	(a)(1) table	Coffee, postharvest	Coffee, bean, roasted bean, postharvest
180.579	(a)(1) table	Garlic, bulb	Garlic
180.582	(a)(1) table	Vegetable, legume, edible podded, subgroup	Vegetable, legume, edible podded, subgroup 6A
180.584	(a) table	Hop <sup>1</sup>	Hop, dried cones <sup>1</sup>
180.615	(d) table	Wheat, grain, milled byproducts	Wheat, milled byproducts

[FR Doc. E8–13368 Filed 6–17–08; 8:45 am]

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## DEPARTMENT OF DEFENSE

### GENERAL SERVICES ADMINISTRATION

### NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

#### 48 CFR Parts 9 and 52

[FAR Case 2007–018; Docket 2008–0002; Sequence 1]

RIN 9000–AK98

#### Federal Acquisition Regulation; FAR Case 2007–018, Organizational Conflicts of Interest

**AGENCIES:** Department of Defense (DoD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

**ACTION:** Advance notice of proposed rulemaking; Reopening of comment period.

**SUMMARY:** The Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (the Councils) are seeking information that will assist in determining whether the Federal Acquisition Regulation System's current guidance on organizational conflicts of interest (OCIs) adequately addresses the current needs of the acquisition community or whether providing standard provisions and/or clauses, or a set of such standard provisions and clauses, might be beneficial. The comment period is reopened an additional 30 days to provide additional time for interested parties to review and comment on the Advance notice of proposed rulemaking.

**DATES:** *Comment Date:* Interested parties should submit written comments to the FAR Secretariat at the address shown below on or before July 18, 2008 to be considered in the formulation of a proposed rule.

**ADDRESSES:** Submit comments identified by FAR case 2007–018 by any of the following methods:

- Regulations.gov: <http://www.regulations.gov>.

Submit comments via the Federal eRulemaking portal by inputting “FAR Case 2007–018” under the heading “Comment or Submission”. Select the link “Send a Comment or Submission” that corresponds with FAR Case 2007–018. Follow the instructions provided to complete the “Public Comment and Submission Form”. Please include your name, company name (if any), and “FAR Case 2007–018” on your attached document.

- Fax: 202–501–4067.
- Mail: General Services Administration, Regulatory Secretariat (VPR), 1800 F Street, NW., Room 4041, ATTN: Laurieann Duarte, Washington, DC 20405.

**Instructions:** Please submit comments only and cite FAR case 2007–018 in all correspondence related to this case. All comments received will be posted without change to <http://www.regulations.gov>, including any personal and/or business confidential information provided. Please include your name and company name (if any) inside the document.

**FOR FURTHER INFORMATION CONTACT:** Meredith Murphy, Procurement Analyst, at (202) 208–6925 for clarification of content. For information pertaining to status or publication schedules, contact the FAR Secretariat

at (202) 501–4755. Please cite FAR case 2007–018.

**SUPPLEMENTARY INFORMATION:** The Councils published an Advance notice of proposed rulemaking in the **Federal Register** at 73 FR 15962, March 26, 2008. To allow additional time for interested parties to review the Advance notice of proposed rulemaking and submit comments, the comment period is reopened for an additional 30 days.

Dated: June 11, 2008.

**Al Matera,**

*Director, Office of Acquisition Policy.*

[FR Doc. E8–13724 Filed 6–17–08; 8:45 am]

BILLING CODE 6820–EP–S

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### 50 CFR Part 17

[FWS–R7–ES–2008–0004; 1111 FY07 MO–B2]

#### Endangered and Threatened Wildlife and Plants; 90-Day Finding on a Petition To List the Long-Tailed Duck (*Clangula hyemalis*) as Endangered

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notice of 90-day petition finding.

**SUMMARY:** We, the U.S. Fish and Wildlife Service (Service), announce a 90-day finding on a petition to list the long-tailed duck (*Clangula hyemalis*) as endangered under the Endangered Species Act of 1973, as amended (Act). We find that the petition does not present substantial scientific or commercial information indicating that listing the species may be warranted.