Notices

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This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[FV–99–329N]

United States Standards for Grades of Canned Whole Kernel (Whole Grain) Corn

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Notice.

SUMMARY: The Agricultural Marketing Service (AMS) of the Department of Agriculture (USDA) is soliciting comments on its proposal to change the United States Standards for Grades of Canned Whole Kernel (Whole Grain) Corn. Specifically, USDA is proposing to provide for the ''individual attributes'' procedure for product grading with sample sizes, acceptable quality levels (AQL's), tolerances and acceptance numbers (number of allowable defects); include varietal types of supersweet and genetically modified varieties in the grade standards; replace dual grade nomenclature with single letter grade designations; remove the recommended minimum drained weight criteria from the grade standards and provide the criteria in the grading manual; remove the score sheet for canned whole kernel corn; and make minor editorial changes.

DATES: Comments must be submitted on or before May 3, 1999.

ADDRESSES: Interested persons are invited to submit their written comments to Karen L. Kaufman, Processed Products Branch, Fruit and Vegetable Programs, Agricultural Marketing Service, U.S. Department of Agriculture, STOP 0247, P.O. Box 96456; Washington, DC 20090–6456; fax (202) 690–1087; or e-mail karen__l__kaufman@usda.gov.

Comments should reference the date and page of this issue of the **Federal Register**. All comments received will be made available for public inspection at the address listed above during regular business hours. The current United States Standards for Grades of Canned Whole Kernel (Whole Grain) Corn, along with the proposed changes, are available either through the address cited above or by accessing AMS's Home Page on the Internet at: www.ams.usda.gov/standards/vegcan.htm.

FOR FURTHER INFORMATION CONTACT: Karen L. Kaufman at (202) 720–5021.

SUPPLEMENTARY INFORMATION: Section 203(c) of the Agricultural Marketing Act of 1946, as amended, directs and authorizes the Secretary of Agriculture ''to develop and improve standards of quality, condition, quantity, grade and packaging and recommend and demonstrate such standards in order to encourage uniformity and consistency in commercial practices. * * *'' Agricultural Marketing Service (AMS) is committed to carrying out this authority in a manner that facilitates the marketing of agricultural commodities and makes copies of official standards available upon request. The United States Standards for Grades of Canned Whole Kernel Corn do not appear in the Code of Federal Regulations but are maintained by USDA. Copies of official standards are available upon request.

Specifically, AMS proposes to change the United States Standards for Grades of Canned Whole Kernel (Whole Grain) Corn using procedures that appear in Part 36 of Title 7 of the Code of Federal Regulations (7 CFR Part 36). AMS is proposing to provide for the ''individual attributes'' procedure for product grading with sample sizes, acceptable quality levels (AQL's), tolerances and acceptance numbers (number of allowable defects); include varietal types of supersweet and genetically modified varieties in the grade standards; replace dual grade nomenclature with single letter grade designations; remove the recommended minimum drained weight criteria from the grade standards and provide the criteria in the grading manual; remove the score sheet for canned whole kernel corn; and make minor editorial changes. These changes will allow for a more equitable marketing environment for domestic whole kernel corn processors.

AMS received a petition from the National Food Processors Association (NFPA), requesting that the U.S. grade standards for canned whole kernel corn be revised. NFPA represents over 550 food industry companies [1].

NFPA specifically requested that the U.S. grade standards for canned whole kernel corn, which are currently based on cumulative score points, be modified by converting the U.S. grade standards to statistically-based individual attributes grade standards, similar to the U.S. grade standards for canned green and wax beans (58 FR 4295, January 14, 1993).

In addition, NFPA requested the grade standards include other varietal types i.e., supersweet and genetically modified sweet corn. These newer varieties possess flavor, tenderness, and maturity characteristics that vary somewhat from conventional corn. The proposed revision of the grade standards would include the quality characteristics for these varietal types, for example, appearance, cut, flavor and odor, tenderness and maturity, extraneous vegetable material, specified defects, seriously damaged kernels, damaged kernels and pulled kernels.

Another proposed change would replace dual grade nomenclature with single letter designations. ''U.S. Grade A'' (or ''U.S. Fancy''), ''U.S. Grade B'' (or U.S. Extra Standard), and ''U.S. Grade C'' (or ''U.S. Standard'') would become ''U.S. Grade A,'' ''U.S. Grade B,'' and ''U.S. Grade C'', respectively.

NFPA also proposed removing the recommended minimum drained weight criteria from the grade standards and relocating it in the Grading Manual for Canned Whole Kernel Corn since drained weight, as such, is not a factor of quality for the purpose of these grades.

This proposed revision would remove the ''Score sheet for canned whole kernel (or whole grain) corn and canned whole kernel (or whole grain) vacuum pack corn'', from the U.S. grade standards since this scoresheet is not needed for individual attributes-type grade standard.

This proposed change includes minor editorial changes and provides a uniform format consistent with recent revisions of other U.S. grade standards. In addition, this format has been designed to provide industry personnel and agricultural commodity graders with simpler and more comprehensive standards.

[1] Source—USDA, NASS, ASB

AMS has reviewed the petitions and data submitted, gathered information from government and industry resources and is proposing to revise the standards based on the recommended changes.

A 60 day comment period is provided for interested persons to comment on changes to the standards.

Authority: 7 U.S.C. 1621–1627.

Dated: February 26, 1999.

Robert C. Keeney,

Deputy Administrator, Fruit and Vegetable Programs.

[FR Doc. 99–5356 Filed 3–3–99; 8:45 am]

BILLING CODE 3410–02–P

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[S&T99–001]

Plant Variety Protection Advisory Board; Open Meeting

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Notice of meeting.

SUMMARY: This notice sets forth the schedule and proposed agenda of a forthcoming meeting of the Plant Variety Protection Advisory Board.

DATES: March 24, 1999, 9 a.m. to 5 p.m., open to the public.

ADDRESSES: The meeting will be held in the National Agricultural Library Building, Conference Room 1400 (Fourteenth Floor), Beltsville, Maryland.

FOR FURTHER INFORMATION CONTACT: Alan A. Atchley, Acting Commissioner, Plant Variety Protection Office, Room 500, National Agricultural Library Building, Beltsville, Maryland 20705 (301/504–5518).

SUPPLEMENTARY INFORMATION: Pursuant to the provisions of section 10(a) of the Federal Advisory Committee Act (Pub.L. 92–463), this notice is given concerning a Plant Variety Protection Advisory Board meeting. The Board is established pursuant to the Plant Variety Protection Act (7 U.S.C. 2321, *et seq.*). The proposed agenda for the meeting will include discussions of: (1) a proposal to increase user fees for the Plant Variety Protection Office, (2) the handling of Plant Variety Protection Office decisions which are being protested by applicants, (3) long term strategic planning for efficient functioning of the Plant Variety Protection Office, and (4) and other related topics. Written comments may be submitted to the contact person listed above before or after the meeting.

Dated: February 26, 1999.

Kenneth C. Clayton,

Acting Administrator.

[FR Doc. 99–5357 Filed 3–3–99; 8:45 am]

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DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[Docket No. 99–002–1]

University of Saskatchewan; Receipt of Petition for Determination of Nonregulated Status for Flax Genetically Engineered for Tolerance to Soil Residues of Sulfonylurea Herbicides

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice.

SUMMARY: We are advising the public that the Animal and Plant Health Inspection Service has received a petition from the University of Saskatchewan seeking a determination of nonregulated status for a flax line designated as CDC Triffid, which has been genetically engineered for tolerance to residues of sulfonylurea herbicides in soil. The petition has been submitted in accordance with our regulations concerning the introduction of certain genetically engineered organisms and products. In accordance with those regulations, we are soliciting public comments on whether this flax line presents a plant pest risk.

DATES: Written comments must be received on or before May 3, 1999.

ADDRESSES: Please send an original and three copies of your comments to Docket No. 99–002–1, Regulatory Analysis and Development, PPD, APHIS, Suite 3C03, 4700 River Road, Unit 118, Riverdale, MD 20737–1238. Please state that your comments refer to Docket No. 99–002–1. A copy of the petition and any comments received may be inspected at USDA, room 1141, South Building, 14th Street and Independence Avenue SW., Washington, DC, between 8 a.m. and 4:30 p.m., Monday through Friday, except holidays. Persons wishing access to that room to inspect the petition or comments are asked to call in advance of visiting at (202) 690–2817 to facilitate entry into the reading room.

FOR FURTHER INFORMATION CONTACT: Dr. James White, Biotechnology and Biological Analysis, PPQ, APHIS, Suite 5B05, 4700 River Road, Unit 147, Riverdale, MD 20737–1236; (301) 734–5940. To obtain a copy of the petition, contact Ms. Kay Peterson at (301) 734–4885; e-mail: Kay.Peterson@usda.gov.

SUPPLEMENTARY INFORMATION: 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,'' 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 organisms and products are considered ''regulated articles.''

The regulations in § 340.6(a) provide that any person may submit a petition to the Animal and Plant Health Inspection Service (APHIS) seeking a determination that an article should not be regulated under 7 CFR part 340. Paragraphs (b) and (c) of § 340.6 describe the form that a petition for determination of nonregulated status must take and the information that must be included in the petition.

On December 1, 1998, APHIS received a petition (APHIS Petition No. 98–335–01p) from the Crop Development Centre (CDC) of the University of Saskatchewan (CDC/Saskatchewan) of Saskatchewan, Saskatoon, Canada, requesting a determination of nonregulated status under 7 CFR part 340 for a flax (*Linum usitatissimum* L.) line designated as CDC Triffid, which has been genetically engineered for tolerance to residues of sulfonylurea herbicides in soil. The CDC Triffid flax line was developed for use as a rotational crop alternative with cereals such as wheat and barley on soils containing residues of sulfonylurea herbicides. The CDC/Saskatchewan petition states that the subject flax line should not be regulated by APHIS because it does not present a plant pest risk.

As described in the petition, the CDC Triffid flax line has been genetically engineered to contain a modified acetolactate synthase (*als*) gene derived from *Arabidopsis thaliana*. The *als* gene encodes a modified acetolactate synthase enzyme that extends to root tissues the reported natural ability of flax to withstand sulfonylurea herbicides. The subject flax line also contains and expresses the nopaline synthase (*nos*) gene derived from *Agrobacterium tumefaciens* and the neomycin phosphotransferase-II (*nptII*) gene derived from *Escherchia coli*. The *nos* and *nptII* genes are used as selectable markers during the plant