

Notices

Federal Register

Vol. 64, No. 55

Tuesday, March 23, 1999

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

Animal and Plant Health Inspection Service

[Docket No. 99-010-1]

AgrEvo USA Co.; Extension of Determination of Nonregulated Status for Corn Genetically Engineered for Male Sterility and Glufosinate Herbicide Tolerance as a Marker

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice.

SUMMARY: We are advising the public of our decision to extend to one additional corn transformation event our determination that a corn transformation event developed by AgrEvo USA Company, which has been genetically engineered for male sterility and glufosinate herbicide tolerance as a marker, is no longer considered a regulated article under our regulations governing the introduction of certain genetically engineered organisms. Our decision is based on our evaluation of data submitted by AgrEvo USA Company in its request for an extension of a determination of nonregulated status and an analysis of other scientific data. This notice also announces the availability of an environmental assessment and finding of no significant impact.

EFFECTIVE DATE: April 22, 1999.

ADDRESSES: The extension request and an environmental assessment and finding of no significant impact 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 to inspect those documents 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 extension request or the environmental assessment and finding of no significant impact, 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. Further, the regulations in § 340.6(e)(2) provide that a person may request that APHIS extend a determination of nonregulated status to other organisms. Such a request must include information to establish the similarity of the antecedent organism and the regulated article in question.

Background

On December 15, 1998, APHIS received a request for an extension of a determination of nonregulated status (APHIS No. 98-349-01p) from AgrEvo USA Company (AgrEvo) of Wilmington, DE, for corn designated as transformation event MS6 (event MS6), which has been genetically engineered for male sterility and glufosinate herbicide tolerance as a marker. The AgrEvo request seeks an extension of a determination of nonregulated status issued for corn transformation event MS3, the antecedent organism, in response to APHIS petition number 95-228-01p (61 FR 9142-9143, March 7, 1996, Docket No. 95-076-2). Based on the similarity of corn event MS6 to the antecedent organism, AgrEvo requests a

determination that male sterile and glufosinate tolerant corn event MS6 does not present a plant pest risk and, therefore, is not a regulated article under APHIS' regulations in 7 CFR part 340.

Analysis

Like the antecedent organism, corn event MS6 contains a *barnase* gene derived from *Bacillus amyloliquefaciens* and a *bar* gene derived from *Streptomyces hygroscopicus*. The *barnase* gene encodes an enzyme that inhibits pollen formation and results in male sterility of the transformed plants. The *bar* gene encodes a phosphinothricin acetyltransferase (PAT) enzyme that confers tolerance to the herbicide glufosinate. Linkage of the *barnase* gene, which induces male sterility, with the *bar* gene, a glufosinate tolerance gene used as a marker, enables selection of the male sterile line independent of plant growth stage. Expression of the added genes is controlled in part by gene sequences derived from the plant pathogens cauliflower mosaic virus and *Agrobacterium tumefaciens*. While corn event MS6 contains fragments of the *bla* marker gene, it was concluded that the fragments would not produce an intact protein in any medium. The particle acceleration method was used to transfer the added genes into the parental corn inbred line H99.

Corn event MS6 and the antecedent organism were genetically engineered using the same transformation method, with the same gene that makes the plants sterile and the same marker gene, and using the same parental inbred line. Accordingly, we have determined that corn event MS6 is similar to the antecedent organism in petition 95-228-01p and, therefore, should no longer be regulated under the regulations in 7 CFR part 340.

The subject corn event has been considered a regulated article under APHIS' regulations in 7 CFR part 340 because it contains gene sequences derived from plant pathogens. However, evaluation of field data reports from field tests of this corn event conducted under APHIS notifications since 1997 indicates that there were no deleterious effects on plants, nontarget organisms, or the environment as a result of its environmental release.

Determination

Based on an analysis of the data submitted by AgrEvo and a review of other scientific data and field tests of the subject corn event, APHIS has determined that corn event MS6: (1) Exhibits no plant pathogenic properties; (2) is no more likely to become a weed than male sterile corn developed by traditional breeding techniques; (3) is unlikely to increase the weediness potential for any other cultivated or wild species with which it can interbreed; (4) will not cause damage to raw or processed agricultural commodities; and (5) will not harm threatened or endangered species or other organisms, such as bees, that are beneficial to agriculture. Therefore, APHIS has concluded that corn event MS6 and any progeny derived from crosses with other corn varieties will be as safe to grow as corn that is not subject to regulation under 7 CFR part 340.

Since APHIS has determined that corn event MS6 does not present a plant pest risk based on its similarity to the antecedent organism, AgrEvo's corn event MS6 will no longer be considered a regulated article under APHIS' regulations in 7 CFR part 340. Therefore, the requirements pertaining to regulated articles under those regulations no longer apply to the field testing, importation, or interstate movement of the subject corn event or its progeny. However, importation of corn event MS6 or seeds capable of propagation are still subject to the restrictions found in APHIS' foreign quarantine notices in 7 CFR part 319.

National Environmental Policy Act

An environmental assessment (EA) has been prepared to examine the potential environmental impacts associated with this determination. The EA was 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). Based on that EA, APHIS has reached a finding of no significant impact (FONSI) with regard to its determination that AgrEvo's corn event MS6 and lines developed from it are no longer regulated articles under its regulations in 7 CFR part 340. Copies of the EA and the FONSI are available upon request from the individual listed under **FOR FURTHER INFORMATION CONTACT**.

Done in Washington, DC, this 17th day of March, 1999.

Craig A. Reed,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 99-7077 Filed 3-23-99; 8:45 am]

BILLING CODE 3410-34-P

DEPARTMENT OF AGRICULTURE**Forest Service****Willamette Provincial Advisory Committee (PAC); Meeting**

AGENCY: Forest Service, USDA.

ACTION: Meeting.

SUMMARY: The Willamette PAC Advisory Committee will meet on Thursday, April 8, 1999. The meeting is scheduled to begin at 9 a.m., and will conclude at approximately 3 p.m. The meeting will be held at the Salem BLM Office; 1717 Fabry Road SE; Salem, Oregon 97306; phone (503) 375-5642. The tentative agenda includes: (1) Subcommittee Report on Mt. Hood Wilderness management proposal, (2) Public Forum, (3) Information presentation on Survey and Manage, (4) Forest Service 25% fund and payments to counties. The Public Forum is tentatively scheduled to begin at 10 a.m. Time allotted for individual presentation will limited to 3-4 minutes. Written comments are encouraged, particularly if the material cannot be presented within the time limits for the Public Forum. Written comments may also be submitted prior to the April 8 meeting by sending them to Designated Federal Official Neal Forrester at the address given below.

FOR FURTHER INFORMATION CONTACT: For more information regarding this meeting, contact Designated Federal Official Neal Forrester; Willamette National Forest; 211 East Seventh Avenue; Eugene, Oregon 97401; (541) 465-6924.

Dated: March 17, 1999.

Randy A. Dunbar,

Acting Forest Supervisor.

[FR Doc. 99-7021 Filed 3-22-99; 8:45 am]

BILLING CODE 3410-11-M

DEPARTMENT OF AGRICULTURE**Rural Business-Cooperative Service****Notice of Request for Approval of New Information Collection.**

AGENCY: Rural Business-Cooperative Service, USDA.

ACTION: Proposed collection; comments requested.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces Rural Business-Cooperative Service's (RBS) intention to request approval of an information collection in support of the Mid- to Upper Level Management and Sales/Field Representatives Compensation Survey.

DATES: Comments on this notice must be received by May 24, 1999, to be assured of consideration.

FOR FURTHER INFORMATION CONTACT: Beverly L. Rotan, Agricultural Economist, Rural Business-Cooperative Service, Cooperative Resources and Management Division, USDA, Stop 3253, 1400 Independence Avenue, SW, Washington, DC 20250, telephone number (202) 690-2413 (this is not a toll free number).

SUPPLEMENTARY INFORMATION:

Title: Mid- to Upper-Level Management and Sales/Field Representatives Compensation Survey.
Type of Request: New Information Collection.

Abstract: Changing agricultural markets, services, new farming techniques/technology (biotechnology, value-added products, etc.) available to cooperatives require them to closely examine methods to identify, attract, and retain the employment of competent, productive employees. The unique nature of the cooperative business requires the services of employees with special skills in addition to their areas of technical expertise. The "owner is customer" characteristic of cooperatives requires cooperative employees to have skills in education, communications, governance, and member relations that are not typically required of employees in any other type of business. Subsequently, compensation data on the general business population do not reflect the unique requirements of cooperatives. This study will also serve as a guide to established cooperatives.

RBS has received an increasing number of inquiries from cooperatives, farm organizations (National Council of Farmer Cooperatives (NCFC), University extension agents, etc.), and other interested clientele asking for updated data on employee compensation and comparable salary information for various job categories; with an added interest for cooperative directors' compensation. The most recent investigation into compensation for specified job classification was done in 1991. Before that time the most recent study was done in 1962.