

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

Animal and Plant Health Inspection Service

[Docket No. 95-016-2]

Availability of Determination of Nonregulated Status for Genetically Engineered Tomato Lines

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice.

SUMMARY: We are advising the public of our determination that tomato lines developed by Zeneca Plant Science and Petoseed Company, Inc., designated as B, Da, and F that have been genetically engineered for suppressed polygalacturonase enzyme activity are no longer considered regulated articles under our regulations governing the introduction of certain genetically engineered organisms. Our determination is based on our evaluation of data submitted by Zeneca Plant Science and Petoseed Company, Inc., in their petition for a determination of nonregulated status, an analysis of other scientific data, and our review of comments received from the public in response to a previous notice announcing our receipt of the Zeneca Plant Science and Petoseed, Inc., petition. This notice also announces the availability of our written determination document and its associated environmental assessment and finding of no significant impact.

EFFECTIVE DATE: June 6, 1995.

ADDRESSES: The determination, an environmental assessment and finding of no significant impact, the petition, and all written comments received regarding the petition 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.

FOR FURTHER INFORMATION CONTACT: Dr. Subhash Gupta, Biotechnologist, Biotechnology Permits, BBEP, APHIS, 4700 River Road Unit 147, Riverdale, MD 20737-1237; (301) 734-7612. To obtain a copy of the determination or the environmental assessment and finding of no significant impact, contact Ms. Kay Peterson at (301) 734-7612.

SUPPLEMENTARY INFORMATION:

Background

On February 7, 1995, the Animal and Plant Health Inspection Service (APHIS) received a petition (APHIS Petition No. 94-290-01p) from Zeneca Plant Science of Wilmington, DE, and Petoseed Company, Inc., of Woodland, CA, (Zeneca/Petoseed) seeking a determination that tomato lines designated as B, Da, and F that have been genetically engineered for suppressed polygalacturonase (PG) enzyme activity do not present a plant pest risk and, therefore, are not regulated articles under APHIS' regulations in 7 CFR part 340.

On March 17, 1995, APHIS published a notice in the **Federal Register** (60 FR 14413-14414, Docket No. 95-016-1) announcing receipt of the Zeneca/Petoseed petition and announcing that the petition was available for public review. The notice also discussed the role of APHIS and the Food and Drug Administration in regulating the subject tomato lines and food products derived from them. In the notice, APHIS solicited written comments from the public as to whether the subject tomato lines posed a plant pest risk. The comments were to have been received by APHIS on or before May 16, 1995.

APHIS received five comments on the Zeneca/Petoseed petition, from a food company, a seed company, and State departments of agriculture. All the commenters supported the Zeneca/Petoseed petition for nonregulated status for the subject tomato lines.

Analysis

Zeneca/Petoseed's tomato lines B, Da, and F have been developed from an unmodified proprietary inbred tomato line coded as T7, that has been genetically engineered to contain a fragment of the tomato PG gene in the sense or antisense orientation.

Inhibition of the PG enzyme resulting from the transcription of the PG gene fragment results in an increased thickness of the tomato, which is a desired characteristic in processing tomatoes. The subject tomato lines also contain the bacterial neomycin phosphotransferase (*nptII*) gene that is used as a selectable marker. Tomato lines B, Da, and F were transformed through the use of disarmed vectors from a common soil-borne bacterium, the plant pathogen *Agrobacterium tumefaciens*. The subject tomato lines have been considered regulated articles under APHIS' regulations in 7 CFR part 340 because they contain certain gene sequences derived from plant-pathogenic sources. However, evaluation of field data reports from field tests of the subject tomato lines conducted under APHIS permits or notifications since 1991 indicate that there were no deleterious effects on plants, nontarget organisms, or the environment as a result of the subject tomato plants' release into the environment.

Determination

Based on its analysis of the data submitted by Zeneca/Petoseed and a review of other scientific data, comments received from the public, and field tests of the subject tomato lines, APHIS has determined that tomato lines B, Da, and F: (1) Exhibit no plant pathogenic properties; (2) are no more likely to become a weed than tomatoes with suppressed PG activity developed by traditional breeding techniques; (3) are unlikely to increase the weediness potential of any other cultivated plant or wild species with which they can interbreed; (4) are unlikely to harm other organisms, such as bees, which are beneficial to agriculture; and (5) should not cause damage to processed agricultural commodities.

The effect of this determination is that tomato lines designated as B, Da, and F are no longer considered regulated articles under APHIS' regulations in 7 CFR part 340. Therefore, the permit and notification requirements pertaining to regulated articles under those regulations no longer apply to the field testing, importation, or interstate movement of the subject tomato lines or their progeny. However, the importation of the subject tomato lines or seeds capable of propagation is 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) (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 the subject tomato lines and lines developed from them 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 15th day of June 1995.

Lonnie J. King,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 95–15379 Filed 6–22–95; 8:45 am]

BILLING CODE 3410–34–P

Forest Service

Rabbit and Sisters Timber Sales, Colville National Forest, Ferry County, Washington

AGENCY: Forest Service, USDA.

ACTION: Cancellation notice.

SUMMARY: The Forest Service, USDA, is no longer involved in the preparation of an environmental impact statement for the Rabbit and Sisters Timber Sales on the Kettle Falls Ranger District of the Colville National Forest. The Notice of Intent, published in the **Federal Register** on November 4, 1991 is hereby rescinded (56 FR 56356).

FOR FURTHER INFORMATION CONTACT: Ralph Egan, Planning Forester, 225 W. 11th Street, Kettle Falls, Washington 99141, or phone 509–738–6111.

Dated: June 9, 1995.

Tim Town,

Acting Forest Supervisor.

[FR Doc. 95–15389 Filed 6–22–95; 8:45 am]

BILLING CODE 3410–11–M

Eagle Rock and Granite Timber Sales, Colville National Forest, Ferry County, Washington

AGENCY: Forest Service, USDA.

ACTION: Revised notice of intent to prepare an environmental impact statement.

SUMMARY: On November 6, 1990, the Forest Service, USDA, published a Notice of Intent (NOI) in the **Federal Register** (55 FR 46693). The notice stated that the proposed action was to harvest 5.0 million board feet (MMBF) of timber and construct 6.0 miles of roads in the Eagle Rock timber sale, and to harvest 5.0 MMBF of timber and construct 7.0 miles of road in the Granite timber sale. Both timber sales were within portions of the South Fork O'Brien Creek, Rabbit Creek, and South Fork Rabbit Creek drainages on the Republic Ranger District and were to be sold in Fiscal Year 1993.

This revised NOI changes the name of this project to "Eagle Rock Ecosystem Restoration" with the Proposed Action changed to timber harvesting and prescribed burning, in which we propose to restore portions of the area to a sustainable forest condition. Road construction and reconstruction is still included in the Proposed Action.

The location of the revised project is now within Thirteenmile Creek, Ninemile Creek (formerly called Rabbit Creek), McMann Creek, Camel Creek, and other unnamed smaller drainages flowing westerly into the Sanpoil River between the Colville Indian Reservation and the town of Republic, Washington. The South Fork O'Brien Creek drainage is no longer included.

The revised Proposed Action includes timber harvest and subsequent prescribed burning or thinning on approximately 2,520 acres, prescribed burning without timber harvest on approximately 3,360 acres, and approximately 7 miles of road construction and reconstruction. The timber harvest portion of the project, called Eagle Rock timber sale, is now proposed to sell in Fiscal Year 1996. Burning treatments are proposed to occur over a five year period beginning in 1996.

The draft environmental impact statement (EIS) will be tiered to the Forest Land and Resource Management Plan as amended by Regional Forester's Forest Plan Amendments for Eastside Forests, May 24, 1994 and June 12, 1995. The revised date of filing the draft EIS is October 1995 and the final EIS in February 1996.

DATES: Comments concerning the scope of the revised analysis should be received in writing by July 24, 1995.

ADDRESSES: Send written comments and suggestions concerning the proposed project to Patricia Egan, District Ranger, P.O. Box 468, Republic, Washington, 99166.

FOR FURTHER INFORMATION CONTACT:

Questions should be directed to Pat Egan, Kristie Miller, or Jim Parker, Republic Ranger District, Colville National Forest; at P.O. Box 468, Republic, Washington, 99166 or telephone 509–775–3305.

Dated: June 9, 1995.

Tim Town,

Acting Forest Supervisor.

[FR Doc. 95–15388 Filed 6–22–95; 8:45 am]

BILLING CODE 3410–11–M

Grain Inspection, Packers and Stockyards Administration

Amendment to Certification of Central Filing System—Oklahoma

The Statewide central filing system of Oklahoma has been previously certified, pursuant to section 1324 of the Food Security Act of 1985, on the basis of information submitted by the Oklahoma Secretary of State, for farm products produced in that State (52 FR 49056, December 29, 1987).

The certification is hereby amended on the basis of information submitted by Tom Cole, Secretary of State, for an additional farm product produced in that State as follows:

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This is issued pursuant to authority delegated by the Secretary of Agriculture.

Authority: Sec. 1324(c)(2), Pub. L. 99–198, 99 Stat. 1535, 7 U.S.C. 1631(c)(2); 7 CFR 2.18(e)(3), 2.56(a)(3), 55 FR 22795.

Dated: June 19, 1995.

Calvin W. Watkins,

Deputy Administrator, Packers and Stockyards Programs.

[FR Doc. 95–15366 Filed 6–22–95; 8:45 am]

BILLING CODE 3410–KD–P

COMMISSION ON CIVIL RIGHTS

Agenda and Notice of Public Meeting of the South Dakota Advisory Committee

Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights, that a meeting of the South Dakota Advisory Committee to the Commission will convene on Friday,