

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.

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## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

[Docket Number FV-95-304]

#### Advisory Committee for Fresh Products Shipping Point Inspection Program

AGENCY: Office of the Secretary, USDA.

ACTION: Notice of public meetings.

**SUMMARY:** In accordance with the Federal Advisory Committee Act, as amended, the U.S. Department of Agriculture (USDA), Agricultural Marketing Service (AMS) announces three forthcoming meetings of the Advisory Committee for the Fresh Products Shipping Point Inspection Program.

**DATES:** August 10, 1995, at 9:00 a.m. through August 11, 1995. August 30, 1995, at 9:00 a.m. through August 31, 1995. September 14, 1995, at 9:00 a.m. through September 15, 1995.

**ADDRESSES:** U.S. Department of Agriculture, South Building, 14th and Independence Avenue, S.W., Agricultural Marketing Service Conference Room 3501, Washington, D.C. 20250. Telephone: (202) 690-0262.

**FOR FURTHER INFORMATION CONTACT:** Eric Forman, Deputy Director, U.S. Department of Agriculture, Agricultural Marketing Service, Fruit and Vegetable Division, P.O. Box 96456, Room 2085 South Building, Washington, D.C. 20090-6456. Telephone: (202) 690-0262.

**SUPPLEMENTARY INFORMATION:** The Advisory Committee for the Fresh Products Shipping Point Inspection Program includes five representatives from State cooperators and fifteen representatives from the fruit and vegetable industry. The purpose of the meetings are to review the Fresh Products Branch Shipping Point Inspection Program and confer with Department officials regarding its

administration, operations, and funding. The exchange of views and information between industry, State representatives, and the Department should result in improved understanding of the cooperative agreements and their effective and efficient administration.

The meetings are open to the interested public, but space is limited. Persons wishing to attend should notify the Vice-Chairman at least one day in advance. Any member of the public may file a written statement with the Committee before, during, or after the meeting. Minutes of each meeting will be available on request.

Dated: July 24, 1995.

**Lon Hatamiya,**  
*Administrator.*

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### Animal and Plant Health Inspection Service

[Docket No. 95-056-1]

#### Addition of Two Genetically Engineered Tomato Lines to Determination of Nonregulated Status for Calgene, Inc.

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice.

**SUMMARY:** The Animal and Plant Health Inspection Service is announcing that it has added two genetically engineered tomato lines to those subject to its October 19, 1992, interpretive ruling that certain FLAVR SAVR™ lines need no longer be regulated. The effect of this action is that two additional delayed-softening tomato lines, which have been modified by the incorporation of genetic material described by Calgene, Inc., in its initial request for an interpretive ruling, will no longer be subject to regulation under 7 CFR part 340.

**FOR FURTHER INFORMATION CONTACT:** Dr. Subhash Gupta, Biotechnologist, Biotechnology Permits, BBEP, APHIS, 4700 River Road Unit 147, Riverdale, MD 20737-1237; (301) 734-8761.

**SUPPLEMENTARY INFORMATION:** On October 19, 1992, the Animal and Plant Health Inspection Service (APHIS) published in the **Federal Register** (57 FR 47608-47616, Docket No. 92-087-2) a notice announcing the issuance of an interpretive ruling that previously field

tested lines of the Calgene, Inc., FLAVR SAVR™ tomato do not present a plant pest risk and are not regulated articles under the regulations contained in 7 CFR part 340. That action was in response to a petition submitted by Calgene seeking a determination from APHIS that its FLAVR SAVR™ tomato no longer be deemed a regulated article, based on an absence of plant pest risk. The effect of that action was that previously field tested lines of the FLAVR SAVR™ tomato and their progeny would no longer be regulated under the regulations in 7 CFR part 340.

FLAVR SAVR™ tomatoes were defined by Calgene in its initial petition to include any tomatoes transformed with one of seven identified plasmid vectors that all carry an antisense copy of the tomato polygalacturonase gene and a bacterial neomycin phosphotransferase gene with associated regulatory sequences. Calgene's initial request to APHIS in 1992 was for a determination pertaining to all FLAVR SAVR™ transformants produced in tomato using any one of the seven plasmid vectors. Calgene indicated in its petition that data provided to APHIS were representative of the data gathered for all lines tested up to that time. The initial determination announced by APHIS on October 19, 1992, only applied to those lines that had already been field tested. However, APHIS indicated that new lines were likely to exhibit properties similar to those of lines already field tested under permit. The determination also allowed for cross-breeding of the identified FLAVR SAVR™ tomato lines with any other lines or cultivars of tomato without a permit. Since the publication of the October 19, 1992, determination, a total of 30 FLAVR SAVR™ tomato lines have been added to the original determination; those additions were announced in notices published in the **Federal Register** on October 3, 1994 (59 FR 50220, Docket No. 94-096-1); November 18, 1994 (59 FR 59746, Docket No. 94-125-1); and March 23, 1995 (60 FR 15284, Docket No. 95-015-1).

The FLAVR SAVR™ tomato lines that are the subject of this notice, designated 519a 4109a-4645 and 540a 4109a-1823, were constructed using the plasmid pCGN4109, which contains the promoter/terminator from either pCGN1557 or pCGN1578. These latter