

# 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 Research Service

#### Notice of Intent to Grant Exclusive License

**AGENCY:** Agricultural Research Service, USDA.

**ACTION:** Notice of intent.

**SUMMARY:** Notice is hereby given that the U.S. Department of Agriculture, Agricultural Research Science, intends to grant to Union Camp Corporation of Wayne, New Jersey, an exclusive license for all uses in the field of tree seedling coatings to U.S. Patent Application Serial No. 08/233,173 filed April 26, 1994, "Non-Separable Starch-Oil Compositions." Notice of Availability was published in the Federal Register on October 24, 1994.

**DATES:** Comments must be received on or before November 27, 1995.

**ADDRESSES:** Send comments to: USDA, ARS, Office of Technology Transfer, Room 401, Building 005, BARC-West, Baltimore Boulevard, Beltsville, Maryland 20705-2350.

**FOR FURTHER INFORMATION CONTACT:** June Blalock of the Office of Technology Transfer at the Beltsville address given above; telephone: 301-504-5989.

**SUPPLEMENTARY INFORMATION:** The Federal Government's patents rights to this invention are assigned to the United States of America, as represented by the Secretary of Agriculture. It is in the public interest to so license this invention as Union Camp Corporation has submitted a complete and sufficient application for a license. The prospective exclusive license will be royalty-bearing and will comply with the terms and conditions of 35 U.S.C. 209 and 37 CFR 404.7. The prospective exclusive license may be granted unless, within sixty days from the date of this published Notice, the Agricultural Research Service receives written evidence and argument which

establishes that the grant of the license would not be consistent with the requirements of 35 U.S.C. 209 and 37 CFR 404.7.

R.M. Parry, Jr.,

*Assistant Administrator.*

[FR Doc. 95-26532 Filed 10-25-95; 8:45 am]

**BILLING CODE** 3410-03-M

### Animal and Plant Health Inspection Service

[Docket No. 95-075-1]

#### Dupont Agricultural Products; Receipt of Petition for Determination of Nonregulated Status for Cotton Genetically Engineered for Tolerance to 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 Dupont Agricultural Products seeking a determination of nonregulated status for a cotton line designated as 19-51a that has been genetically engineered for tolerance to sulfonylurea herbicides. 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 cotton line presents a plant pest risk.

**DATES:** Written comments must be received on or before December 26, 1995.

**ADDRESSES:** Please send an original and three copies of your comments to Docket No. 95-075-1, 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. 95-075-1. 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.

**FOR FURTHER INFORMATION CONTACT:** Dr. Sivramiah Shantharam, Team Leader, Biotechnology Permits, BBEP, APHIS, Suite 5B05, 4700 River Road Unit 147, Riverdale, MD 20737-1237; (301) 734-7612. To obtain a copy of the petition, contact Ms. Kay Peterson at (301) 734-7612.

**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 September 13, 1995, APHIS received a petition (APHIS Petition No. 95-256-01p) from Dupont Agricultural Products (Dupont) of Wilmington, DE, requesting a determination of nonregulated status under 7 CFR part 340 for a sulfonylurea-tolerant cotton line designated as 19-51a. The Dupont petition states that the subject cotton line should not be regulated by APHIS because it does not present a plant pest risk.

As described in the petition, cotton line 19-51a has been genetically engineered with a gene from tobacco which encodes an altered acetolactate synthase enzyme that enhances tolerance to sulfonylurea herbicides. The subject cotton line was developed through the use of the *Agrobacterium tumefaciens* transformation system.

Dupont's cotton line 19-51a is currently considered a regulated article under the regulations in 7 CFR part 340 because it contains gene sequences derived from the plant pathogen *A.*