

# 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.

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## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

[Docket No. 96-002-1]

#### Asgrow Seed Co.; Receipt of Petition for Determination of Nonregulated Status for Squash Line Genetically Engineered for Virus Resistance

**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 Asgrow Seed Company seeking a determination of nonregulated status for a squash line designated as CZW-3 that has been genetically engineered for virus resistance. 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 squash line presents a plant pest risk.

**DATES:** Written comments must be received on or before April 2, 1996.

**ADDRESSES:** Please send an original and three copies of your comments to Docket No. 96-002-1, 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. 96-002-1. 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.

**FOR FURTHER INFORMATION CONTACT:** Dr. James White, 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 December 18, 1995, APHIS received a petition (APHIS Petition No. 95-352-01p) from the Asgrow Seed Company (Asgrow) of Kalamazoo, MI, requesting a determination of nonregulated status under 7 CFR part 340 for a yellow crookneck squash line designated as CZW-3 (line CZW-3) that has been genetically engineered to contain genes that confer virus resistance. The Asgrow petition states that squash line CZW-3 should not be regulated by APHIS because it does not present a plant pest risk.

As described in the petition, line CZW-3 has been genetically engineered to contain the coat protein genes from cucumber mosaic virus, watermelon mosaic virus 2, and zucchini yellow mosaic virus for resistance to these three viruses. The subject squash line also contains the *nptII* gene from the prokaryotic transposon Tn5, which encodes the enzyme neomycin phosphotransferase II and is used as a selectable marker for transformation. Expression of the added genes is

controlled by 35S promoters and terminators from the plant pathogen cauliflower mosaic virus. The *Agrobacterium tumefaciens* vector system was used to transfer the plasmid containing the DNA elements described above into the yellow crookneck squash parental line.

Line CZW-3 has been considered a regulated article under the regulations in 7 CFR part 340 because it contains gene sequences from plant pathogens. The subject squash line has been evaluated in field trials conducted in 1993 and 1994 under APHIS permits. In the process of reviewing the applications for field trials of line CZW-3, APHIS determined that the vectors and other elements were disarmed and that the trials, which were conducted under conditions of reproductive and physical containment or isolation, would not present a risk of plant pest introduction or dissemination.

In the Federal Plant Pest Act, as amended (7 U.S.C. 150aa *et seq.*), "plant pest" is defined as "any living stage of: Any insects, mites, nematodes, slugs, snails, protozoa, or other invertebrate animals, bacteria, fungi, other parasitic plants or reproductive parts thereof, viruses, or any organisms similar to or allied with any of the foregoing, or any infectious substances, which can directly or indirectly injure or cause disease or damage in any plants or parts thereof, or any processed, manufactured or other products of plants." APHIS views this definition very broadly. The definition covers direct or indirect injury, disease, or damage not just to agricultural crops, but also to plants in general, for example, native species, as well as to organisms that may be beneficial to plants, for example, honeybees, rhizobia, etc.

The Food and Drug Administration (FDA) published a statement of policy on foods derived from new plant varieties in the Federal Register on May 29, 1992 (57 FR 22984-23005). The FDA statement of policy includes a discussion of FDA's authority for ensuring food safety under the Federal Food, Drug, and Cosmetic Act, and provides guidance to industry on the scientific considerations associated with the development of foods derived from new plant varieties, including those plants developed through the techniques of genetic engineering.

In accordance with § 340.6(d) of the regulations, we are publishing this notice to inform the public that APHIS will accept written comments regarding the Petition for Determination of Nonregulated Status from any interested person for a period of 60 days from the date of this notice. The petition and any comments received are available for public review, and copies of the petition may be ordered (see the **ADDRESSES** section of this notice).

After the comment period closes, APHIS will review the data submitted by the petitioner, all written comments received during the comment period, and any other relevant information. Based on the available information, APHIS will furnish a response to the petitioner, either approving the petition in whole or in part, or denying the petition. APHIS will then publish a notice in the Federal Register announcing the regulatory status of Asgrow's yellow crookneck squash line CZW-3 and the availability of APHIS' written decision.

Authority: 7 U.S.C. 150aa-150jj, 151-167, and 1622n; 31 U.S.C. 9701; 7 CFR 2.22, 2.80, and 371.2(c).

Done in Washington, DC, this 30th day of January 1996.

Terry L. Medley,

*Acting Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 96-2259 Filed 2-1-96; 8:45 am]

BILLING CODE 3410-34-P

### Commodity Credit Corporation

#### Request for Extension and Revision of a Currently Approved Information Collection

**AGENCY:** Commodity Credit Corporation, USDA.

**ACTION:** Notice and request for comments.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, this notice announces the Commodity Credit Corporation's (CCC) intention to request an extension for and revision to a currently approved information collection in support of the Conservation Reserve Program (CRP). The collection requirements have been revised to decrease the number of respondents for certain forms, decrease the total annual responses to match the reduction in respondents, change form identified as CRP-42 to CRP-1F Addendum, and reduce the average response time for this form from 30 minutes to 5 minutes.

**DATES:** Comments on this notice must be received on or before April 2, 1996 to be assured consideration.

**ADDITIONAL INFORMATION OR COMMENTS:** Comments may be sent to Cheryl Zavodny, Chief, Conservation Programs Branch, Conservation and Environmental Programs Division, USDA, FSA, P.O. Box 2415, Washington, DC 20013, (202) 720-6221.

**SUPPLEMENTARY INFORMATION:**

*Title:* 7 CFR Part 704, 1986-1990 Conservation Reserve Program and 7 CFR Part 1410, 1991-1995 Conservation Reserve Program Regulations.

*OMB Number:* 0560-0125.

*Approval Date of Expiration:* March 3, 1996.

*Type of Request:* Extension and Revision of a Currently Approved Information Collection.

*Abstract:* Revisions were made to the currently approved information collection to reflect the Department's continued efforts to retarget CRP to more environmentally sensitive acreage. Total public burden hours are based on the following assumptions:

1. Some contracts will expire from CRP on September 30, 1996;

2. Easement authority will not be reinstated;

3. Participants with acreage that expires from CRP on September 30, 1996, will be offered an opportunity to modify and extend the expiration date under certain conditions;

4. Five percent of eligible producers will elect to preserve bases, allotments, and quotas by continuing to abide by the terms and conditions of the contract after expiration.

*Estimate of Burden:* Public reporting burden for this collection of information is estimated to average .1207253 hours per response.

*Respondents:* Owners, operators, and other producers on eligible cropland.

*Estimated Number of Respondents:* 310,200.

*Estimated Number of Responses per Respondent:* 1.

*Estimated Total Annual Burden on Respondents:* 37,449.

*Comments are invited on:* (a) whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of collection of information on

those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology. Comments may be sent to Desk Officer for Agriculture, Office of Information and Regulatory Affairs, OMB, Washington, D.C., 20503 and to Cheryl Zavodny, Chief, Conservation Programs Branch, Conservation and Environmental Programs Division, USDA, FSA, P.O. Box 2415, Washington, DC 20013, (202) 720-6221.

Copies of information collection documents may be obtained from Leslie Deavers, Agriculture Program Specialist, Conservation and Environmental Programs Division, USDA, FSA, P.O. Box 2415, Washington, DC 20013, (202) 720-9563.

All responses to this notice will be summarized and included in the request for OMB approval. All comments will also become a matter of public record.

Signed at Washington, DC, on January 25, 1996.

Bruce R. Weber,

*Executive Vice President, Commodity Credit Corporation.*

[FR Doc. 96-2176 Filed 2-1-96; 8:45 am]

BILLING CODE 3410-05-P

### Farm Service Agency

#### Notice of Request for Extension and Revision of a Currently Approved Information Collection

**AGENCY:** Farm Service Agency, USDA.

**ACTION:** Notice and request for comments.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, this notice announces the Farm Service Agency's (FSA) intention to request an extension for, and revision of, an information collection process currently in effect with respect to regulations issued under the United States Warehouse Act (USWA), related reporting and recordkeeping requirements and Standards for Approval of Warehouses Under the Commodity Credit Corporation (CCC) Charter Act.

**DATES:** Comments on this notice must be received on or before April 2, 1996 to be assured consideration.

**ADDITIONAL INFORMATION OR COMMENTS:** Judy Fry, Agricultural Marketing Specialist, Warehouse and Inventory Division, Farm Service Agency, USDA, P.O. Box 2415, Washington, D.C. 20013-2415; telephone (202) 720-7433.

**SUPPLEMENTARY INFORMATION:**