

found free from spores. If spores are found, the grain will be eligible for movement only under a limited permit issued in accordance with paragraph (c) of this section.

\* \* \* \* \*

**§§ 301.89-7 and 301.89-9 [Amended]**

6. In §§ 301.89-7 and 301.89-9, footnotes 5 and 6 and their references in the text are redesignated as footnotes 4 and 5, respectively.

**Appendix to Subpart—Karnal Bunt [Removed]**

8. The "Appendix to Subpart—Karnal Bunt" is removed.

Done in Washington, DC, this 25th day of April 1997.

**Charles P. Schwalbe,**

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

[FR Doc. 97-11357 Filed 4-30-97; 8:45 am]

BILLING CODE 3410-34-P

**DEPARTMENT OF AGRICULTURE**

**Animal and Plant Health Inspection Service**

**7 CFR Part 340**

[Docket No. 95-040-4]

RIN 0579-AA73

**Genetically Engineered Organisms and Products; Simplification of Requirements and Procedures for Genetically Engineered Organisms**

**AGENCY:** Animal and Plant Health Inspection Service, USDA.

**ACTION:** Final rule; withdrawal.

**SUMMARY:** This document withdraws the final rule pertaining to genetically engineered plants introduced under notification and to the petition process for the determination of nonregulated status that was published in the **Federal Register** on April 24, 1997, and that was scheduled to become effective on May 27, 1997. The published document was an incorrect version of the final rule and contained errors in the text. The correct version of the final rule will be published in the **Federal Register** as soon as possible.

**DATES:** This withdrawal is effective May 1, 1997.

**FOR FURTHER INFORMATION CONTACT:** Dr. John Payne, Director, Biotechnology and Scientific Services, PPQ, APHIS, 4700 River Road Unit 98, Riverdale, MD 20737-1237; (301) 734-7602. For technical information, contact Dr. Michael Schechtman, Domestic

Programs Leader, Biotechnology and Scientific Services, PPQ, APHIS; (301) 734-7601.

**SUPPLEMENTARY INFORMATION:**

**Background**

The regulations in 7 CFR part 340 (referred to below as the regulations) pertain to the introduction (importation, interstate movement, and release into the environment) of genetically engineered organisms and products that are derived from known plant pests (regulated articles). Before introducing a regulated article, a person is required under § 340.0 of the regulations to either (1) notify the Animal and Plant Health Inspection Service (APHIS) in accordance with § 340.3 or (2) obtain a permit in accordance with § 340.4. Introductions under notification must meet specified eligibility criteria and performance standards. Under § 340.4, a permit is granted when APHIS has determined that the conduct of the trial, under the conditions specified by the applicant or stipulated by APHIS, does not pose a plant pest risk. The regulations also provide that petitions may be submitted to APHIS seeking a determination that an article should not be regulated under 7 CFR 340.

On April 24, 1997 (62 FR 19903-19917, Docket No. 95-040-2), APHIS published in the **Federal Register** a final rule to amend, and thereby simplify, the notification and petition provisions of the regulations. The final rule was scheduled to become effective on May 27, 1997. The published document was an incorrect version of the final rule and contained errors in the text. Therefore, we are withdrawing the final rule and will publish the correct version of the final rule in the **Federal Register** as soon as possible.

**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 28th day of April 1997.

**Donald W. Luchsinger,**

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

[FR Doc. 97-11358 Filed 4-30-97; 8:45 am]

BILLING CODE 3410-34-U

**DEPARTMENT OF AGRICULTURE**

**Federal Crop Insurance Corporation**

**7 CFR Parts 454 and 457**

**Fresh Market Tomato (Guaranteed Production Plan) Crop Insurance Regulations; Common Crop Insurance Regulations, Guaranteed Production Plan of Fresh Market Tomato Crop Insurance Provisions**

**AGENCY:** Federal Crop Insurance Corporation, USDA.

**ACTION:** Final rule.

**SUMMARY:** The Federal Crop Insurance Corporation (FCIC) finalizes specific crop provisions for the insurance of fresh market tomatoes. The provisions will be used in conjunction with the Common Crop Insurance Policy Basic Provisions, which contain standard terms and conditions common to most crops. The intended effect of this action is to provide policy changes to better meet the needs of the insured, include the current Fresh Market Tomato (Guaranteed Production Plan) Crop Insurance Regulations with the Common Crop Insurance Policy for ease of use and consistency of terms, and to restrict the effect of the current Fresh Market Tomato (Guaranteed Production Plan) Crop Insurance Regulations to the 1997 and prior crop years.

**EFFECTIVE DATE:** June 2, 1997.

**FOR FURTHER INFORMATION CONTACT:** Louise Narber, Insurance Management Specialist, Research and Development, Product Development Division, Federal Crop Insurance Corporation, United States Department of Agriculture, 9435 Holmes Road, Kansas City, MO 64131, telephone (816) 926-7730.

**SUPPLEMENTARY INFORMATION:**

**Executive Order No. 12866**

The Office of Management and Budget (OMB) has determined this rule to be exempt for the purposes of Executive Order No. 12866 and, therefore, this rule has not been reviewed by OMB.

**Paperwork Reduction Act of 1995**

Following publication of the proposed rule, the public was afforded 60 days to submit comments, data, and opinions on information collection requirements previously approved by OMB under OMB control number 0563-0003 through September 30, 1998. No public comments were received.

**Unfunded Mandates Reform Act of 1995**

Title II of the Unfunded Mandates Reform Act of 1995 (UMRA), Public