

transformation process. Expression of the added genes is controlled in part by gene sequences from the plant pathogen *A. tumefaciens*, and the *A. tumefaciens* method was used to transfer the added genes into the parental Norlin commercial flax variety.

The CDC Triffid flax line has been considered a regulated article under the regulations in 7 CFR part 340 because it contains gene sequences from a plant pathogen. The subject flax line was extensively field tested under confined conditions in Canada in Saskatchewan, Manitoba, and Alberta between 1989 and 1995, and grown under unconfined conditions in Canada since 1996. Field test data and site monitoring indicate no risk of plant pest introduction or dissemination and no negative environmental impacts from the field testing or unconfined release of this flax line. The CDC Triffid flax line was cleared for variety registration, unrestricted environmental release, and use as animal feed in 1996 by Agriculture and Agri-Food Canada, and Health Canada granted human food approval in 1998.

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 U.S. Environmental Protection Agency (EPA) is responsible for the regulation of pesticides under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (7 U.S.C. 136 *et seq.*). FIFRA requires that all pesticides, including herbicides, be registered prior to distribution or sale, unless exempt by EPA regulation. In cases in which genetically modified plants allow for a new use of an herbicide or involve a different use pattern for the herbicide, EPA must approve the new or different use. When the use of the herbicide on the genetically modified plant would result in an increase in the residues of the herbicide in a food or feed crop for

which the herbicide is currently registered, or in new residues in a crop for which the herbicide is not currently registered, establishment of a new tolerance or a revision of the existing tolerance would be required. Residue tolerances for pesticides are established by EPA under the Federal Food, Drug and Cosmetic Act (FFDCA), as amended (21 U.S.C. 301 *et seq.*), and the Food and Drug Administration (FDA) enforces tolerances set by EPA under the FFDCA. Sulfonylurea herbicides are not registered for use on flax in either the United States or Canada.

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 FFDCA, 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. CDC/Saskatchewan completed consultation with FDA in 1998 on the subject flax line.

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 from the individual listed under **FOR FURTHER INFORMATION CONTACT**.

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 the CDC/Saskatchewan CDC Triffid flax line 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 26th day of February 1999.

**Joan M. Arnoldi,**

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

[FR Doc. 99-5360 Filed 3-3-99; 8:45 am]

BILLING CODE 3410-34-P

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## COMMISSION ON CIVIL RIGHTS

### Agenda and Notice of Public Meeting of the Maryland 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 Maryland Advisory Committee to the Commission will convene at 10:00 a.m. and adjourn at 2:00 p.m. on March 24, 1999, at the Montgomery County Human Relations Commission, 164 Rollins Avenue, The Blue Conference Room, Rockville, Maryland 20852. The purpose of the meeting is to update project activity and orient the newly appointed members.

Persons desiring additional information, or planning a presentation to the Committee, should contact Ki-Taek Chun, Director of the Eastern Regional Office, 202-376-7533 (TDD 202-376-8116). Hearing-impaired persons who will attend the meeting and require the services of a sign language interpreter should contact the Regional Office at least ten (10) working days before the scheduled date of the meeting.

The meeting will be conducted pursuant to the provisions of the rules and regulations of the Commission.

Dated at Washington, DC, February 23, 1999.

**Carol-Lee Hurley,**

*Chief, Regional Programs Coordination Unit.*

[FR Doc. 99-5353 Filed 3-3-99; 8:45 am]

BILLING CODE 6335-01-P

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-583-832]

#### Notice of Postponement of Preliminary Determination of Sales at Less Than Fair Value: Dynamic Random Access Memory Semiconductors of One Megabit and Above (DRAMs) From Taiwan

**AGENCY:** Import Administration, International Trade Administration, Department of Commerce.

**EFFECTIVE DATE:** March 4, 1999.

**FOR FURTHER INFORMATION CONTACT:** Thomas Futtner or Alexander Amdur,