

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

[TM-00-02]

#### Notice of Meeting of the National Organic Standards Board

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

**ACTION:** Notice.

**SUMMARY:** In accordance with the Federal Advisory Committee Act, as amended, the Agricultural Marketing Service (AMS) announces a forthcoming meeting of the National Organic Standards Board (NOSB).

**DATES:** March 21, 2000, from 9 a.m. to 5 p.m. and March 22, 2000, from 9 a.m. to 5 p.m. (Pacific Standard Time each day).

**PLACE:** Embassy Suites Hotel, 7762 Beach Boulevard, Buena Park, California 90620, Phone (714) 739-5600.

**FOR FURTHER INFORMATION CONTACT:** Keith Jones, Program Manager, Room 2945 South Building, U.S. Department of Agriculture, AMS, Transportation and Marketing, National Organic Program, P.O. Box 96456, Washington, D.C. 20090-6456, Phone (202) 720-3252.

**SUPPLEMENTARY INFORMATION:** Section 2119 (7 U.S.C. 6518) of the Organic Foods Production Act of 1990 (OFPA), as amended (7 U.S.C. Section 6501 *et seq.*) requires the establishment of the NOSB. The purpose of the NOSB is to assist in the development of standards for substances to be used in organic production and to advise the Secretary on any other aspects of the implementation of OFPA. The NOSB met for the first time in Washington, D.C., in March 1992 and currently has six committees working on various aspects of the program. The committees are: Crops Standards; Processing; Labeling and Packaging; Livestock

Standards; Accreditation; Materials; and, International Issues.

In August 1994, the NOSB provided its initial recommendations for the National Organic Program (NOP) to the Secretary of Agriculture. Since that time, the NOSB has submitted 30 addenda to its recommendations and reviewed more than 170 substances for inclusion on the National List of Allowed and Prohibited Substances. The last meeting of the NOSB was held on October 25-29, 1999, in Washington, D.C.

The U. S. Department of Agriculture (USDA) published its NOP proposed rule in the **Federal Register** on December 16, 1997 (62 FR 65849). A notice extending the comment period on the proposed rule was published in the **Federal Register** on February 9, 1998 (63 FR 6498-6499). The comment period was extended until April 30, 1998. On October 28, 1998, three issue papers for which public comment was requested by USDA were published in the **Federal Register** (63 FR 57624-57626). These papers addressed certain issues raised during the comment period. The issue papers were: Issue Paper 1—Livestock Confinement in Organic Production Systems; Issue Paper 2—The Use of Antibiotics and Parasiticides in Organic Livestock Production; and, Issue Paper 3—Termination of Certification by Private Certifiers. The comment period for the issue papers closed December 14, 1998.

#### Purpose and Agenda

The principal purposes of this meeting are to provide an opportunity for the NOSB to receive committee reports from its standing and ad hoc committees to review ethylene for possible inclusion on the National List for use to induce flowering in pineapples, and to receive briefings on the recently published re-proposed NOP regulation. Copies of the NOSB final meeting agenda can be requested from Mrs. Toni Strother, Room 2510 South Building, U.S. Department of Agriculture, AMS, Transportation and Marketing, NOP, P.O. Box 96456, Washington, D.C. 20090-6456, by phone at (202) 720-3252 or by accessing the NOP website at <http://www.ams.usda.gov/nop> after March 8, 2000.

#### Type of Meeting

All meetings will be open to the public. The NOSB has scheduled time for public input on Wednesday, March 22, 2000, from 1 p.m. until 5 p.m. at the Embassy Suites Hotel, 7762 Beach Boulevard, Buena Park, California 90620. Individuals and organizations wishing to make an oral presentation at the meeting should forward the request to Mrs. Strother at the above address or by FAX to (202) 205-7808 by close of business March 17, 2000. While persons wishing to make a presentation may sign up at the door, advance registration will ensure an opportunity to speak during the allotted time period and will help the NOSB to better manage the meeting and accomplish its agenda. Individuals or organizations will be given approximately 5 minutes to present their views. All persons making an oral presentation are requested to provide their comments in writing, if possible. Written submissions may supplement the oral presentation with additional material. Attendees who do not wish to make an oral presentation are invited to submit written comments to the NOSB at the meeting or to Mrs. Strother after the meeting at the above address. All persons submitting written comments should provide 25 copies.

Dated: February 28, 2000.

**Eileen S. Stommes,**

*Deputy Administrator, Transportation and Marketing.*

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## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

[Docket No. 99-036-1]

#### Monsanto Co.; Availability of Environmental Assessment for Extension of Determination of Nonregulated Status for Potato Genetically Engineered for Insect and Virus Resistance

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

**ACTION:** Notice.

**SUMMARY:** We are advising the public that an environmental assessment has been prepared for a proposed decision to extend to one additional potato line

our determination that certain potato lines developed by Monsanto Company, which have been genetically engineered for insect and virus resistance, are no longer considered regulated articles under our regulations governing the introduction of certain genetically engineered organisms. We are making this environmental assessment available to the public for review and comment.

**DATES:** We will consider all comments that we receive by April 5, 2000.

**ADDRESSES:** Please send your comment and three copies to: Docket No. 99-036-1, Regulatory Analysis and Development, PPD, APHIS, Suite 3C03, 4700 River Road Unit 118, Riverdale, MD 20737-1238.

Please state that your comment refers to Docket No. 99-036-1.

You may read any comments that we receive on this docket in our reading room. The reading room is located in room 1141 of the USDA South Building, 14th Street and Independence Avenue, SW., Washington, DC. Normal reading room hours are 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. To be sure someone is there to help you, please call (202) 690-2817 before coming.

APHIS documents published in the **Federal Register**, and related information, including the names of organizations and individuals who have commented on APHIS dockets, are available on the Internet at <http://www.aphis.usda.gov/ppd/rad/webrepor.html>.

**FOR FURTHER INFORMATION CONTACT:** Dr. James White, Biotechnology Assessments Section, PPQ, APHIS, Suite 5B05, 4700 River Road Unit 147, Riverdale, MD 20737-1236; (301) 734-5940. To obtain a copy of the extension request or the environmental assessment, contact Ms. Kay Peterson at (301) 734-4885; e-mail: [kay.peterson@usda.gov](mailto:kay.peterson@usda.gov).

**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. Further, the regulations in § 340.6(e)(2) provide that a person may request that APHIS extend a determination of nonregulated status to other organisms. Such a request must include information to establish the similarity of the antecedent organism and the regulated article in question.

#### Background

On June 22, 1999, APHIS received a request for an extension of a determination of nonregulated status (APHIS No. 99-173-01p) from Monsanto Company (Monsanto) of St. Louis, MO, for a Russet Burbank potato line designated as NewLeaf® Plus Russet Burbank line RBMT22-82 (RBMT22-82), which has been genetically engineered for resistance to the Colorado potato beetle (CPB) and potato leaf roll virus (PLRV). The Monsanto request seeks an extension of a determination of nonregulated status issued for NewLeaf® Plus Russet Burbank potato lines RBMT21-129 and RBMT21-350 in response to APHIS petition number 97-204-01p (63 FR 69610-69611, December 17, 1998, Docket No. 97-094-2). Based on the similarity of RBMT22-82 to RBMT21-129, the antecedent organism, Monsanto requests a determination that CPB and PLRV resistant potato line RBMT22-82 does not present a plant pest risk and, therefore, is not a regulated article under APHIS' regulations in 7 CFR part 340.

#### Analysis

Like the antecedent organism, RBMT22-82 contains the *cry3A* gene derived from *Bacillus thuringiensis* subsp. *tenebrionis* (*Btt*) and the *orf1/orf2* gene derived from PLRV. The *cry3A* gene encodes an insecticidal protein that is effective against CPB and the *orf1/orf2* gene imparts resistance to PLRV. Potato line RBMT22-82 also contains the *CP4 EPSPS* selectable marker gene, while the antecedent organism contained the *nptII* selectable marker gene. The subject potato line and the antecedent organism were developed through use of the *Agrobacterium tumefaciens* transformation system, and expression of the added genes in RBMT22-82 and the antecedent organism is controlled in part by gene sequences derived from the plant pathogens figwort mosaic virus and *A. tumefaciens*.

Potato line RBMT22-82 and the antecedent organism were genetically engineered using the same

transformation method and with the same genes that make the plants insect and virus resistant. Accordingly, we have determined that potato line RBMT22-82 is similar to the antecedent organism RBMT21-129 in APHIS petition number 97-204-01p, and we are proposing that this line should no longer be regulated under the regulations in 7 CFR part 340.

The subject potato line has been considered a regulated article under APHIS' regulations in 7 CFR part 340 because it contains gene sequences derived from plant pathogens. However, evaluation of field data reports from field tests of RBMT22-82 conducted under APHIS permits and notifications since 1994 indicates that there were no deleterious effects on plants, nontarget organisms, or the environment as a result of its environmental release.

Should APHIS approve Monsanto's request for an extension of a determination of nonregulated status, potato line RBMT22-82 would no longer be considered a regulated article under APHIS' regulations in 7 CFR part 340. Therefore, the requirements pertaining to regulated articles under those regulations would no longer apply to the field testing, importation, or interstate movement of the subject potato line or its progeny.

#### National Environmental Policy Act

An environmental assessment (EA) has been prepared to examine any potential environmental impacts associated with this proposed extension of a determination of nonregulated status. The EA was prepared in accordance with: (1) The National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C. 4321 *et seq.*), (2) regulations of the Council on Environmental Quality for implementing the procedural provisions of NEPA (40 CFR parts 1500-1508), (3) USDA regulations implementing NEPA (7 CFR part 1b), and (4) APHIS' NEPA Implementing Procedures (7 CFR part 372). Copies of Monsanto's extension request and the EA are available upon request from the individual listed under **FOR FURTHER INFORMATION CONTACT**.

Done in Washington, DC, this 29th day of February 2000.

**Bobby R. Acord,**

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

[FR Doc. 00-5353 Filed 3-3-00; 8:45 am]

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