

of testing and more stringent regulation of all genetically engineered crop plants. The remaining commenter expressed the opinion that a partial deregulation of the subject cotton lines should be approved, with restrictions imposed so that additional field tests and monitoring could be conducted to provide data in certain areas of concern. APHIS has carefully considered these comments and suggestions, and a response to the comments is included as an attachment to the finding of no significant impact (FONSI).

Cotton events Cry1F and Cry1Ac have been genetically engineered to express synthetic insecticidal proteins derived from the common soil bacterium *Bacillus thuringiensis* (*Bt*). The petitioner states that the Cry1F and Cry1Ac proteins are effective in providing protection from the feeding of lepidopteran insect pests such as tobacco budworm, beet armyworm, soybean looper, and cotton bollworm. The subject cotton events also express the *pat* gene derived from *Streptomyces viridochromogenes*, a non-pathogenic bacterium. The *pat* gene encodes the enzyme phosphinothricin acetyltransferase (PAT), which confers tolerance to glufosinate herbicides and is present in cotton events Cry1F and Cry1Ac as a selectable marker. The subject cotton events were developed through use of the *Agrobacterium*-mediated transformation method. Cotton events Cry1F and Cry1Ac were developed primarily so that they could be crossed to produce a cotton line which contains both the insecticidal proteins and thereby to maintain a range of effective control options for lepidopteran insect pests and to reduce the potential for the development of resistance to *Bt* insecticides.

Cotton events Cry1F and Cry1Ac have been considered regulated articles under the regulations in 7 CFR part 340 because they contain gene sequences from the plant pathogen *Agrobacterium tumefaciens*. These cotton events have been field tested since 1999 in the United States under APHIS notifications. In the process of reviewing the notifications for field trials of the subject cotton, APHIS determined that the vectors and other elements were disarmed and that the trials, which were conducted under conditions of reproductive and physical confinement or isolation, would not present a risk of plant pest introduction or dissemination.

Determination

Based on its analysis of the data submitted by Mycogen/Dow, a review of other scientific data, field tests of the

subject cotton, and comments submitted by the public, APHIS has determined that cotton event Cry1F and cotton event Cry1Ac: (1) Exhibit no plant pathogenic properties; (2) are no more likely to become weedy than the non-transgenic parental line or other cultivated cotton; (3) are unlikely to increase the weediness potential for any other cultivated or wild species with which they can interbreed; (4) will not cause damage to raw or processed agricultural commodities; (5) will not harm threatened or endangered species or organisms that are beneficial to agriculture; and (6) should not reduce the ability to control pests and weeds in cotton or other crops. Therefore, APHIS has concluded that the subject cotton events and any progeny derived from hybrid crosses with other nontransformed cotton varieties will be as safe to grow as cotton in traditional breeding programs that are not subject to regulation under 7 CFR part 340.

The effect of this determination is that Mycogen/Dow's Cry1F cotton event 281-24-236 and Cry1Ac cotton event 3006-210-23 are no longer considered regulated articles under APHIS' regulations in 7 CFR part 340. Therefore, the requirements pertaining to regulated articles under those regulations no longer apply to the subject cotton or its progeny. However, importation of cotton events Cry1F and Cry1Ac and seeds capable of propagation are still subject to the restrictions found in APHIS' foreign quarantine notices in 7 CFR part 319 and imported seed regulations in 7 CFR part 361.

An EA was prepared to examine the potential environmental impacts associated with the proposed determinations of nonregulated status for Mycogen/Dow's Cry1F cotton event 281-24-236 and Cry1Ac cotton event 3006-210-23. 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). Based on that EA, APHIS has reached a FONSI with regard to its determination that Cry1F cotton event 281-24-236 and Cry1Ac cotton event 3006-210-23 and lines developed from them are no longer regulated articles under its regulations in 7 CFR part 340. Copies of the EA and FONSI are available as indicated in the **FOR**

FURTHER INFORMATION CONTACT section of this notice.

Authority: 7 U.S.C. 1622n and 7701-7772; 31 U.S.C. 9701; 7 CFR 2.22, 2.80, and 371.3.

Done in Washington, DC, this 9th day of August 2004.

Peter Fernandez,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 04-18523 Filed 8-12-04; 8:45 am]

BILLING CODE 3410-34-P

DEPARTMENT OF AGRICULTURE

Food Safety and Inspection Service

[Docket No. 04-022N]

Codex Alimentarius Commission: Meeting of the Codex Committee on Nutrition and Foods for Special Dietary Uses

AGENCY: Food Safety and Inspection Service, USDA.

ACTION: Notice of public meeting and request for comments.

SUMMARY: This notice informs the public that the Office of the Under Secretary for Food Safety, U.S. Department of Agriculture (USDA), and the Food and Drug Administration (FDA), U.S. Department of Health and Human Services (HHS), are sponsoring a public meeting on September 9, 2004. The objective of the public meeting is to provide information and receive public comments on agenda items and draft United States' positions that will be discussed at the 26th Session of the Codex Committee on Nutrition and Foods for Special Dietary Uses (CCNFSDU) to be held in Bonn, Germany, November 1-5, 2004. The Under Secretary for Food Safety and FDA recognize the importance of providing interested parties the opportunity to obtain background information on the 26th Session of CCNFSDU and to address items on the agenda.

DATES: The public meeting is scheduled for Thursday, September 9, 2004, from 1 p.m. to 4 p.m.

ADDRESSES: The public meeting will be held in the Auditorium (1A003), Food and Drug Administration, Harvey Wiley Federal Building, 5100 Paint Branch Parkway, College Park, MD. To receive copies of the Codex documents pertaining to the agenda items for the 26th CCNFSDU session, contact the Docket Clerk, U.S. Department of Agriculture, Food Safety and Inspection Service, 300 12th Street, SW., Room 102 Cotton Annex, Washington, DC 20250. The documents will also be accessible

via the World Wide Web at the following address: <http://www.codexalimentarius.net>. FSIS invites interested persons to submit comments on this notice. Comments may be submitted by any of the following methods:

- Mail, including floppy disks or CD-ROM's, and hand- or courier-delivered items: Send to Docket Clerk, U.S. Department of Agriculture, Food Safety and Inspection Service, 300 12th Street, SW., Room 102 Cotton Annex, Washington, DC 20250.

All submissions received must include the Agency name and docket number 04-022N.

- All comments submitted in response to this notice, as well as research and background information used by FSIS in developing this document, will be available for public inspection in the FSIS Docket Room at the address listed above between 8:30 a.m. and 4:30 p.m., Monday through Friday. The comments also will be posted on the Agency's Web site at <http://www.fsis.usda.gov/OPPDE/rdad/FRDockets.htm>.

The U.S. Delegate to the CCNFSDU, Dr. Barbara Schneeman of the Food and Drug Administration, also invites United States interested parties to submit their comments electronically to the following e-mail address (nancy.crane@cfsan.fda.gov).

Pre-Registration: To gain admittance to this meeting, individuals must present a photo ID for identification and also are required to pre-register. In addition, no cameras or videotaping equipment will be permitted in the meeting room. To pre-register, please send the following information to this e-mail address (nancy.crane@cfsan.fda.gov) by September 1, 2004.

—Your Name;
—Organization;
—Mailing Address;
—Phone number;
—E-mail Address.

FOR FURTHER INFORMATION CONTACT:

Ellen Matten, Staff Officer, U.S. Codex Office, FSIS, Room 4861, South Agriculture Building, 1400 Independence Avenue, SW., Washington, DC 20250, telephone number (202) 205-7760; fax (202) 720-3157. Persons requiring a sign language interpreter or other special accommodations should notify Ms. Matten at the above number.

SUPPLEMENTARY INFORMATION:

Background

Codex was established in 1962 by two United Nations organizations, the Food

and Agriculture Organization (FAO) and the World Health Organization (WHO). Codex is the major international organization for encouraging fair international trade in food and protecting the health and economic interests of consumers. Through adoption of food standards, codes of practice, and other guidelines developed by its committees, and by promoting their adoption and implementations by governments, Codex seeks to ensure the world's food supply is sound, wholesome, free from adulteration, and correctly labeled.

The Codex Committee on Nutrition and Foods for Special Dietary Uses was established to study specific nutritional problems assigned to it by the Commission and advise the Commission on general nutritional issues; to draft general provisions as appropriate, concerning the nutritional aspects of all foods; to develop standards, guidelines or related texts for foods for special dietary uses, in cooperation with other committees when necessary; and to consider, amend if necessary, and endorse provisions on nutritional aspects proposed for inclusion in Codex standards, guidelines and related texts. The CCNFSDU is hosted by the Federal Republic of Germany.

Issues To Be Discussed at the Public Meeting

At a minimum, the following items will be on the Agenda for the 26th Session of the Committee:

1. Draft Revised Standard for Gluten-Free Foods (retained at Step 7 until more data on tolerance levels of gluten are available).
2. Guidelines for Use of Nutrition Claims: Draft Table of Conditions for Nutrient Contents (Part B, containing provisions on Dietary Fibre).
3. Draft Guidelines for Vitamin and Mineral Food Supplements.
4. Draft Revised Standard for Processed Cereal-Based Foods for Infants and Young Children.
5. Draft Revised Standard for Infant Formula.
6. Proposed Draft Revision of the Advisory Lists of Nutrient Compounds for the Use in Foods for Special Dietary Uses intended for use by Infants and Young Children.
7. Proposed Draft Recommendations of the Scientific Basis of Health Claims.
8. Guidelines on the Application of Risk Analysis to the Work of CCNFSDU.
9. Discussion Paper on the FAO Technical Workshop on Energy Conversion Factors.

Note: The provisional agenda for the 26th CCNFSDU session will be posted on the World Wide Web in advance of the meeting

at the following address: <http://www.codexalimentarius.net>.

Public Meeting

At the September 9th public meeting, the issues and draft United States positions on the issues will be described, discussed, and attendees will have the opportunity to pose questions and offer comments. Comments may be sent to the FSIS Docket Room (*see ADDRESSES*). In addition, they may be sent electronically to the U.S. Delegate (*see ADDRESSES*). Please state that your comments relate to CCNFSDU activities (04-022N) and specify which issues your comments address.

Additional Public Notification

Public awareness of all segments of rulemaking and policy development is important. Consequently, in an effort to ensure that the public and in particular minorities, women, and persons with disabilities, are aware of this notice, FSIS will announce it on-line through the FSIS Web page located at <http://www.fsis.usda.gov>. The Regulations.gov Web site is the central online rulemaking portal of the United States government. It is being offered as a public service to increase participation in the Federal government's regulatory activities. FSIS participates in Regulations.gov and will accept comments on documents published on the site. The site allows visitors to search by keyword or Department or Agency for rulemakings that allow for public comment. Each entry provides a quick link to a comment form so that visitors can type in their comments and submit them to FSIS. The Web site is located at <http://www.regulations.gov>.

FSIS also will make copies of this **Federal Register** publication available through the FSIS Constituent Update, which is used to provide information regarding FSIS policies, procedures, regulations, **Federal Register** notices, FSIS public meetings, recalls, and other types of information that could affect or would be of interest to our constituents and stakeholders. The update is communicated via Listserv, a free e-mail subscription service consisting of industry, trade, and farm groups, consumer interest groups, allied health professionals, scientific professionals, and other individuals who have requested to be included. The update also is available on the FSIS Web page. Through Listserv and the Web page, FSIS is able to provide information to a much broader, more diverse audience.

Done in Washington, DC on August 9, 2004.

F. Edward Scarbrough,

U.S. Manager for Codex Alimentarius.

[FR Doc. 04-18499 Filed 8-12-04; 8:45 am]

BILLING CODE 3410-DM-P

DEPARTMENT OF AGRICULTURE

Food Safety and Inspection Service

[Docket No. 04-025N]

Codex Alimentarius Commission: 22nd Session of the Codex Committee on Processed Fruits and Vegetables

AGENCY: Food Safety and Inspection Service, USDA.

ACTION: Notice of public meeting, request for comments.

SUMMARY: This notice informs the public that the Office of the Under Secretary for Food Safety, United States Department of Agriculture (USDA), and the Agricultural Marketing Service (AMS), USDA, are sponsoring a public meeting on August 31, 2004, to provide information and receive public comments on agenda items that will be discussed at the Codex Committee on Processed Fruits and Vegetables (CCPFV), which will be held in Alexandria, Virginia on September 27-October 1, 2004. The Under Secretary and AMS recognize the importance of providing interested parties with information about the Processed Fruits and Vegetables Committee of the Codex Alimentarius Commission (Codex) and to address items on the Agenda for the 22nd CCPFV.

DATES: The public meeting is scheduled for Tuesday, August 31, 2004, from 10 a.m. to 12 noon.

ADDRESSES: The public meeting will be held in Room 3501 South Building, United States Department of Agriculture, 1400 Independence Ave., SW., Washington, DC. To receive copies of the documents referenced in the notice contact the Docket Clerk, (FSIS Docket Room), U.S. Department of Agriculture, Food Safety and Inspection Service, Room 102, Cotton Annex, 300 12th Street, SW., Washington, DC 20250. The documents will also be accessible via the World Wide Web at the following address http://www.codexalimentarius.net/ccpfv22/pf22_01e.htm. FSIS invites interested persons to submit comments on this notice. Comments may be submitted by any of the following methods:

- Mail, including floppy disks or CD-ROM's, and hand- or courier-delivered items: Send to Docket Clerk, U.S. Department of Agriculture, Food Safety

and Inspection Service, 300 12th Street, SW., Room 102 Cotton Annex, Washington, DC 20250.

All submissions received must include the Agency name and docket number 04-025N. All comments submitted in response to this notice, as well as research and background information used by FSIS in developing this document, will be available for public inspection in the FSIS Docket Room at the address listed above between 8:30 a.m. and 4:30 p.m., Monday through Friday. The comments also will be posted on the Agency's Web site at <http://www.fsis.usda.gov/OPPDE/rdad/FRDockets.htm>.

FOR FURTHER INFORMATION CONTACT:

Ellen Matten, U.S. Codex Office, Food Safety and Inspection Service, Room 4861, South Building, 1400 Independence Avenue, SW., Washington, DC 20250, phone: (202) 205-7760, fax: (202) 720-3157. Persons requiring a sign language interpreter or other special accommodations should notify Ms. Matten at the above number.

SUPPLEMENTARY INFORMATION:

Background

Codex was established in 1962 by two United Nations organizations, the Food and Agriculture Organization (FAO) and the World Health Organization (WHO). Codex is the major international organization for protecting the health and economic interests of consumers and encouraging fair international trade in food. Through adoption of food standards, codes of practice, and other guidelines developed by its committees, and by promoting their adoption and implementation by governments, Codex seeks to ensure that the world's food supply is sound, wholesome, free from adulteration, and correctly labeled. In the United States, USDA, the Food and Drug Administration of the Department of Health and Human Services, and the Environmental Protection Agency manage and carry out U.S. Codex.

The Codex Committee on Processed Fruits and Vegetables elaborates world wide standards for various processed fruits and vegetables, including certain dried and canned products. This committee does not cover standards for fruit and vegetable juices. The Commission has also allocated to this Committee the work of revision of standards for quick frozen fruits and vegetables. The Committee is chaired by the United States of America.

Issues To Be Discussed at the Public Meeting

The provisional agenda items will be discussed during the public meeting:

1. Adoption of the Agenda.
2. Matters Referred by the Codex Alimentarius Commission and other Codex Committees.
3. Consideration of Codex Draft Revised Standards at Step 7. Pickled Products.
4. Consideration of Proposed Draft Codex Standards at Step 4. Processed Tomato Concentrates. Canned Tomatoes. Canned Vegetables, including Guidelines for Packing Media for Canned Vegetables. Jams, Jellies and Marmalades. Soy Sauce. Canned Citrus Fruits.
5. Proposals for Amendments to the Priority List for the Standardization of Processed Fruits and Vegetables.
6. Other Business and Future Work. Methods of Analysis and Sampling for Processed Fruits and Vegetables. Each issue listed will be fully described in documents distributed, or to be distributed, by the United States' Secretariat to the Meeting. Members of the public may access or request copies of these documents (*see ADDRESSES*).

Public Meeting

At the August 31st public meeting, the agenda items will be described, discussed, and attendees will have the opportunity to pose questions and offer comments. Comments may be sent to the FSIS Docket Room (*see ADDRESSES*). Written comments should state that they relate to activities of the 22nd CCPFV, docket number 04-025N.

Additional Public Notification

Public awareness of all segments of rulemaking and policy development is important. Consequently, in an effort to ensure that the public and in particular minorities, women, and persons with disabilities, are aware of this notice, FSIS will announce it on-line through the FSIS Web page located at <http://www.fsis.usda.gov>.

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