

Notices

Federal Register

Vol. 64, No. 5

Friday, January 8, 1999

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.

DEPARTMENT OF AGRICULTURE

Office of the Secretary

Research, Education, and Economics; Notice of Strategic Planning Task Force Meeting

AGENCY: Research, Education, and Economics, USDA.

ACTION: Notice of meeting.

SUMMARY: The United States Department of Agriculture announces a meeting of the Strategic Planning Task Force on Research Facilities.

SUPPLEMENTARY INFORMATION: The Strategic Planning Task Force on Research Facilities, currently consisting of 14 members, is scheduled to meet for the seventh of eight planned meetings. The meeting is scheduled to be held at the River Inn, 924 25th Street, Washington, DC, beginning at 8:00 a.m. on February 24 and concluding at 11:00 a.m. on February 26. The meeting will be a review of the data collected by the Task Force and will continue discussion of the draft report.

TIMES AND DATES: February 24, 1999, 8:00 a.m.–5:00 p.m.; February 25, 1999, 8:00 a.m.–5:00 p.m.; and February 26, 1999, 8:00 a.m.–11:00 a.m.

PLACE: The River Inn, Washington, DC.

TYPE OF MEETING: Open to the public.

COMMENTS: The public may file written comments before or after the meeting with the contact person listed below.

FOR FURTHER INFORMATION CONTACT: Mitch Geasler, Project Director, Strategic Planning Task Force on Research Facilities, Room 344–A Jamie L. Whitten Building, USDA, 1400 Independence Avenue, SW., Washington, DC 20250–0113. Telephone 202–720–3803.

Done at Washington, DC, this 4th day of January 1999.

I. Miley Gonzalez,

Under Secretary, Research, Education, and Economics.

[FR Doc. 99–360 Filed 1–7–99; 8:45 am]

BILLING CODE 3410–22–P

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[Docket No. 98–079–2]

Novartis Seeds and Monsanto Co.; Availability of Determination of Nonregulated Status for Sugar Beet Genetically Engineered for Glyphosate Herbicide Tolerance

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice.

SUMMARY: We are advising the public of our determination that the Novartis Seeds and Monsanto Company's sugar beet line designated as GTSB77, which has been genetically engineered for tolerance to the herbicide glyphosate, is no longer considered a regulated article under our regulations governing the introduction of certain genetically engineered organisms. Our determination is based on our evaluation of data submitted by Novartis Seeds and Monsanto Company in their petition for a determination of nonregulated status and an analysis of other scientific data. This notice also announces the availability of our written determination document and its associated environmental assessment and finding of no significant impact.

EFFECTIVE DATE: December 23, 1998.

ADDRESSES: The determination, an environmental assessment and finding of no significant impact, the petition, and all written comment 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 to inspect those documents are asked to call in advance of visiting at (202) 690–2817 to facilitate entry into the reading room.

FOR FURTHER INFORMATION CONTACT: Dr. James White, Biotechnology and Biological Analysis, PPQ, APHIS, 4700 River Road Unit 147, Riverdale, MD

20737–1236; (301) 734–5940. To obtain a copy of the determination or the environmental assessment and finding of no significant impact, contact Ms. Kay Peterson at (301) 734–4885; e-mail: Kay.Peterson@usda.gov.

SUPPLEMENTARY INFORMATION:

Background

On June 22, 1998, the Animal and Plant Health Inspection Service (APHIS) received a petition (APHIS Petition No. 98–173–01p) from Novartis Seeds (Novartis) of Research Triangle Park, NC, and Monsanto Company (Monsanto) of St. Louis, MO, (Novartis/Monsanto) seeking a determination that a sugar beet (*Beta vulgaris* L.) line designated as GTSB77, which has been genetically engineered for tolerance to the herbicide glyphosate, does not present a plant pest risk and, therefore, is not a regulated article under APHIS' regulations in 7 CFR part 340.

On August 20, 1998, APHIS published a notice in the **Federal Register** (63 FR 44604–44605, Docket No. 98–079–1) announcing that the Novartis/Monsanto petition had been received and was available for public review. The notice also discussed the role of APHIS, the Environmental Protection Agency, and the Food and Drug Administration in regulating the subject sugar beet line and food products derived from it. In the notice, APHIS solicited written comments from the public as to whether this sugar beet line posed a plant pest risk. The comments were to have been received by APHIS on or before October 19, 1998. APHIS received one comment on the subject petition during the designated 60-day comment period. The comment was from an organization representing North American sugar beet processors, and it was in support of the petition.

Analysis

The GTSB77 sugar beet line has been genetically engineered to express an enolpyruvylshikimate-3-phosphate synthase (EPSPS) enzyme derived from *Agrobacterium* sp. strain CP4 (CP4 EPSPS), and the ^b-D-glucuronidase (GUS) protein from *Escherichia coli*. The CP4 EPSPS enzyme confers tolerance to the herbicide glyphosate, and the GUS protein serves as a marker in the plant transformation process. The subject sugar beet line also expresses a novel protein known as 34550, which

has no known biological activity, and was apparently created when a truncated glyphosate oxidoreductase (*gox*) gene fused to sugar beet DNA. Expression of the added genes is controlled in part by gene sequences derived from the plant pathogens figwort mosaic virus and cauliflower mosaic virus. The *Agrobacterium tumefaciens* method was used to transfer the added genes into the parental proprietary sugar beet A1012 line.

The subject sugar beet 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 this sugar beet line conducted under APHIS permits and notifications since 1996 indicates that there were no deleterious effects on plants, nontarget organisms, or the environment as a result of the environmental release of the GTSB77 sugar beet line.

Determination

Based on its analysis of the data submitted by Novartis/Monsanto, and a review of other scientific data and field tests of the subject sugar beet, APHIS has determined that sugar beet line GTSB77: (1) Exhibits no plant pathogenic properties; (2) is no more likely to become a weed than herbicide-tolerant sugar beet developed by traditional breeding techniques; (3) is unlikely to increase the weediness potential for any other cultivated or wild species with which it can interbreed; (4) will not cause damage to raw or processed agricultural commodities; and (5) will not harm threatened or endangered species or other organisms, such as bees, that are beneficial to agriculture, or have an adverse impact on the ability to control nontarget insect pests. Therefore, APHIS has concluded that the subject sugar beet line and any progeny derived from crosses with other sugar beet varieties will be as safe to grow as sugar beets that are not subject to regulation under 7 CFR part 340.

The effect of this determination is that the Novartis/Monsanto GTSB77 sugar beet line is no longer considered a regulated article under APHIS' regulations in 7 CFR part 340. Therefore, the requirements pertaining to regulated articles under those regulations no longer apply to the subject sugar beet line or its progeny. However, importation of GTSB77 sugar beet or seeds capable of propagation are still subject to the restrictions found in

APHIS' foreign quarantine notices in 7 CFR part 319.

National Environmental Policy Act

An environmental assessment (EA) has been prepared to examine the potential environmental impacts associated with this determination. 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 finding of no significant impact (FONSI) with regard to its determination that the Novartis/Monsanto GTSB77 sugar beet line and lines developed from it are no longer regulated articles under its regulations in 7 CFR part 340. Copies of the EA and the FONSI are available upon request from the individual listed under **FOR FURTHER INFORMATION CONTACT**.

Done in Washington, DC, this 30th day of December 1998.

Craig A. Reed,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 99–362 Filed 1–7–99; 8:45 am]

BILLING CODE 3410–34–P

DEPARTMENT OF AGRICULTURE

Farm Service Agency

Temporary Suspension of Direct and Guaranteed Farm Ownership and Farm Operating Loan Programs To Construct Specialized Facilities Used for Hog Production

AGENCY: Farm Service Agency, USDA.

ACTION: Notice of temporary suspension.

SUMMARY: The Farm Service Agency (FSA) is announcing a temporary suspension, effective on the date of this notice, of direct and guaranteed farm ownership and farm operating loan financing for the construction of specialized facilities used for the production of hogs.

EFFECTIVE DATE: January 8, 1999.

FOR FURTHER INFORMATION CONTACT:

James F. Radintz, Director, Farm Loan Programs Loan Making Division, Farm Service Agency, 1400 Independence Avenue, SW, STOP 0522, Washington, DC 20250–0522, telephone (202) 720–1632; email

Jim_Radintz@wdc.fsa.usda.gov.

SUPPLEMENTARY INFORMATION:

Background

A specialized facility, hereafter referred to as a facility, is defined for the purposes of this temporary suspension as any building or enclosure and related equipment specifically designed to house, raise or feed hogs of any size, age, or market class.

This action is necessary for USDA to adopt consistent policies to address the economic crisis in the pork industry. The Secretary of Agriculture has taken a variety of administrative actions to mitigate the current over-supply and historic low price conditions being experienced by hog producers. It is inconsistent with USDA policies for FSA to continue to finance construction of additional production facilities through direct loans and loan guarantees while other agencies within USDA expend resources to ameliorate over-supply conditions.

FSA is concerned that during this period of low prices, the availability of its credit programs may facilitate additional production capacity that will prolong the current hog price depression. Additional capacity is also likely to damage the prospects for long-term financial recovery in the industry. These results would be damaging to individual hog producers and the public interest. Without the moratorium, the effect will be increased Federal outlays as the time necessary for USDA amelioration of over-supply will be extended. Producers will experience continued severe financial stress and delayed financial recovery. Further, USDA is concerned that continued financial stress on hog producers may force and accelerate concentration of the production, processing, and marketing of hogs into fewer hands. Such a concentrated structure would result in a significant reduction in the diversity of agricultural production and in the independence of family farmers across the country.

In many cases, a producer would be unable to obtain the required capital for new facilities were it not for FSA's direct and guaranteed farm ownership and farm operating loan programs. Loan guarantees limit the loss risk to commercial lenders up to 95 percent, while qualified applicants may receive 100 percent financing through the direct loan program. The current price levels for hogs ready for slaughter will not generate adequate cash flow to support new loans. However, through production contracts or other means, some loan applicants may be able to meet loan repayment requirements and qualify for credit for the construction of new facilities. The Agency is