

Transformation event X17-2 has been considered a regulated article under the regulations in 7 CFR part 340 because it contains gene sequences from plant pathogens. X17-2 papaya has been field tested in the United States since 1999 under notifications authorized by the U.S. Department of Agriculture (USDA). APHIS has presented two alternatives in the draft environmental assessment (EA) based on its analyses of data submitted by UFL-IFAS, a review of other scientific data, and field tests conducted under APHIS oversight. APHIS may: (1) Take no action (X17-2 papaya remains a regulated article); or (2) deregulate X17-2 papaya in whole (the preferred alternative).

In section 403 of the Plant Protection Act (7 U.S.C. 7701 *et seq.*), "plant pest" is defined as any living stage of any of the following that can directly or indirectly injure, cause damage to, or cause disease in any plant or plant product: A protozoan, a nonhuman animal, a parasitic plant, a bacterium, a fungus, a virus or viroid, an infectious agent or other pathogen, or any article similar to or allied with any of the foregoing. APHIS views this definition broadly to cover direct or indirect injury, disease, or damage not just to agricultural crops, but also to other plant parts and plant products whether natural, manufactured, or processed.

X17-2 papaya is subject to regulation by other Federal agencies. Under the Coordinated Framework for the Regulation of Biotechnology, 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 order to be registered as a pesticide under FIFRA, it must be demonstrated that when used with common practices, a pesticide will not cause unreasonable adverse effects in the environment. Because the use of Plant Incorporated Protectants (PIP), such as viral coat proteins, is considered pesticidal, the University of Florida has submitted a registration package to EPA for X17-2 papaya.

Under the Federal Food, Drug, and Cosmetic Act (FFDCA), as amended (21 U.S.C. 301 *et seq.*), pesticides added to (or contained in) raw agricultural commodities generally are considered to be unsafe unless a tolerance or exemption from tolerance has been established. Residue tolerances for pesticides are established by EPA under the FFDCA, and the U.S. Food and Drug Administration (FDA) enforces the

tolerances set by EPA. EPA has previously granted a tolerance exemption for PRSV coat protein in papaya.

The FDA policy statement concerning regulation of products derived from new plant varieties, including those genetically engineered, was published in the **Federal Register** on May 29, 1992, and appears at 57 FR 22984-23005. Under this policy, FDA ensures that human food and animal feed, including those derived from bioengineered sources, are safe and wholesome. The University of Florida has submitted a food and feed safety and nutritional assessment summary to FDA for X17-2 papaya in 2007 that is currently under agency review.

A draft EA has been prepared to provide the APHIS decisionmaker with a review and analysis of any potential environmental impacts associated with the proposed determination of nonregulated status for X17-2 papaya. The draft 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).

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 a determination of nonregulated status from interested or affected persons for a period of 60 days from the date of this notice. We are also soliciting written comments from interested or affected persons on the draft EA prepared to examine any environmental impacts of the proposed determination for the deregulation of the subject papaya event. The petition, the draft EA, and any comments received are available for public review, and copies of the petitions and the draft EA are available as indicated under

**ADDRESSES and FOR FURTHER INFORMATION CONTACT** above.

After the comment period closes, APHIS will review all written comments received during the comment period and any other relevant information. After reviewing and evaluating the comments on the petition and the EA and other data and information, APHIS will furnish a response to the petitioner, either approving or denying the petition. APHIS will then publish a notice in the **Federal Register** announcing the regulatory status of

UFL-IFAS PRSV-resistant papaya event X17-2 and the availability of APHIS' written regulatory and environmental decision.

**Authority:** 7 U.S.C. 7701-7772 and 7781-7786; 31 U.S.C. 9701; 7 CFR 2.22, 2.80, and 371.3.

Done in Washington, DC, this 26th day of August 2008.

**Kevin Shea,**

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

[FR Doc. E8-20289 Filed 8-29-08; 8:45 am]

**BILLING CODE 3410-34-P**

## DEPARTMENT OF AGRICULTURE

### Grain Inspection, Packers and Stockyards Administration

#### Designation for the Aberdeen, (SD), Decatur (IL), Hastings (NE), Fulton (IL), Missouri, and South Carolina Areas

**AGENCY:** Grain Inspection, Packers and Stockyards Administration, USDA.

**ACTION:** Notice.

**SUMMARY:** We are announcing designation of the following organizations to provide official services under the United States Grain Standards Act, as amended (USGSA): Aberdeen Grain Inspection, Inc. (Aberdeen); Decatur Grain Inspection, Inc. (Decatur); Hastings Grain Inspection, Inc. (Hastings); John R. McCrea Agency, Inc. (McCrea); Missouri Department of Agriculture (Missouri); and South Carolina Department of Agriculture (South Carolina).

**DATES:** Effective October 1, 2008.

**ADDRESSES:** USDA, GIPSA, Karen Guagliardo, Chief, Review Branch, Compliance Division, STOP 3604, Room 1647-S, 1400 Independence Avenue, SW., Washington, DC 20250-3604.

**FOR FURTHER INFORMATION CONTACT:** Karen Guagliardo at 202-720-7312, e-mail [Karen.W.Guagliardo@usda.gov](mailto:Karen.W.Guagliardo@usda.gov).

**Read Applications:** All applications and comments will be available for public inspection at the office above during regular business hours (7 CFR 1.27(b)).

**SUPPLEMENTARY INFORMATION:** In the March 3, 2008, **Federal Register** (73 FR 11387), we requested applications for designation to provide official services in the geographic areas assigned to the official agencies named above. Applications were due by April 2, 2008.

Aberdeen, Decatur, Hastings, McCrea, Missouri, and South Carolina were the sole applicants for designation to provide official services in the entire area currently assigned to them, so

GIPSA did not ask for additional comments on them.

We evaluated all available information regarding the designation criteria in section 7(f)(1) of USGSA (7 U.S.C. 79 (f)) and determined that Aberdeen, Decatur, Hastings, McCrea,

Missouri, and South Carolina are able to provide official services in the geographic areas specified in the March 3, 2008, **Federal Register**, for which they applied. These designation actions to provide official services are effective

October 1, 2008, and terminate September 30, 2011, for Aberdeen, Decatur, Hastings, McCrea, Missouri, and South Carolina. Interested persons may obtain official services by calling the telephone numbers listed below.

Official agency	Headquarters location and telephone	Designation start–end
Aberdeen .....	Aberdeen, SD, 605–225–8432; Additional Location: Mitchell, SD .....	10/1/2008–9/30/2011.
Decatur .....	Decatur, IL, 217–429–2466 .....	10/1/2008–9/30/2011.
Hastings .....	Hastings, NE, 402–462–4254; Additional Location: Grand Island, NE .....	10/1/2008–9/30/2011.
McCrea .....	Fulton, IL, 815–589–9955 .....	10/1/2008–9/30/2011.
Missouri .....	Jefferson City, MO, 573–751–5515; Additional Locations: Vandalia, Kansas City, St. Joseph, Marshall and New Madrid, MO.	10/1/2008–9/30/2011.
South Carolina .....	Columbia, SC, 843–296–7522 .....	10/1/2008–9/30/2011.

Section 7(f)(1) of the USGSA, authorizes GIPSA's Administrator to designate a qualified applicant to provide official services in a specified area after determining that the applicant is better able than any other applicant to provide such official services (7 U.S.C. 79 (f)(1)).

Section 7(g)(1) of USGSA provides that designations of official agencies will terminate not later than three years and may be renewed according to the criteria and procedures prescribed in section 7(f) of USGSA.

**Authority:** 7 U.S.C. 71–87k.

**James E. Link,**

*Administrator, Grain Inspection, Packers and Stockyards Administration.*

[FR Doc. E8–19539 Filed 8–29–08; 8:45 am]

**BILLING CODE 3410–KD–P**

## DEPARTMENT OF AGRICULTURE

### Grain Inspection, Packers and Stockyards Administration

#### Opportunity for Designation in Jamestown (ND), Lincoln (NE), Memphis (TN), and Sioux City (IA) Areas, and Request for Comments on the Official Agencies Serving These Areas

**AGENCY:** Grain Inspection, Packers and Stockyards Administration, USDA.

**ACTION:** Notice.

**SUMMARY:** The designations of the official agencies listed below will end on March 31, 2009. We are asking persons interested in providing official services in the areas served by these agencies to submit an application for designation. We are also asking for comments on the quality of services provided by these currently designated agencies: Grain Inspection, Inc. (Jamestown); Lincoln Inspection Service, Inc. (Lincoln); Midsouth Grain Inspection Service (Midsouth); and Sioux City Inspection and Weighing Service Company (Sioux City).

**DATES:** Applications and comments must be received on or before October 2, 2008.

**ADDRESSES:** We invite you to submit applications and comments on this notice. You may submit applications and comments by any of the following methods:

- *To apply for designation, go to FGIS online, Web page: [https://fgis.gipsa.usda.gov/default\\_home\\_FGIS.aspx](https://fgis.gipsa.usda.gov/default_home_FGIS.aspx). Select Delegations/Designations and Export Registrations (DDR). You need e-authentication and a customer number prior to applying.*

- *Hand Delivery or Courier:* Deliver to Karen Guagliardo, Review Branch Chief, Compliance Division, GIPSA, USDA, Room 1647–S, 1400 Independence Avenue, SW., Washington, DC 20250.

- *Fax:* Send by facsimile transmission to (202) 690–2755, attention: Karen Guagliardo.

- *E-mail:* Send via electronic mail to [Karen.W.Guagliardo@usda.gov](mailto:Karen.W.Guagliardo@usda.gov).

- *Mail:* Send hardcopy to Karen Guagliardo, Review Branch Chief, Compliance Division, GIPSA, USDA, STOP 3604, 1400 Independence Avenue, SW., Washington, DC 20250–3604.

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments and reading any comments posted online.

**Read Applications and Comments:** All applications and comments will be available for public inspection at the office above during regular business hours (7 CFR 1.27(b)).

**FOR FURTHER INFORMATION CONTACT:** Karen Guagliardo at 202–720–7312, e-mail [Karen.W.Guagliardo@usda.gov](mailto:Karen.W.Guagliardo@usda.gov).

**SUPPLEMENTARY INFORMATION:** Section 7(f)(1) of the United States Grain Standards Act, as amended (USGSA or Act), authorizes GIPSA's Administrator to designate a qualified applicant to provide official services in a specified area after determining that the applicant is better able than any other applicant to provide such official services (7 U.S.C. 79 (f)(1)).

Section 7(g)(1) of USGSA provides that designations of official agencies will terminate not later than three years and may be renewed according to the criteria and procedures prescribed in section 7(f) of USGSA.

## CURRENT DESIGNATIONS BEING ANNOUNCED FOR RENEWAL

Official agency	Main office	Designation start	Designation end
Jamestown .....	Jamestown, ND .....	4/01/2009 .....	3/31/2012
Lincoln .....	Lincoln, NE .....	4/01/2009 .....	3/31/2012
Midsouth .....	Memphis, TN .....	4/01/2009 .....	3/31/2012
Sioux City .....	Sioux City, IA .....	4/01/2009 .....	3/31/2012