

Notices

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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

Animal and Plant Health Inspection Service

[Docket No. 96-024-2]

Cornell University and University of Hawaii; Availability of Determination of Nonregulated Status for Papaya Lines Genetically Engineered for Virus Resistance

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice.

SUMMARY: We are advising the public of our determination that certain papaya lines developed by Cornell University and the University of Hawaii that have been genetically engineered for virus resistance are no longer considered regulated articles under our regulations governing the introduction of certain genetically engineered organisms. Our determination is based on our evaluation of data submitted by Cornell University and the University of Hawaii in their petition for a determination of nonregulated status, an analysis of other scientific data, and our review of comments received from the public in response to a previous notice announcing our receipt of the Cornell University and University of Hawaii petition. This notice also announces the availability of our written determination document and its associated environmental assessment and finding of no significant impact.

EFFECTIVE DATE: September 5, 1996.

ADDRESSES: The determination, an environmental assessment and finding of no significant impact, the petition, and all written comments received regarding the petition 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.

FOR FURTHER INFORMATION CONTACT: Dr. David Heron, Biotechnology Permits, BBEP, APHIS, 4700 River Road Unit 147, Riverdale, MD 20737-1237; (301) 734-7612. To obtain a copy of the determination or the environmental assessment and finding of no significant impact, contact Ms. Kay Peterson at (301) 734-7612; e-mail: mkipeterson@aphis.usda.gov.

SUPPLEMENTARY INFORMATION:

Background

On February 20, 1996, the Animal and Plant Health Inspection Service (APHIS) received a petition (APHIS Petition No. 96-051-01p) from Cornell University, Geneva, NY, and the University of Hawaii, Honolulu, HI, (Cornell/Hawaii) seeking a determination that papaya lines designated as 55-1 and 63-1 that have been genetically engineered to contain genes that confer virus resistance do not present a plant pest risk and, therefore, are not regulated articles under APHIS' regulations in 7 CFR part 340.

On May 3, 1996, APHIS published a notice in the Federal Register (61 FR 19904-19905, Docket No. 96-024-1) announcing that the Cornell/Hawaii petition had been received and was available for public review. The notice also discussed the role of APHIS and the Food and Drug Administration in regulating the subject papaya lines and food products derived from them. In the notice, APHIS solicited written comments from the public as to whether these papaya lines pose a plant pest risk. The comments were to have been received by APHIS on or before July 2, 1996. During the designated 60-day comment period, APHIS received 18 comments on the subject petition from universities; papaya growers, processors, and shippers; a State agricultural experiment station; a papaya industry association; an office of the cooperative extension service; and a State department of agriculture. All of the comments were favorable to the petition.

Analysis

Papaya lines 55-1 and 63-1 have been genetically engineered to express the coat protein gene from papaya ringspot virus (PRV), strain HA 5-1, which

confers resistance to PRV. Both the subject papaya lines contain the *nptII* selectable marker gene, and line 55-1 also contains the *gus* selectable marker gene. Expression of the added genes is controlled by the nopaline synthase promoter from *Agrobacterium tumefaciens* and by the 35S promoter and terminator from the plant pathogen cauliflower mosaic virus. The genes used to develop lines 55-1 and 63-1 were transferred into the parental cultivar Sunset through use of the microprojectile process.

The subject papaya lines have been considered regulated articles under APHIS' regulations in 7 CFR part 340 because they contain gene sequences derived from plant pathogens. However, contained field trials of papaya lines 55-1 and 63-1 conducted under APHIS permits indicate that there were no deleterious effects on plants, nontarget organisms, or the environment as a result of the field testing of these papaya lines.

Determination

Based on its analysis of the data submitted by Cornell/Hawaii and a review of other scientific data, comments received, and field tests of the subject papaya lines, APHIS has determined that papaya lines 55-1 and 63-1: (1) Exhibit no plant pathogenic properties; (2) will not increase the likelihood of the emergence of new plant viruses; (3) are no more likely to become weeds than papaya developed by traditional breeding techniques; (4) will not increase the weediness potential for any other cultivated or wild species with which they can interbreed; (5) will not harm threatened or endangered species or other organisms, such as bees, that are beneficial to agriculture; and (6) will not cause damage to processed agricultural commodities. Therefore, APHIS has concluded that the subject papaya lines and any progeny derived from hybrid crosses with other nontransformed papaya varieties will be as safe to grow as papaya in traditional breeding programs that are not subject to regulation under 7 CFR part 340.

The effect of this determination is that Cornell/Hawaii's papaya lines 55-1 and 63-1 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 field testing, importation, or interstate movement of the subject papaya lines or their progeny. However, importation of the subject papaya lines 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, as amended (NEPA) (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 Cornell/Hawaii's papaya lines 55–1 and 63–1 and lines developed from them 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 11th day of September 1996.

A. Strating,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 96–23663 Filed 9–13–96; 8:45 am]

BILLING CODE 3410–34–P

DEPARTMENT OF COMMERCE

Submission For OMB Review; Comment Request

The Department of Commerce (DOC) has submitted to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

Agency: Bureau of the Census.

Title: Current Industrial Reports Program – Wave III (Voluntary).

Form Number(s): M33D, MA20D, MA35U.

Agency Approval Number: 0607–0776.

Type of Request: Revision of a currently approved collection.

Burden: 2,990 hours.

Number of Respondents: 925.

Avg Hours Per Response: 3.23 hours.

Needs and Uses: The Census Bureau conducts a series of monthly, quarterly, and annual surveys as part of its Current Industrial Reports (CIR) program. The CIR surveys deal mainly with the quantity and value of shipments of particular products and occasionally with data on production and inventories; unfilled orders, receipts, stocks and consumption; and comparative data on domestic production, exports, and imports of the products they cover. The CIR program includes both mandatory and voluntary surveys. Typically the monthly and quarterly surveys are conducted on a voluntary basis. Those companies that choose not to respond to the voluntary surveys are required to submit a mandatory annual counterpart. The annual counterpart collects annual data from those firms not participating in the more frequent collection. Due to the large number of surveys in the CIR program, for clearance purposes we group the surveys into three Waves. The mandatory and voluntary surveys in each Wave are separately submitted. Thus, a total of six clearances cover all of the surveys in the CIR program. One Wave is submitted for reclearance each year. The information collected in the CIR program provides continuing and timely national statistical data on manufacturing. The results of these surveys are used extensively by individual firms, trade associations, and market analysts in planning or recommending marketing and legislative strategies.

Affected Public: Business or other for-profit institutions.

Frequency: Monthly and Annually.

Respondent's Obligation: Monthly reports are Voluntary, Annual counterpart reports are Mandatory.

Legal Authority: Title 13 USC, Sections 131, 182, 224, and 225.

OMB Desk Officer: Jerry Coffey, (202) 395–7314.

Copies of the above information collection proposal can be obtained by calling or writing Linda Engelmeier, Acting DOC Forms Clearance Officer, (202) 482–3272, Department of Commerce, Room 5327, 14th and Constitution Avenue, NW, Washington, DC 20230.

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to Jerry Coffey, OMB Desk Officer, Room 10201, New Executive Office Building, Washington, DC 20503.

Dated: September 10, 1996.

Linda Engelmeier,

Acting Departmental Forms Clearance Officer, Office of Management and Organization.

[FR Doc. 96–23581 Filed 9–13–96; 8:45 am]

BILLING CODE 3510–07–F

Submission For OMB Review; Comment Request

The Department of Commerce (DOC) has submitted to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

Agency: Bureau of the Census.

Title: Current Industrial Reports Program – Wave III (Mandatory).

Form Number(s): MA23D, MA32E, MA35D, MA35F, MA35J, MA35M, MQ22T.

Agency Approval Number: 0607–0476.

Type of Request: Revision of a currently approved collection.

Burden: 2,640 hours.

Number of Respondents: 1,917.

Avg Hours Per Response: 1.38 hours.

Needs and Uses: The Census Bureau conducts a series of monthly, quarterly, and annual surveys as part of its Current Industrial Reports (CIR) program. The CIR surveys deal mainly with the quantity and value of shipments of particular products and occasionally with data on production and inventories; unfilled orders, receipts, stocks and consumption; and comparative data on domestic production, exports, and imports of the products they cover. The CIR program includes both mandatory and voluntary surveys. Typically the monthly and quarterly surveys are conducted on a voluntary basis. Those companies that choose not to respond to the voluntary surveys are required to submit a mandatory annual counterpart. The annual counterpart collects annual data from those firms not participating in the more frequent collection. Due to the large number of surveys in the CIR program, for clearance purposes we group the surveys into three Waves. The mandatory and voluntary surveys in each Wave are separately submitted. Thus, a total of six clearances cover all of the surveys in the CIR program. One Wave is submitted for reclearance each year. The information collected in the CIR program provides continuing and timely national statistical data on manufacturing. The results of these surveys are used extensively by individual firms, trade associations, and