

# Notices

Federal Register

Vol. 64, No. 206

Tuesday, October 26, 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

### Animal and Plant Health Inspection Service

[Docket No. 99-003-2]

#### Agritope, Inc.; Availability of Environmental Assessment for Determination of Nonregulated Status

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 determination that certain cantaloupe lines developed by Agritope, Inc., which have been genetically engineered for altered fruit ripening, would no longer be 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 November 26, 1999.

**ADDRESSES:** Please send an original and three copies of your comments to: Docket No. 99-003-2, 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. 99-003-2.

You may read the petition for a determination of nonregulated status submitted by Agritope, Inc., the environmental assessment, and any comments we receive on this notice of availability 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. To be sure someone is there to help you, please call (202) 690-2817 before coming.

**FOR FURTHER INFORMATION CONTACT:** Dr. Sivramiah Shantharam, Biotechnology

and Biological Analysis, PPQ, APHIS, 4700 River Road Unit 133, Suite 4B03, Riverdale, MD 20737-1236; (301) 734-4882. To obtain a copy of the environmental assessment, contact Ms. Kay Peterson at (301) 734-4885; e-mail: kay.peterson@usda.gov.

#### SUPPLEMENTARY INFORMATION:

##### Background

On December 6, 1998, the Animal and Plant Health Inspection Service (APHIS) received a petition (APHIS Petition No. 98-350-01p) from Agritope, Inc. (Agritope), of Portland, OR, seeking a determination that cantaloupe (*Cucumis melo* L.) lines designated as A and B, which have been genetically engineered for delayed fruit ripening, do not present a plant pest risk and, therefore, are not regulated articles under APHIS' regulations in 7 CFR part 340.

On March 16, 1999, APHIS published a notice in the **Federal Register** (64 FR 12926-12927, Docket No. 99-003-1) announcing that the Agritope 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 cantaloupe lines and food products derived from them. In the notice, APHIS solicited written comments from the public as to whether cantaloupe lines A and B posed a plant pest risk. The comments were to have been received by APHIS on or before May 17, 1999. APHIS received no comments on the subject petition during the designated 60-day comment period.

Cantaloupe lines A and B have been genetically engineered to contain a modified SAMase (*sam-k*) gene derived from *Escherichia coli* bacteriophage T3. The *sam-k* gene encodes an S-adenosylmethionine hydrolase enzyme capable of degrading and thus reducing S-adenosylmethionine (SAM). Reduction of SAM results in lowered ethylene production during fruit ripening in cantaloupe lines A and B and a corresponding increase in the uniformity of ripening in the field. The subject cantaloupe lines also contain and express the neomycin phosphotransferase II (*nptII*) gene derived from *E. coli*. The *nptII* gene was used as a selectable marker during the plant transformation process. Expression of the added genes is controlled in part by gene sequences from the plant pathogen *Agrobacterium*

*tumefaciens*, and the *A. tumefaciens* method was used to transfer the added genes into the parental inbred cantaloupe lines.

Cantaloupe lines A and B are considered regulated articles under APHIS' regulations in 7 CFR part 340 because they contain gene sequences derived from a plant pathogen. Field tests of the subject cantaloupe lines have been conducted under APHIS permits and notifications since 1997 under confined conditions. If Agritope's petition for a determination of nonregulated status were approved, Agritope's cantaloupe lines A and B would no longer be considered regulated articles under APHIS' regulations in 7 CFR part 340 and the requirements pertaining to regulated articles under those regulations would no longer apply to the subject cantaloupe lines or their progeny.

To provide the public with documentation of APHIS' review and analysis of the environmental impacts and plant pest risk associated with a determination of nonregulated status for Agritope's cantaloupe lines A and B, an environmental assessment (EA) has been prepared. 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).

Done in Washington, DC, this 20th day of October, 1999.

**Bobby R. Acord,**

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 99-27920 Filed 10-25-99; 8:45 am]

BILLING CODE 3410-34-P

---

## DEPARTMENT OF AGRICULTURE

### Forest Service

#### Intergovernmental Advisory Committee Subcommittee Meeting

AGENCY: Forest Service, USDA.

ACTION: Notice of meeting.

**SUMMARY:** The Intergovernmental Advisory Committee will meet on

November 4, 1999, at the Double Tree Hotel, Columbia River, 1401 H. Hayden Island Drive, Portland, Oregon, 97217. The purpose of the meeting is to continue discussions on the implementation of the Northwest Forest Plan. The meeting will begin at 9:30 a.m. and continue until 3:30 p.m. Agenda items to be discussed include, but are not limited to; Habitat Conservation Planning from the County perspective; a report on the Interagency Steering Committee meeting; and progress reports on ongoing implementation issues. The IAC meeting will be open to the public and is fully accessible for people with disabilities. Interpreters are available upon request in advance. Written comments may be submitted for the record at the meeting. Time will also be scheduled for oral public comments. Interested persons are encouraged to attend.

**FOR FURTHER INFORMATION CONTACT:** Questions regarding this meeting may be directed to Curt Loop, Acting Executive Director, Regional Ecosystem Office, 333 SW 1st Avenue, PO Box 3623, Portland, OR 97208 (Phone: 503-808-2180).

Dated: October 29, 1999.

**Curtis A. Loop,**

*Acting Designated Federal Official.*

[FR Doc. 99-27858 Filed 10-25-99; 8:45 am]

BILLING CODE 3410-11-M

---

## DEPARTMENT OF COMMERCE

### Foreign-Trade Zones Board

[Docket 19-99]

#### **Foreign-Trade Zone 93—Durham, North Carolina; Withdrawal of Application for Subzone Status for Philips Monitor Raleigh Computer Monitors and Related Peripheral Products Plant**

Notice is hereby given of the withdrawal of the application submitted by the Triangle J Council of Governments, grantee of FTZ 93, requesting special-purpose subzone status for the manufacturing facilities (computer monitors and related peripheral products) of Philips Monitor Raleigh, located at sites in the Durham, North Carolina, area. The application was filed on May 6, 1999 (64 FR 26933, 5/18/99).

The withdrawal was requested because of changed circumstances, and the case has been closed without prejudice.

Dated: October 15, 1999.

**Dennis Puccinelli,**

*Acting Executive Secretary.*

[FR Doc. 99-27959 Filed 10-25-99; 8:45 am]

BILLING CODE 3510-DS-P

---

## DEPARTMENT OF COMMERCE

### Foreign-Trade Zones Board

[Docket 48-99]

#### **Foreign-Trade Zone 137—Washington Dulles International Airport, Virginia Area; Application for Expansion**

An application has been submitted to the Foreign-Trade Zones (FTZ) Board (the Board) by Washington Dulles Foreign Trade Zone, Inc., grantee of FTZ 137 (Fairfax/Loudoun Counties, Virginia), requesting authority to expand its zone to include a site in Gainesville (Prince William County), Virginia, within the Washington, DC, Customs port of entry. The application was submitted pursuant to the provisions of the Foreign-Trade Zones Act, as amended (19 U.S.C. 81a-81u), and the regulations of the Board (15 CFR part 400). It was formally filed on October 14, 1999.

FTZ 137 was approved on April 17, 1987 (Board Order 350, 52 FR 13489, 4/23/87). The zone project currently consists of sites (392 acres) at and adjacent to the Washington Dulles International Airport complex, Fairfax and Loudoun Counties: Site 1—within the airport complex; Site 2—warehouse facility, 110 Terminal Drive, Sterling; and, Site 3—near the intersection of Routes 606 and 621, Loudoun County. Two applications are currently pending with the Board for two additional sites in Virginia's Eastern Shore region (Doc. 44-98) and three additional sites in the Winchester-Frederick County area (Doc. 46-99).

This application is requesting authority to expand the general-purpose zone to include an additional site (171 acres) in Gainesville, Virginia (Proposed Site 9): Proposed Site 9 (171 acres)—within the 435-acre Virginia Gateway Development, southwest quadrant of the I-66/Rt. 29 interchange, Gainesville. The site is owned by Virginia Gateway Associates L.P., an affiliate of The Peterson companies. No specific manufacturing requests are being made at this time. Such requests would be made to the Board on a case-by-case basis.

In accordance with the Board's regulations, a member of the FTZ Staff has been designated examiner to investigate the application and report to the Board.

Public comment on the application is invited from interested parties. Submissions (original and 3 copies) shall be addressed to the Board's Executive Secretary at the address below. The closing period for their receipt is December 27, 1999. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period (to January 10, 2000).

A copy of the application and accompanying exhibits will be available for public inspection at each of the following locations:

Washington Dulles Foreign Trade Zone, Inc., 44701 Propeller Court, Dulles, VA 20166

Office of the Executive Secretary, Foreign-Trade Zones Board, Room 3716, U.S. Department of Commerce, 14th & Pennsylvania Avenue, NW, Washington, DC 20230

Dated: October 15, 1999.

**Dennis Puccinelli,**

*Acting Executive Secretary.*

[FR Doc. 99-27957 Filed 10-25-99; 8:45 am]

BILLING CODE 3510-DS-P

---

## DEPARTMENT OF COMMERCE

### Foreign-Trade Zones Board

[Docket 49-99]

#### **Foreign-Trade Zone 207—Richmond International Airport, Virginia; Application for Foreign-Trade Subzone Status, Ericsson, Inc. (Cellular Telephones, Wireless Communications Equipment, and Private Radio Equipment), Lynchburg, VA**

An application has been submitted to the Foreign-Trade Zones Board (the Board) by the Capital Region Airport Commission, grantee of FTZ 207, requesting special-purpose subzone status for the manufacturing facilities (cellular telephones, wireless communications equipment, and private radio equipment) of Ericsson, Inc. (Ericsson), located at sites in Lynchburg, Virginia. The application was submitted pursuant to the Foreign-Trade Zones Act, as amended (19 U.S.C. 81a-81u), and the regulations of the Board (15 CFR part 400). It was formally filed on October 15, 1999.

The Ericsson facilities (153 acres, 1 million sq. ft.) are located at three sites in Lynchburg: manufacturing facility at 1 Mountain View Road; finished goods facility at 314 Jefferson Parkway; and parts inventory facility at 37 Millrace Drive. These facilities (3,000+ employees) are currently used for the manufacture of cellular telephones,