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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. 96-095-2]

Monsanto Co.; Availability of Determination of Nonregulated Status for Genetically Engineered Corn

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice.

SUMMARY: We are advising the public of our determination that the Monsanto Company's corn line designated as MON 802, which has been genetically engineered for insect resistance and glyphosate herbicide tolerance, 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 the Monsanto Company in its 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: May 27, 1997.

ADDRESSES: The determination, an environmental assessment and finding of no significant impact, and 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 requested to call before visiting on (202) 690-2817 to facilitate entry into the reading room.

FOR FURTHER INFORMATION CONTACT: Dr. James Lackey, BSS, PPQ, APHIS, 4700 River Road Unit 147, Riverdale, MD 20737-1236; (301) 734-8713. 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: mkpeterson@aphis.usda.gov.

SUPPLEMENTARY INFORMATION:

Background

On November 12, 1996, the Animal and Plant Health Inspection Service (APHIS) received a petition (APHIS Petition No. 96-317-01p) from the Monsanto Company (Monsanto) of St. Louis, MO, seeking a determination that a corn line designated as MON 802, which has been genetically engineered for insect resistance and glyphosate herbicide tolerance, does not present a plant pest risk and, therefore, is not a regulated article under APHIS' regulations in 7 CFR part 340.

On December 18, 1996, APHIS published a notice in the **Federal Register** (61 FR 66650-66651, Docket No. 96-095-1) announcing that the 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 corn line and food products derived from it. In the notice, APHIS solicited written comments from the public as to whether this corn line posed a plant pest risk. The comments were to have been received by APHIS on or before February 18, 1997. APHIS received no comments on the subject petition during the designated 60-day comment period.

Analysis

Corn line MON 802 has been genetically engineered to express a CryIA(b) insect control protein derived from the common soil bacterium *Bacillus thuringiensis* subsp. *kurstaki* (Bt). The petitioner stated that the Bt delta-endotoxin protein is effective in protecting the subject corn line from damage caused by the European corn borer throughout the growing season. The subject corn line also expresses the CP4 EPSPS protein isolated from *Agrobacterium* sp. strain CP4 and the GOX protein cloned from *Achromobacter* sp. strain LBAA, which, when introduced into the plant cell, confer tolerance to the herbicide glyphosate. The particle acceleration method was used to transfer the added genes into the parental corn line, and

their expression is controlled in part by the intron from the corn *hsp70* gene and by gene sequences from the plant pathogens *Agrobacterium tumefaciens* and cauliflower mosaic virus. The *nptII* selectable marker gene is present in the subject corn line under the control of a bacterial promoter, but is not expressed in the plant.

The subject corn 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 the corn line conducted under APHIS notifications since 1993 indicates that there were no deleterious effects on plants, nontarget organisms, or the environment as a result of the environmental release of corn line MON 802.

Determination

Based on its analysis of the data submitted by Monsanto, a review of other scientific data, and field tests of the subject corn line, APHIS has determined that corn line MON 802: (1) Exhibits no plant pathogenic properties; (2) is no more likely to become a weed than corn lines 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; (5) will not harm threatened or endangered species or other organisms, such as bees, that are beneficial to agriculture; and (6) should not reduce the ability to control insects in corn or other crops when cultivated. Therefore, APHIS has concluded that the subject corn line and any progeny derived from hybrid crosses with other nontransformed corn varieties will be as safe to grow as corn in traditional breeding programs that are not subject to regulation under 7 CFR part 340.

The effect of this determination is that Monsanto's corn line MON 802 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 field testing, importation, or interstate movement of the subject corn line or its progeny. However, importation of corn line MON 802 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 Monsanto's corn line MON 802 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 May 1997.

Terry L. Medley,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 97–14876 Filed 6–5–97; 8:45 am]

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DEPARTMENT OF AGRICULTURE

Natural Resources Conservation Service

[RFP #126–FW–NRCS–97]

Soil Survey Division Research Program

AUTHORITY: Pub. L. 74–46, 16 U.S.C. 590(a–f), Pub. L. 89–560.

AGENCY: Natural Resources Conservation Service, USDA.

ACTION: Announcement of availability of funds for Request for Proposal.

SUMMARY: The Natural Resources Conservation Service (NRCS), Soil Survey Division through Congressional authority, has provided soil related research primarily through the National Soil Survey Laboratory (NSSL), and the National Cooperative Soil Survey (NCSS), in Lincoln, Nebraska. The Soil Survey Division has focused its research on soil genesis and processes, soil-landscape relationships, and development of criteria for Soil Taxonomy.

The Soil Survey Laboratories, in concert with University collaborators, led in the development of laboratory procedures for physical, chemical, and mineralogical methods in support of the NCSS. Historically, geomorphic projects constituted prominent research activities.

The Soil Survey Division has funds for selected proposals and will utilize these funds specifically for research and development within its budget.

DATES: The solicitation release date is June 10, 1997. Request for Proposal must be received on or before July 10, 1997. Proposals received after July 10, 1997, will not be considered for funding.

ADDRESSES: Proposals must be submitted to the following address: USDA, Natural Resources Conservation Service, National Business Management Center, FWFC, Bldg. 23, 501 Felix St., P.O. Box 6567, Ft. Worth, TX 76115–0567. The telephone number is (817) 334–5461; Internet: jlowe9ftw.nrcs.usda.gov. Hand-delivered proposal, including those submitted through an express mail or a courier service, must be submitted to the following address: USDA, Natural Resources Conservation Service, National Business Management Center, FWFC, Bldg 23, 501 Felix St., Ft. Worth, TX 76115. The telephone number is: (817) 334–5461.

FOR FURTHER INFORMATION CONTACT: John Kimble, U.S. Department of Agriculture, National Soil Survey Center, Federal Building, Room 152, 100 Centennial Mall North, Lincoln, NE 68508–3866; telephone (402) 437–5376; jkimble@nssc.nrcs.usda.gov.

SUPPLEMENTARY INFORMATION: Notice is hereby given that under the authority for Soil Survey, awards ranging from \$10,000 to \$50,000 will be awarded for support of any one proposal, regardless of the amount requested. The total amount of funds available for proposals is \$300,000.

Eligibility and Limitations on Use of Funds

Under this program, subject to the availability of funds, the Secretary may award proposal to land-grant colleges and universities, State agricultural experiment stations, colleges, universities, private entities, and to Federal laboratories having a demonstrable capacity in soil research. Proposal received from scientists at non-United States organizations or institutions will not be considered for support.

This request for proposal is subject to the provision found in 7 CFR part 3019, the Uniform Administrative

Requirement for Grants and Agreements with Institutions of Higher Education, Hospitals, and other Non-profit Organizations, which sets forth procedures to be followed when submitting grant proposals, rules governing the evaluation of proposals, processes regarding the awarding of grants, and regulations relating to the post-award administration of grant projects. In addition, other Federal statutes and regulations, such as 7 CFR 3051, the Audits of Institutions of Higher Education and Other Nonprofit Institutions, and OMB Circular A–110 and A–21, apply to this program.

Specific Areas of Research To Be Supported in Fiscal Year 1997

A research framework has been developed to advance the fundamental goals of understanding and portraying (T.E.C.) the pedosphere, to develop and quantify soil interpretations, and to provide efficient technology transfer relevant for the NRCS and its cooperators. Methods development is important within this framework. In the past, much of the laboratory's focus was on development and improvement of laboratory methods. These efforts need to be continued. Also, additional needs are to focus more on field methods used to help in mapping, scaling of data, and model development for prediction of soil properties and extension of single point information for use in description of complex natural ecosystems. Within the critical research issues, both methods development (laboratory and field) and information delivery techniques are extremely important.

This framework includes the following integrative elements:

1. Soil-Water and Temperature
2. Geomorphic Modeling
3. Soil Quality/Soil Health
4. Soil Biological Processes in Soils and Carbon Cycling
5. Soil Genesis and Taxonomy
6. Spatial Variability & Scaling

Critical Research Issues

Research is needed in the following general focus areas:

1. *Utilization of the NRCS Soil database.* The NRCS has an excellent and extensive database consisting of measured soil physical, chemical, and mineralogical properties from soils throughout the world. The database is an under utilized tool that has significant potential for use in improving soil quality, increasing agricultural production, and providing information to our customers. Development of new uses for the soils data is encouraged.