

The effect of this determination is that Bejo's Radicchio rosso lines designated as RM3-3, RM3-4, and RM3-6 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 Bejo's Radicchio rosso lines RM3-3, RM3-4, and RM3-6 or their progeny. However, the importation of the subject Radicchio rosso 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 (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 Radicchio rosso lines RM3-3, RM3-4, and RM3-6 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 14th day of November 1997.

**Craig A. Reed,**

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

[FR Doc. 97-30507 Filed 11-19-97; 8:45 am]

BILLING CODE 3410-34-P

### DEPARTMENT OF AGRICULTURE

#### Animal and Plant Health Inspection Service

[Docket No. 97-094-1]

#### Monsanto Co.; Receipt of Petition for Determination of Nonregulated Status for Potato Lines Genetically Engineered for Insect and Virus Resistance

**AGENCY:** Animal and Plant Health Inspection Service, USDA.

**ACTION:** Notice.

**SUMMARY:** We are advising the public that the Animal and Plant Health Inspection Service has received a petition from Monsanto Company seeking a determination of nonregulated status for certain potato lines genetically engineered for resistance to the Colorado potato beetle and potato leaf roll virus. The petition has been submitted in accordance with our regulations concerning the introduction of certain genetically engineered organisms and products. In accordance with those regulations, we are soliciting public comments on whether these potato lines present a plant pest risk.

**DATES:** Written comments must be received on or before January 20, 1998.

**ADDRESSES:** Please send an original and three copies of your comments to Docket No. 97-094-1, Regulatory Analysis and Development, PPD, APHIS, Suite 3C03, 4700 River Road Unit 118, Riverdale, MD 20737-1238. Please state that your comments refer to Docket No. 97-094-1. A copy of the petition and any comments 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 access to that room to inspect the petition or comments 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 Evaluation, BSS, PPQ, APHIS, Suite 5B05, 4700 River Road Unit 147, Riverdale, MD 20737-1236; (301) 734-5940. To obtain a copy of the petition, contact Ms. Kay Peterson at (301) 734-4885; e-mail: mkipeterson@aphis.usda.gov.

**SUPPLEMENTARY INFORMATION:** The regulations in 7 CFR part 340, "Introduction of Organisms and Products Altered or Produced Through Genetic Engineering Which Are Plant Pests or Which There Is Reason to Believe Are Plant Pests," regulate, among other things, the introduction (importation, interstate movement, or release into the environment) of organisms and products altered or produced through genetic engineering that are plant pests or that there is reason to believe are plant pests. Such genetically engineered organisms and products are considered "regulated articles."

The regulations in § 340.6(a) provide that any person may submit a petition to the Animal and Plant Health Inspection Service (APHIS) seeking a determination that an article should not be regulated under 7 CFR part 340.

Paragraphs (b) and (c) of § 340.6 describe the form that a petition for determination of nonregulated status must take and the information that must be included in the petition.

On July 23, 1997, APHIS received a petition (APHIS Petition No. 97-204-01p) from Monsanto Company (Monsanto) of St. Louis, MO, requesting a determination of nonregulated status under 7 CFR part 340 for seven NewLeaf® Plus Russet Burbank potato lines (RBMT21-129, RBMT21-152, RBMT21-350, RBMT22-82, RBMT22-186, RBMT22-238, RBMT22-262), which have genetically engineered for resistance to the Colorado potato beetle (CPB) and potato leaf roll virus (PLRV). The Monsanto petition states that the subject potato lines should not be regulated by APHIS because they do not present a plant pest risk.

As described in the petition, all seven of the subject Russet Burbank potato lines have been genetically engineered to contain the *cryIIIA* gene from *Bacillus thuringiensis* subsp. *tenebrionis* (Btt), which encodes an insecticidal protein that is effective against CPB, and the PLRV replicase gene (*PLRVrep*), which imparts resistance to PLRV. In addition to the *cryIIIA* gene and the *PLRVrep* gene, these potato lines contain either the *nptII* selectable marker gene (RBMT21-129, RBMT21-152, and RBMT21-350) or the *CP4 EPSPS* selectable marker gene (RBMT22-82, RBMT22-186, RBMT22-238, and RBMT22-262). The subject potato lines were developed through the use of the *Agrobacterium tumefaciens* transformation system, and expression of the introduced genes is controlled in part by gene sequences derived from the plant pests *A. tumefaciens* and Figwort mosaic virus.

The subject potato lines have been considered regulated articles under the regulations in 7 CFR part 340 because they contain gene sequences derived from plant pests. These potato lines have been evaluated in field trials conducted since 1994 under APHIS permits. In the process of reviewing the applications for field trials of the subject potato lines, APHIS determined that the vectors and other elements were disarmed and that the trials, which were conducted under conditions of reproductive and physical containment or isolation, would not present a risk of plant pest introduction or dissemination.

In the Federal Plant Pest Act, as amended (7 U.S.C. 150aa *et seq.*), "plant pest" is defined as "any living stage of: Any insects, mites, nematodes, slugs, snails, protozoa, or other invertebrate animals, bacteria, fungi, other parasitic

plants or reproductive parts thereof, viruses, or any organisms similar to or allied with any of the foregoing, or any infectious substances, which can directly or indirectly injure or cause disease or damage in any plants or parts thereof, or any processed, manufactured or other products of plants." APHIS views this definition very broadly. The definition covers direct or indirect injury, disease, or damage not just to agricultural crops, but also to plants in general, for example, native species, as well as to organisms that may be beneficial to plants, for example, honeybees, rhizobia, etc.

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 insecticides, be registered prior to distribution or sale, unless exempt by EPA regulation. In this regard, EPA has issued a registration to Monsanto for full commercialization of the plant pesticide Bt Cry III(A) delta endotoxin and the genetic material necessary for its production in potato. Residue tolerances for pesticides are established by EPA under the Federal Food, Drug and Cosmetic Act (FFDCA), as amended (21 U.S.C. 301 *et seq.*), and the Food and Drug Administration (FDA) enforces tolerances set by EPA under the FFDCA. In addition to the registration, EPA has issued exemptions from the requirement of a tolerance for residues of the subject plant pesticide CryIII(A) in potatoes, for the NPTII and CP4 EPSPS proteins as plant pesticide inert ingredients in all plants, and for the PLRV replicase protein in or on all raw agricultural commodities.

FDA published a statement of policy on foods derived from new plant varieties in the **Federal Register** on May 29, 1992 (57 FR 22984-23005). The FDA statement of policy includes a discussion of FDA's authority for ensuring food safety under the FFDCA, and provides guidance to industry on the scientific considerations associated with the development of foods derived from new plant varieties, including those plants developed through the techniques of genetic engineering. Monsanto has entered into consultation with FDA on the subject potato lines.

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 Determination of Nonregulated Status from any interested person for a period of 60 days from the date of this notice. The petition and any comments received are available for public review, and copies of the petition may be ordered (see the **ADDRESSES** section of this notice).

After the comment period closes, APHIS will review the data submitted by the petitioner, all written comments received during the comment period, and any other relevant information. Based on the available information, APHIS will furnish a response to the petitioner, either approving the petition in whole or in part, or denying the petition. APHIS will then publish a notice in the **Federal Register** announcing the regulatory status of Monsanto's NewLeaf® Plus Russet Burbank potato lines RBMT21-129, RBMT21-152, RBMT21-350, RBMT22-82, RBMT22-186, RBMT22-238, RBMT22-262 and the availability of APHIS' written decision.

**Authority:** 7 U.S.C. 150aa-150jj, 151-167, and 1622n; 31 U.S.C. 9701; 7 CFR 2.22, 2.80, and 371.2(c).

Done in Washington, DC, this 14th day of November 1997.

**Craig A. Reed,**

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

[FR Doc. 97-30508 Filed 11-19-97; 8:45 am]

**BILLING CODE 3410-34-P**

## DEPARTMENT OF COMMERCE

### Economics and Statistics Administration

#### Secretary's 2000 Census Advisory Committee Meeting

**AGENCY:** Economics and Statistics Administration, Department of Commerce.

**ACTION:** Notice of public meeting.

**SUMMARY:** Pursuant to the Federal Advisory Committee Act (Public Law 92-463, as amended by P.L. 94-409, P.L. 96-523, and P.L. 97-375), we are giving notice of a meeting of the Commerce Secretary's 2000 Advisory Committee. The meeting will convene on December 4-5, 1997, at the Embassy Suites Hotel, 1250 22nd Street, NW., Washington, DC 20037. The Committee will discuss work plans for the Census 2000 Dress Rehearsal, including the tabulation of data collected using the new questions that follow the revised

standards for the classification of Federal data on race and ethnicity recently issued by the Office of Management and Budget.

The Committee is composed of a Chair, Vice-Chair, and up to thirty-five member organizations, all appointed by the Secretary of Commerce. The Committee will consider the goals of Census 2000 and user needs for information provided by that census. The Committee will provide a perspective from the standpoint of the outside user community about how operational planning and implementation methods proposed for Census 2000 will realize those goals and satisfy those needs. The Committee shall consider all aspects of the conduct of the 2000 census of population and housing and shall make recommendations for improving that census.

**DATES:** On Thursday, December 4, 1997, the meeting will begin at 8:30 a.m. and adjourn for the day at 4:30 p.m. On Friday, December 5, 1997, the meeting will begin at 8:30 a.m. and adjourn at 4:00 p.m.

**ADDRESSES:** The meeting will take place at the Embassy Suites Hotel, 1250 22nd Street, N.W., Washington, DC 20037.

#### FOR FURTHER INFORMATION CONTACT:

Anyone wishing additional information about this meeting, or who wishes to submit written statements or questions, may contact Maxine Anderson-Brown, Committee Liaison Officer, Department of Commerce, Bureau of the Census, Room 3039, Federal Building 3, Washington, DC 20233, telephone: 301-457-2308, TDD 301-457-2540.

**SUPPLEMENTARY INFORMATION:** A brief period will be set aside on Friday afternoon for public comment and questions. However, individuals with extensive questions or statements for the record must submit them in writing to the Commerce Department official named above at least three working days prior to the meeting.

The meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Kathy Maney; her telephone number is 301-457-2308, TDD 301-457-2540.

Dated: November 17, 1997.

**Lee Price,**

*Acting Under Secretary for Economic Affairs, Economics and Statistics Administration.*

[FR Doc. 97-30661 Filed 11-18-97; 2:52 pm]

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