

approved oil from the subject transformation events for sale as human food in Canada.

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 herbicides, be registered prior to distribution or sale, unless exempt by EPA regulation. In cases in which genetically modified plants allow for a new use of an herbicide or involve a different use pattern for the herbicide, EPA must approve the new or different use. When the use of the herbicide on the genetically modified plant would result in an increase in the residues of the herbicide in a food or feed crop for which the herbicide is currently registered, or in new residues in a crop for which the herbicide is not currently registered, establishment of a new tolerance or a revision of the existing tolerance would be required. 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. Accordingly, AgrEvo has submitted to EPA both registration and tolerance exemption applications for glufosinate use on canola.

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. AgrEvo has completed consultation with FDA on the subject canola transformation events.

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 AgrEvo's canola transformation events MS8, RF3, and their hybrid combination MS8/RF3, 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 2nd day of December 1998.

Joan M. Arnoldi,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 98-32519 Filed 12-7-98; 8:45 am]

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DEPARTMENT OF AGRICULTURE

Forest Service

Frank Church—River of No Return Wilderness (FC-RONR) Programmatic Management Plan, Boise, Bitterroot, Nez Perce, Payette, and Salmon-Challis National Forests; Boise, Custer, Idaho, Lemhi and Valley Counties, ID

AGENCY: Forest Service, USDA.

ACTION: Supplement of a Notice of Intent to extend the public comment period.

SUMMARY: This **Federal Register** notice revises the Notice of Availability published in the January 23, 1998 **Federal Register** (40 CFR 1506.9) Vol. 63, No. 15, page 3563. On January 15, 1998, the Forest Service issued a Draft Environmental Impact Statement for the

management of the Frank Church-River of No Return Wilderness. This revised notice of availability extends the time for public review and comment.

Comments will be due February 1, 1999.

FOR FURTHER INFORMATION CONTACT:

Kenneth T. Wotring, FC-RONR Wilderness Coordinator, RR 2 Box 600, H2y 93 S, Salmon ID 83467, telephone 208-756-5131.

Dated: December 1, 1998.

George Matejko,

Forest Supervisor, Salmon-Challis National Forest.

[FR Doc. 98-32499 Filed 12-7-98; 8:45 am]

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DEPARTMENT OF COMMERCE

Bureau of Export Administration

Action Affecting Export Privileges; KIYOYUKI YASUTOMI; Order Denying Permission To Apply for or Use Export Licenses

In the Matter of Kiyoyuki Yasutomi, M.E.I. Japan, 6F Sanyo Bldg., 1 Naitocho, Shinjuku-ku, Tokyo 160, Japan.

On January 5, 1998, Kiyoyuki Yasutomi (Yasutomi) was convicted in the United States District Court for the District of Columbia on one count of violating the Export Administration Act of 1979, as amended (currently codified at 50 USCA app. §§ 2401-2420 (1991 & Supp. 1998)) (the Act).¹ Yasutomi was convicted of knowingly reexporting and causing to be reexported, from Japan to Pakistan, computer equipment designated on the Commodity Control List, without obtaining the required authorization from the Department of Commerce.

Section 11(h) of the Act provides that, at the discretion of the Secretary of Commerce,² no person convicted of violating the Act, or certain other provisions of the United States Code, shall be eligible to apply for or use any license, including any License Exception, issued pursuant to, or provided by, the act or the Export

¹ The Act expired on August 20, 1994. Executive Order 12924 (3 CFR, 1994 Comp. 917 (1995)), extended by Presidential Notices of August 15, 1995 (3 CFR, 1995 Comp. 501 (1996)), August 14, 1996 (3 CFR, 1996 Comp. 298 (1997)), August 13, 1997 (3 CFR, 1997 Comp. 306 (1998)), and August 13, 1998 (63 FR 44121, August 17, 1998), continued the Export Administration Regulations in effect under the International Emergency Economic Powers Act (50 USCA §§ 1701-1706 (1991 & Supp. 1998)).

² Pursuant to appropriate delegations of authority that are reflected in the Regulations, the Director, Office of Exporter Services, in consultation with the Director, Office of Export Enforcement, exercises the authority granted to the Secretary by Section 11(h) of the Act.

Administration Regulations (currently codified at 15 CFR Parts 730-774 (1998)) (the Regulations), for a period of up to 10 years from the date of the conviction. In addition, any license issued pursuant to the Act in which such a person had any interest at the time of conviction may be revoked.

Pursuant to Sections 766.25 and 750.8(a) of the Regulations, upon notification that a person has been convicted of violating the Act, the Director, Office of Exporter Services, in consultation with the Director, Office of Export Enforcement, shall determine whether to deny that person permission to apply for or use any license, including any License Exception, issued pursuant to, or provided by, the Act and the Regulations, and shall also determine whether to revoke any license previously issued to such a person.

Having received notice of Yasutomi's conviction for violating the Act, and following consultations with the Director, Office of Export Enforcement, I have decided to deny Yasutomi permission to apply for or use any license, including any License Exception, issued pursuant to, or provided by, the Act and the Regulations, for a period of 10 years from the date of his conviction. The 10-year period ends on January 5, 2008. I have also decided to revoke all licenses issued pursuant to the Act in which Yasutomi had an interest at the time of his conviction.

Accordingly, it is hereby ordered

I. Until January 5, 2008, Kiyoyuki Yasutomi, MEI, Japan, 6F Sanyo Bldg., 1 Naitocho, Shinjuku-hu, Tokyo 160, Japan, may not, directly or indirectly, participate in any way, in any transaction involving any commodity, software or technology (hereinafter collectively referred to as "item") exported or to be exported from the United States, that is subject to the Regulations, or in any other activity subject to the Regulations, including but not limited to:

A. Applying for, obtaining, or using any license, License Exception, or export control document;

B. Carrying on negotiations concerning, or ordering, buying, receiving, using, selling, delivering, storing, disposing of, forwarding, transporting, financing, or otherwise servicing in any way, any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or in any other activity subject to the Regulations; or

C. Benefiting in any way from any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or in any other activity subject to the Regulations.

II. No person may directly or indirectly, do any of the following:

A. Export or reexport to or on behalf of the denied person any item subject to the Regulations;

B. Take any action that facilitates the acquisition or attempted acquisition by the denied person of the ownership, possession, or control of any item subject to the Regulations that has been or will be exported from the United States, including financing or other support activities related to a transaction whereby the denied person acquires or attempts to acquire such ownership, possession or control;

C. Take any action to acquire from or to facilitate the acquisition or attempted acquisition from the denied person of any item subject to the Regulations that has been exported from the United States;

D. Obtain from the denied person in the United States any item subject to the Regulations with knowledge or reason to know that the item will be, or is intended to be, exported from the United States; or

E. Engage in any transaction to service any item subject to the Regulations that has been or will be exported from the United States and which is owned, possessed or controlled by the denied person, or service any item, of whatever origin, that is owned, possessed or controlled by the denied person if such service involves the use of any item subject to the Regulations that has been or will be exported from the United States. For purposes of this paragraph, servicing means installation, maintenance, repair, modification or testing.

III. After notice and opportunity for comment as provided in Section 766.23 of the Regulations, any person, firm, corporation, or business organization related to Yasutomi by affiliation, ownership, control, or position of responsibility in the conduct of trade or related services may also be subject to the provisions of this Order.

IV. This Order does not prohibit any export, reexport, or other transaction subject to the Regulations where the only items involved that are subject to the Regulations are the foreign-produced direct product of U.S.-origin technology.

V. This Order is effective immediately and shall remain in effect until January 5, 2008.

VI. A copy of this Order shall be delivered to Yasutomi. This Order shall be published in the **Federal Register**.

Dated: November 23, 1998.

Eileen M. Albanese,

Director, Office of Exporter Services.

[FR Doc. 98-32529 Filed 12-7-98; 8:45 am]

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DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[Docket 19-98]

Foreign-Trade Zone 32—Miami, FL; Application for Subzone Status: Amendment of Application, Komatsu Latin-America Corporation (Distribution of Construction and Mining Equipment Parts)

Notice is hereby given that the application of the Greater Miami Foreign-Trade Zone, Inc., grantee of FTZ 32, requesting authority for special-purpose subzone status for the construction and mining equipment parts distribution facility of Komatsu Latin-America Corporation in Miami, Florida (63 FR 18363, 4/15/98), has been amended to include an additional site (1.5 acres), contiguous to the proposed subzone site. The additional space will be used for storage and display of products. The application remains otherwise unchanged.

The comment period is extended (to December 28, 1998. Submissions (original and 3 copies) shall be addressed to the Board's Executive Secretary at the address below.

A copy of the application and the amendment and accompanying exhibits are available for public inspection at the following locations:

Greater Miami Foreign-Trade Zone Inc.,
1601 Biscayne Boulevard, Omni
International Complex, Miami,
Florida 33132

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

Dated: November 30, 1998.

Dennis Puccinelli,

Acting Executive Secretary.

[FR Doc. 98-32543 Filed 12-7-98; 8:45 am]

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