

information is used to administer and to conduct and carry out the grading services requested by the respondents. If the information is not collected, the Agency would not be able to provide the voluntary grading service authorized and requested by Congress under the AMA, to provide the types of services requested by industry, to administer the program, to ensure properly grade-labeled products, to calculate the cost of the service, and to collect for the cost furnishing service as required by section 203(h) of the AMA.

*Description of Respondents:* Business or other for-profit; Federal Government; State, Local or Tribal Government.

*Number of Respondents:* 643.

*Frequency of Responses:* Reporting: On occasion; Semi-annually; Monthly; Annually; Other.

*Total Burden Hours:* 5,602.

#### Foreign Agricultural Service

*Title:* List of Commodities by Firm Available for Exporting.

*OMB Control Number:* 0551-0031.

*Summary of Collection:* The AgExport Connections Office of USDA's Foreign Agricultural Service (FAS) facilitates trade contracts between U.S. exporters and foreign buyers seeking U.S. food and agricultural products. Authority for this program falls under 7 U.S.C. Part 1761. The U.S. Supplier List (USL) and Foreign Buyer List (FBL) services are designed to help U.S. firms make contact with export agents, trading companies, importers and foreign buyers and create an opportunity to sell their products in overseas markets. This service provides the U.S. firm an opportunity to have a data record providing basic information about the company and the products it exports put into a USDA maintained database. FAS will collect information using a combination of forms and telephone interviews.

*Need and Use of the Information:* FAS will collect information on contact names, mailing addresses, telephone, fax, email, and websites. The main purposes of the USL and FBL services is to foster trade contacts in an effort to facilitate greater export of U.S. agriculture food, forestry, and fishery products. The databases are used to recruit U.S. exporters, importers, and buyers to participate in market development activities sponsored by USDA. These databases must be updated periodically to maintain the integrity and usefulness to the trade community.

*Description of Respondents:* Business or other for-profit.

*Number of Respondents:* 29,000.

*Frequency of Responses:* Reporting: On occasion; Semi-annually.

*Total Burden Hours:* 3,730.

**Nancy B. Sternberg,**

*Department Clearance Officer.*

[FR Doc. 99-7800 Filed 3-30-99; 8:45 am]

BILLING CODE 3410-01-M

#### DEPARTMENT OF AGRICULTURE

##### Agricultural Research Service

##### Notice of Federal Invention Available for Licensing and Intent to Grant Exclusive License

**AGENCY:** Agricultural Research Service, USDA.

**ACTION:** Notice of availability and intent.

**SUMMARY:** Notice is hereby given that a Federally owned invention U.S. Patent No. 5,074,902 issued on December 24, 1991, entitled "Granular Products Containing Fungi Encapsulated in a Wheat Gluten Matrix for Biological Control of Weeds" is available for licensing and the U.S. Department of Agriculture, Agricultural Research Service, intends to grant to United Agri Products, Inc., of Greeley, Colorado, an exclusive license to S.N. 07/560,791.

**DATES:** Comments must be received on or before June 29, 1999.

**ADDRESSES:** Send comments to: USDA, ARS, Office of Technology Transfer, 5601 Sunnyside Avenue, Beltsville, Maryland 20705-5131.

**FOR FURTHER INFORMATION CONTACT:** June Blalock of the Office of Technology Transfer at the Beltsville address given above; telephone: 301-504-5989.

**SUPPLEMENTARY INFORMATION:** The Federal Government's patent rights to this invention are assigned to the United States of America, as represented by the Secretary of Agriculture. It is in the public interest to so license this invention as United Agri Products, Inc., has submitted a complete and sufficient application for a license. The prospective exclusive license will be royalty-bearing and will comply with the terms and conditions of 35 U.S.C. 209 and 37 CFR 404.7. The prospective exclusive license may be granted unless, within ninety (90) days from the date of this published Notice, the Agricultural Research Service receives written evidence and argument which establishes that the grant of the license would not be consistent with the

requirements of 35 U.S.C. 209 and 37 CFR 404.7.

**Richard M. Parry, Jr.,**

*Assistant Administrator.*

[FR Doc. 99-7801 Filed 3-30-99; 8:45 am]

BILLING CODE 3410-03-P

#### DEPARTMENT OF AGRICULTURE

##### Animal and Plant Health Inspection Service

[Docket No. 98-114-2]

##### AgrEvo USA Co.; Availability of Determination of Nonregulated Status for Canola Genetically Engineered for Male Sterility, Fertility Restoration, and Glufosinate Herbicide Tolerance

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

**ACTION:** Notice.

**SUMMARY:** We are advising the public of our determination that certain canola transformation events developed by AgrEvo USA Company, which have been genetically engineered for male sterility, fertility restoration, and tolerance to the herbicide glufosinate, 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 AgrEvo USA Company in its petition for a determination of nonregulated status and on our 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:** March 22, 1999.

**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 asked to call in advance of visiting at (202) 690-2817 to facilitate entry into the reading room.

**FOR FURTHER INFORMATION CONTACT:** Dr. Susan Koehler, Biotechnology and Biological Analysis, PPQ, APHIS, Suite 5B05, 4700 River Road Unit 147, Riverdale, MD 20737-1236; (301) 734-4886. 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:  
kay.peterson@usda.gov.

#### SUPPLEMENTARY INFORMATION:

##### Background

On October 5, 1998, the Animal and Plant Health Inspection Service (APHIS) received a petition (APHIS Petition No. 98-278-01p) from AgrEvo USA Company (AgrEvo) of Wilmington, DE, seeking a determination that canola (*Brassica napus* L.) designated as In Vigor® Hybrid Canola Transformation Events MS8 and RF3 (transformation events), which have been genetically engineered for male sterility (MS8), fertility restoration (RF3), and tolerance to the herbicide glufosinate (both MS8 and RF3), do not present a plant pest risk and, therefore, are not regulated articles under APHIS' regulations in 7 CFR part 340.

On December 8, 1998, APHIS published a notice in the **Federal Register** (63 FR 67643-67644, Docket No. 98-114-1) announcing that the AgrEvo 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 canola transformation events and food products derived from them. In the notice, APHIS solicited written comments from the public as to whether these canola transformation events posed a plant pest risk. The comments were to have been received by APHIS on or before February 8, 1999. APHIS received no comments on the subject petition during the designated 60-day comment period.

##### Analysis

The subject transformation events have been genetically engineered to contain a *barnase* gene (MS8) for male sterility or a *barstar* gene (RF3) for fertility restoration. The *barnase* gene expresses a ribonuclease that blocks pollen development and results in a male sterile plant, and the *barstar* gene encodes a specific inhibitor of this ribonuclease and restores fertility. The *barnase* and *barstar* genes were derived from *Bacillus amyloliquefaciens*, and are linked in the subject transformation events to the *bar* gene derived from *Streptomyces hygroscopicus*. The *bar* gene encodes the enzyme phosphinothricin-N-acetyltransferase (PAT), which confers tolerance to the herbicide glufosinate. The herbicide tolerance trait allows for selection of plants carrying the linked genes for pollination control during breeding and for tolerance to the herbicide during commercial cultivation. Expression of the added genes is controlled in part by

gene sequences derived from *Arabidopsis thaliana*, *Nicotiana tabacum*, and the plant pathogen *Agrobacterium tumefaciens*. The *A. tumefaciens* method was used to transfer the added genes into the parental canola variety, Drakkar.

Canola transformation events MS8, RF3, and their hybrid combination MS8/RF3 have been considered regulated articles under APHIS' regulations in 7 CFR part 340 because they contain gene sequences derived from a plant pathogen. However, evaluation of field data reports from field tests of these canola transformation events conducted under APHIS permits and notifications since 1997 indicates that there were no deleterious effects on plants, nontarget organisms, or the environment as a result of the environmental release of the subject canola transformation events.

##### Determination

Based on its analysis of the data submitted by AgrEvo and a review of other scientific data and field tests of the subject canola, APHIS has determined that canola transformation events MS8, RF3, and their hybrid combination MS8/RF3: (1) Exhibit no plant pathogenic properties; (2) are no more likely to become weeds than canola developed by traditional breeding techniques and are unlikely to increase the weediness potential for any other cultivated or wild species with which they can interbreed; (3) will not cause damage to raw or processed agricultural commodities; (4) will not harm threatened or endangered species or other organisms, such as bees, that are beneficial to agriculture; and (5) are unlikely to have any significant adverse impact on agricultural practices. Therefore, APHIS has concluded that the subject canola transformation events and any progeny derived from hybrid crosses with other canola varieties will be as safe to grow as canola in breeding programs that are not subject to regulation under 7 CFR part 340.

The effect of this determination is that AgrEvo's canola transformation events MS8, RF3, and their hybrid combination MS8/RF3 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 subject canola transformation events or their progeny. However, importation of these canola transformation events 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 AgrEvo's canola transformation events MS8, RF3, and their hybrid combination MS8/RF3 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 24th day of March 1999.

**Craig A. Reed,**

*Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 99-7803 Filed 3-30-99; 8:45 am]

BILLING CODE 3410-34-P

##### DEPARTMENT OF AGRICULTURE

##### Cooperative State Research, Education, and Extension Service, Notice of Intent To Request an Extension of a Currently Approved Information Collection

**AGENCY:** Cooperative State Research, Education, and Extension Service, USDA.

**ACTION:** Notice and request for comments.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13) and Office of Management and Budget (OMB) regulations at 5 CFR Part 1320 (60 FR 44978, August 29, 1995), this notice announces the Cooperative State Research, Education, and Extension Service's (CSREES) intention to request an extension of a currently approved information collection in support of Authorizations to use the 4-H Club Name and/or Emblem that expires May 31, 1999.

**DATES:** Comments on this notice must be received on or before June 4, 1999 to be assured for consideration.

**FOR FURTHER INFORMATION CONTACT:** Contact Dr. Alma C. Hobbs; Deputy