

EPA has considered procedural options under FIFRA which would allow plant-pesticides to be propagated for the production of reproductive plant materials under limited acreage and conditions in instances where the Agency has determined that such plant propagation will not result in unreasonable adverse effects to humans or the environment. EPA has determined that a limited registration under section 3(c)(5) is an appropriate regulatory vehicle for pesticides produced in plants grown for the purposes of plant propagation/seed increase. A limited registration will stipulate the conditions under which the plantings could occur and may include such restrictions as the acreage to be planted, the design of the field sites to ensure adequate containment, the locations of the field sites, and any other restrictions deemed necessary including restrictions on the sale and distribution of the crop. The Agency, in making its finding of no unreasonable adverse effects, will rely in part upon the restrictions set in the limited registration. The limited registration will also stipulate that the company acquiring the registration is liable for the actions of its cooperators in terms of meeting the conditions of the registration. Companies that wish to make applications for a limited registration under FIFRA section 3(c)(5) for the purposes of plant propagation/seed production should be cognizant of tolerance requirements under the Federal Food, Drug, and Cosmetic Act (FFDCA). Where food or feed crops are involved, crop destruction or other actions to prevent the introduction of the resulting crop into commerce will be a necessary condition of a limited registration in the absence of a tolerance or exemption from the requirement of a tolerance. Moreover, seeds or other plant parts may be restricted in their sale or distribution.

Monsanto has requested a limited registration for plant propagation and has proposed certain conditions for the registration. The Agency has evaluated the information and data that have been submitted by Monsanto concerning the potential risks from planting cotton producing *Bacillus thuringiensis* var. *kurstaki* (B.t.k.) delta endotoxin for the purpose of increasing propagative materials. The information and data evaluated by the Agency to date has led EPA to preliminarily conclude that, under the restrictions of the limited registration, there are no foreseeable unreasonable adverse effects to humans or the environment.

Copies of information submitted to the Agency in support of this

registration will be available from the public docket. The release of data is subject to section 10(g) of FIFRA; disclosure requires submission of a signed Affirmation of Non-multinational Status form. To receive a copy of the form contact the OPP docket staff at the address or telephone number listed under the ADDRESSES unit. Due to the volume of data, callers will receive the data on microfiche. A papercopy of the data is available for viewing in the docket.

Therefore, EPA is proposing to issue the following limited registration:

524-UTI. Monsanto Company, 700 Chesterfield Parkway North, St. Louis, MO 63198. The approved limited registration for plant propagation would allow the use of the *Bacillus thuringiensis* var. *kurstaki* delta endotoxin as produced by the Cry 1 A(c) gene and its controlling sequences in cotton plants over a total of 36,850 acres. Planting of the product would be limited to the states of Arizona, Arkansas, California, Mississippi, South Carolina, and Texas and the territory of Puerto Rico. The registration would be limited to plantings from March 15, 1995 through December 15, 1995, and would include associated agronomic activities such as the harvesting and processing of plant propagative material. Sale or distribution of the crop or plant propagative materials would be prohibited. This registration would be limited in that containment of the field sites to prevent outcrossing to other cotton would consist of the use of isolation distances and/or buffer rows of non-transgenic cotton. This registration would be also be limited in that all crops would either be destroyed or stored for future plantings or research. The field sites would be monitored for 12 months for germinating seed which would be destroyed.

Interested parties should note that in the **Federal Register** of January 25, 1995 (60 FR 4910), and February 8, 1995 (60 FR 7538), EPA announced a March 1, 1995 meeting of the Scientific Advisory Panel for consideration of scientific issues related to this registration.

List of Subjects

Environmental protection, Biotechnology, Plant-pesticide, Pesticides, Plants, Registration.

Dated: February 8, 1995.

Janet L. Andersen,

Acting Director, Biopesticides and Pollution Prevention Division, Office of Pesticide Programs.

[FR Doc. 95-3761 Filed 2-14-95; 8:45 am]

BILLING CODE 6560-50-F

[PP 4G44409 and 5G4448/T668; FRL 4935-8]

Northrup King Co. and Ciba-Geigy Corp.; Initial Filings of Exemptions from the Requirement of Tolerances

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA has established exemptions from the requirement of tolerances for the delta endotoxin protein produced in field corn by a CryIA(b) gene from *Bacillus thuringiensis* subsp. *kurstaki* HD-1 and inserted in the plant expression vector pZ01502 and for the plant pesticide *Bacillus-thuringiensis* subsp. *kurstaki* CryIA (b) insect control protein as produced in corn plants and the genetic material necessary for its production.

FOR FURTHER INFORMATION CONTACT: By mail: Michael Mendelsohn, Biopesticides and Pollution Prevention Division (7501W), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: Rm. Crystal Station, 5th Fl., 2800 Crystal Drive, Arlington, VA 22202, (703) 308-8712; e-mail: Mendelsohn.Mike@epamail.epa.gov.

SUPPLEMENTARY INFORMATION: EPA gives notice that it has established exemptions from the requirement of tolerances relating to the initial filing of tolerances in or on certain raw agricultural commodities as follows:

Initial Filings

1. *PP 4G4409.* Northrup King Co., 7500 Olson Memorial Highway, Golden Valley, MN 55427, has requested in pesticide petition (PP) 4G4409, the establishment of an exemption from the requirement of a tolerance for the delta endotoxin protein produced in field corn by a CryIA(b) gene from *Bacillus thuringiensis* subsp. *kurstaki* HD-1 and inserted in the plant expression vector pZ01502.

2. *PP 5G4448.* Ciba-Geigy Corp., P.O. Box 12257, Research Triangle Park, NC 27709-2257, has requested in pesticide petition (PP) 5G4448, the establishment of an exemption from the requirement of a tolerance for the plant pesticide *Bacillus thuringiensis* subsp. *kurstaki* CryIA(b) insect control protein as produced in corn plants and the genetic material necessary for its production.

These temporary exemptions from the requirements of tolerances will permit the marketing of the above raw agricultural commodities when treated in accordance with the provisions of experimental use permits 67979-EUP-1