kanamycin during plant tissue culture. These genes were stably transferred into the genome of potato plants through an *A. tumefaciens*-mediated transformation.

The subject potato lines have been considered "regulated articles" under APHIS' regulations in 7 CFR part 340 because their noncoding regulatory sequences were derived from the plant pathogens A. tumefaciens and cauliflower mosaic virus. However, evaluation of field data reports from field tests of the subject potato lines conducted since 1991 in the major potato-growing areas of the country indicate that there were no deleterious effects on plants, nontarget organisms, or the environment as a result of the subject patato lines' release into the environment.

#### Determination

Based on its analysis of the data submitted by Monsanto, a review of other scientific data, the comments received from the public, and a review of field tests of the subject potato lines, APHIS has determined that the subject patio lines: (1) Exhibit no plant pathogenic properties; (2) are no more likely to become weeds than CPBresistant potato lines that could potentially be developed by traditional breading techniques; (3) are unlikely to increase the weediness potential of any other cultivated plant or native wild species with which the organisms can interbreed; (4) will not cause damage to processed agricultural commodities; (5) are unlikely to harm other organisms, such as bees or earthworms, that are beneficial to agriculture; and (6) should pose no greater threat to the ability to control CPB in potatoes and other crops than that posed by the widely-practiced method of applying insecticides to control CPB on potatoes. APHIS has also concluded that there is a reasonable certainty that new varieties developed from the subject potato lines will not exhibit new plant pest properties, i.e., properties substantially different from any observed in the field-tested potato lines, or those observed in standard potatoes in traditional breeding programs.

The effect of this determination is that the seven Russet Burbank potato lines designated as BT6, BT10, BT12, BT16, BT17, BT18, and BT23 and all other lines developed from them are no longer considered regulated articles under APHIS' regulations in 7 CFR part 340. Therefore, the permit and notification requirements pertaining to regulated articles under those regulations no longer apply to the field testing, importation, or interstate movement of the subject potato lines or their progeny. However, the importation of the subject potato lines and any potato nursery stock or seeds capable of propagation is still subject to the restrictions from 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 (NEPA) of 1969 (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 Procedures. Based on that EA, APHIS has reached a finding of no significant impact (FONSI) with regard to its determination that the subject potato lines and other lines developed from those lines 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 6th day of March 1995.

#### Terry L. Medley,

Acting Administrator, Animal and Plant Health Inspection Service. [FR Doc. 95–5993 Filed 3–9–95; 8:45 am] BILLING CODE 3410–34–M

### **Commodity Credit Corporation**

### Uniform Grain and Rice Storage Agreement Fees

**AGENCY:** Commodity Credit Corporation, USDA.

ACTION: Notice of fees.

**SUMMARY:** The purpose of this notice is to publish, in accordance with 7 CFR 1421.5558(b), a schedule of fees to be paid to Commodity Credit Corporation (CCC) by grain and rice warehouse operators requesting to: (a) enter into a storage agreement; or (b) renew an existing storage agreement.

## EFFECTIVE DATE: April 1, 1995.

FOR FURTHER INFORMATION CONTACT: Mr. Steven Closson, Warehouse and Inventory Division, Consolidated Farm Service Agency, United States Department of Agriculture, Room 5968—South Building. P.O. Box 2415, Washington, DC 20013, (202) 720–4018.

# SUPPLEMENTARY INFORMATION:

# **Executive Order 12372**

The Uniform Grain and Rice Storage Agreements are not subject to the provisions of Executive Order 12372 which requires intergovernmental consultation with State and local officials. See the notice related to 7 CFR part 3015, subpart V, published at 48 FR 29115 (June 24, 1983).

# **Paperwork Reduction Act**

The fees set forth in this Notice do not generate any new or revised information collection or recordkeeping requirements on the public.

# **Regulatory Flexibility Act**

It has been determined that this Notice will not significantly impact a substantial number of small entities. Contracting with CCC under the Uniform Storage Agreements is strictly voluntary. CCC is also not required by 5 U.S.C. 553 or any other provision of law to publish a Notice of proposed rulemaking with respect to the subject matter of this Notice. Therefore the Regulatory Flexibility Act is not applicable to this notice, and a Regulatory Flexibility Analysis was not prepared.

# **Executive Order 12612**

It has been determined that the policies contained in this Notice will not have substantial direct effects on States or their political subdivisions, or on the distribution of power and responsibilities among the various levels of Government.

# Background

In accordance with the provisions of CCC's Charter Act (15 U.S.C. 714 *et seq*), CCC enters into storage agreements with private grain and rice warehouse operators to provide for the storage of commodities owned by CCC or pledged as security to CCC for price support loans.

The regulation, 7 CFR 1421.5558 requires that all non-federally licensed grain and rice warehouse operators in States that do not have a cooperative agreement with CCC for warehouse examinations and who do not have an existing agreement with CCC for storage and handling of CCC-owned commodities or commodities pledged to CCC as loan collateral, but who desire such an agreement, must pay an application and inspection fee prior to CCC conducting the original warehouse examination. Such grain or rice warehouse operator who is already a party to a storage agreement with CCC must pay the annual contract fee in