

# Rules and Regulations

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## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

#### 7 CFR Part 301

[Docket 91-155-18]

#### Mediterranean Fruit Fly

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

**ACTION:** Affirmation of interim rules as final rule.

**SUMMARY:** We are adopting as a final rule, without change, the Mediterranean fruit fly regulations, as established and amended by a series of interim rules published in the Federal Register between November 1991 and August 1995. The regulations quarantine portions of California and restrict the interstate movement of regulated articles for those areas to help prevent the spread of the Mediterranean fruit fly into noninfested areas of the United States.

**EFFECTIVE DATE:** April 3, 1996.

**FOR FURTHER INFORMATION CONTACT:** Mr. Michael B. Stefan, Operations Officer, Domestic and Emergency Operations, PPQ, APHIS, 4700 River Road Unit 134, Riverdale, MD 20737-1236; (301) 734-8247.

#### SUPPLEMENTARY INFORMATION:

##### Background

The Mediterranean fruit fly, *Ceratitidis capitata* (Wiedemann), is one of the world's most destructive pests of numerous fruits and vegetables. The Mediterranean fruit fly (Medfly) can cause serious economic losses. Heavy infestations can cause complete loss of crops, and losses of 25 to 50 percent are not uncommon. The short life cycle of this pest permits the rapid development of serious outbreaks.

In an interim rule effective November 5, 1991, and published in the Federal

Register on November 13, 1991 (56 FR 57573-57579, Docket No. 91-155), we established the Mediterranean fruit fly (Medfly) regulations (7 CFR 301.78 through 301.78-10; referred to below as the regulations) and quarantined the Hancock Park area of Los Angeles County, CA. The regulations impose restrictions on the interstate movement of regulated articles from quarantined areas in order to prevent the spread of the Medfly to noninfested areas of the United States. We have published a series of interim rules amending these regulations by adding to or removing from the list of quarantined areas certain portions of Los Angeles, Santa Clara, Orange, Riverside, San Bernardino, San Diego, and Ventura Counties, CA, and by adding three treatments for fruit. Amendments affecting the quarantined areas in California were made effective on September 10 and November 12, 1992; and on January 19, July 16, August 3, September 15, October 8, November 22, and December 16, 1993; and on January 10, February 14, March 4, July 7, August 2, and October 12, 1994; and on August 1, 1995 (57 FR 42485-42486, Docket No. 91-155-2; 57 FR 54166-54169, Docket No. 91-155-3; 58 FR 6343-6346, Docket No. 91-155-4; 58 FR 39123-39124, Docket No. 91-155-5; 58 FR 42489-42491, Docket No. 91-155-6; 58 FR 49186-49190, Docket No. 91-155-7; 58 FR 53105-53109, Docket No. 91-155-8; 58 FR 63027-63031, Docket No. 91-155-9; 58 FR 67627-67630, Docket No. 91-155-10; 59 FR 2281-2283, Docket No. 91-155-11; 59 FR 7895-7896, Docket No. 91-155-12; 59 FR 11177-11180, Docket No. 91-155-13; 59 FR 35611-35612, Docket No. 91-155-14; 59 FR 40207-40209, Docket No. 91-155-15; and 59 FR 52405-52407, Docket No. 91-155-16; 60 FR 40053-40054, Docket No. 91-155-17).

Comments on these interim rules were required to be received on or before 60 days after the date of publication in the Federal Register. We did not receive any comments. The facts presented in the interim rules still provide a basis for these rules.

This action also affirms the information contained in the interim rules concerning Executive Orders 12291 and 12866 and Regulatory Flexibility Act, Executive Orders 12372 and 12778, and the Paperwork Reduction Act.

Further, for this action, the Office of Management and Budget has waived the review process required by Executive Order 12866.

#### List of Subjects in 7 CFR Part 301

Agricultural commodities, Plant diseases and pests, Quarantine, Reporting and recordkeeping requirements, Transportation.

#### PART 301—DOMESTIC QUARANTINE NOTICES

Accordingly, we are adopting as a final rule, without change, the regulations at 7 CFR 301.78 through 301.78-10, as amended by interim rules that were published at 56 FR 57573-57579 on November 13, 1991; 57 FR 42485-42486 on September 15, 1992; 57 FR 54166-54169 on November 17, 1992; 58 FR 6343-6346 on January 28, 1993; 58 FR 39123-39124 on July 22, 1993; 58 FR 42489-42491 on August 10, 1993; 58 FR 49186-49190 on September 22, 1993; 58 FR 53105-53109 on October 14, 1993; 58 FR 63027-63031 on November 30, 1993; 58 FR 67627-67630 on December 22, 1993; 59 FR 2281-2283 on January 14, 1994; 59 FR 7895-7896 on February 17, 1994; 59 FR 11177-11180 on March 10, 1994; 59 FR 35611-35612 on July 13, 1994; 59 FR 40207-40208 on August 8, 1994; and 59 FR 52405-52407 on October 18, 1994; 60 FR 40053-40054 on August 7, 1995.

Authority: 7 U.S.C. 150bb, 150dd, 150ee, 150ff, 161, 162, and 164-167; 7 CFR 2.22, 2.80, and 371.2(c).

Done in Washington, DC, this 26th day of February 1996.

Lonnie J. King,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 96-4951 Filed 3-1-96; 8:45 am]

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#### 7 CFR Part 319

[Docket No. 93-119-2]

#### Importation of Citrus Fruits From Australia

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

**ACTION:** Final rule.

**SUMMARY:** We are amending the Fruits and Vegetables regulations to allow oranges, lemons, limes, mandarins, and grapefruit from the Riverina and