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DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

7 CFR Parts 319 and 354

[Docket No. 98-087-3]

RIN 0579-AB01

Solid Wood Packing Material From China

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Interim rule; clarification of effective date.

SUMMARY: This document clarifies the effective date of an interim rule published in the **Federal Register** on September 18, 1998. In the interim rule, we amended the regulations for importing logs, lumber, and other unmanufactured wood articles by adding treatment and documentation requirements for solid wood packing material imported from China. That rule is scheduled to take effect on December 17, 1998. We are clarifying that the requirements of the rule apply to shipments that depart China for the United States on or after December 17, 1998, but do not apply to shipments that depart China prior to that date, even if such shipments arrive in the United States after December 17, 1998.

DATES: The interim rule published at 63 FR 50100 remains effective December 17, 1998.

FOR FURTHER INFORMATION CONTACT: Mr. Ronald Campbell, Import Specialist, Phytosanitary Issues Management Team, PPQ, APHIS, 4700 River Road Unit 140, Riverdale, MD 20737-1236, (301) 734-6799.

SUPPLEMENTARY INFORMATION:

Background

The Animal and Plant Health Inspection Service (APHIS) imposes

requirements on the importation of logs, lumber, and other unmanufactured wood articles to prevent the introduction into the United States of dangerous plant pests, including forest pests.

On September 18, 1998, we published in the **Federal Register** (63 FR 50100-50111, Docket No. 98-087-1) an interim rule that amends the regulations by imposing certain requirements on imported solid wood packing material (SWPM) from China, in order to prevent the introduction and establishment of the Asian longhorned beetle and other dangerous plant pests associated with SWPM from China. Under that rule (referred to below as the interim rule), if a commercial shipment from China contains SWPM, then prior to departure from China the SWPM must be heat treated, fumigated, or treated with preservatives, and must be accompanied by a certificate signed by an official of a Chinese government agency that documents the treatment of the SWPM. Commercial shipments from China that do not contain any SWPM must include an exporter statement on or attached to the commercial invoice and as an attachment to the bill of lading stating that the shipment contains no SWPM.

Since the publication date of the interim rule, APHIS has received inquiries concerning the status of shipments from China to the United States that depart China prior to the effective date of the interim rule, but arrive in the United States after the effective date of the interim rule.

The interim rule requires certain actions to occur prior to the departure of shipments from China, i.e., treatment of SWPM, issuance of certificates to accompany the SWPM, and preparation of exporter statements to accompany shipments that do not contain any SWPM. It was not our intention to impose any requirements on shipments that depart China prior to the effective date of the interim rule. Importers, exporters, national governments, and others will need until December 17, 1998, to prepare for the significant changes in operations that will become necessary. Therefore, any shipment that departs China prior to December 17, 1998, is not subject to the requirements of the interim rule. However, we wish to be very clear that a shipment will be subject to the interim rule if it departs one port in China prior to December 17,

but subsequently enters and then departs after December 17 another port in China prior to its arrival in the United States. For example, a shipment that departs Shanghai on December 16 for Hong Kong, where the cargo remains on the vessel, is warehoused, or is moved to another vessel, and then departs for the United States on December 20, would be subject to the requirements of the interim rule.

In other words, for commercial shipments moved from China to the United States, it is the date of last departure from China that determines whether the shipment is subject to the requirements of the interim rule. If that date is on or after the effective date of the interim rule (December 17, 1998), then the shipment is subject to the requirements of the interim rule.

Authority: 7 U.S.C. 150dd, 150ee, 150ff, 151-167, 450, 2260, 2803, and 2809; 21 U.S.C. 136 and 136a; 49 U.S.C. 1741; 7 CFR 2.22, 2.80, and 371.2(c).

Done in Washington, DC, this 21st day of October 1998.

Joan M. Arnoldi,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 98-28603 Filed 10-21-98; 1:29 pm]

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DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 989

[FV99-989-1 IFR]

Raisins Produced From Grapes Grown In California; Relaxations to Substandard and Maturity Dockage Systems

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Interim final rule with request for comments.

SUMMARY: This rule relaxes the substandard and maturity dockage systems for raisins covered under the Federal marketing order for California raisins (order). The order regulates the handling of raisins produced from grapes grown in California and is administered locally by the Raisin Administrative Committee (Committee). Under the order, handlers may acquire raisins from producers under a weight dockage system and adjust the