consistent with the claims collection requirements of SNAP regulations at § 273.18 of this chapter. Claims shall be established as soon as possible after the close of the disaster operation. States may also follow their FNS-approved procedures and thresholds for establishing claims in SNAP for claims arising from D–SNAP, or may include any alternate procedures or thresholds in their D–SNAP request. However, if a claim is established against a household for an overpayment of SNAP benefits, this amount may not be collected from the D–SNAP issuance.

§ 280.8 D–SNAP reporting.

(a) D–SNAP daily reports. States operating a D–SNAP shall report to FNS on a daily basis. States shall begin submitting reports on the day following the first day of D–SNAP operations and continue submitting the reports on a daily basis until all applications are processed. States shall use a daily reporting template provided by FNS. Data should be submitted by county, as indicated in the template. The daily reports must capture the new D–SNAP and SNAP issuance data listed in paragraphs (a)(1) through (13) of this section:

(1) Number of D–SNAP applications received;
(2) Number of new D–SNAP households approved;
(3) Number of new D–SNAP persons approved;
(4) Number of SNAP households receiving supplements;
(5) Number of people previously certified for SNAP approved for supplements;
(6) Number of new D–SNAP households denied;
(7) Number of new D–SNAP households receiving replacement issuance;
(8) Value of new D–SNAP benefits approved;
(9) Value of SNAP supplements approved;
(10) Value of SNAP replacement issuance;
(11) Average benefit per new D–SNAP household;
(12) Average benefit per SNAP household; and
(13) Any additional information the State believes FNS should be aware of.

(b) FNS–292B, Report of Supplemental Nutrition Assistance Program Benefit Issuance for Disaster Relief. Within 45 days of the termination of a D–SNAP operation, the State agency shall submit the FNS–292B. This report shall be submitted electronically in the Food Programs Reporting System (FPRS). The FNS–292B shall contain the following issuance data for D–SNAP operations:

(1) Number of new households issued D–SNAP benefits.
(2) Total number of new persons issued D–SNAP benefits.
(3) Number of households certified in SNAP that were issued supplements.
(4) Total value of benefits issued to new households and supplements issued to previously certified SNAP households.

(c) Form FNS–388, Monthly Issuance Report. The FNS–388 shall include issuance and participation figures for new D–SNAP households and previously certified SNAP households receiving disaster supplements and/or replacements. Replacement benefits shall be reported for the month for which they are intended.

(d) Form FNS–209, Status of Claims Against Households Report. In the remarks section of the FNS–209, States shall indicate the number of claims established and collected against D–SNAP benefits. D–SNAP claims must be identified on backup documentation in the accounting systems for the FNS–209.

(e) Form FNS–46, Issuance Reconciliation Report. The FNS–46 shall include issuance and participation figures for new D–SNAP households and SNAP households receiving disaster supplements and/or replacements. The FNS–46 and FNS–388 should reconcile with the reported net issuance.

(f) Post-disaster Report. The post-disaster review report shall be comprised of four parts: The comprehensive review, individual reviews, problem analysis, and proposed improvements to the disaster plan. States shall submit the post-disaster report containing the reviews, the problem analysis, and proposed improvements within 6 months of the close of each D–SNAP operation.

Dated: May 2, 2016.

Telora T. Dean,
Acting Administrator, Food and Nutrition Service.
Supporting documents and any comments we receive on this docket may be viewed at http://
www.regulations.gov/
#docketDetail;D=APHIS-2014-0092 or in our reading room, which is located in room
1141 of the USDA South Building, 14th Street and Independence Avenue
SW., Washington, DC. Normal reading room hours are 8 a.m. to 4:30 p.m.,
Monday through Friday, except holidays. To be sure someone is there to
help you, please call (202) 799–7039 before coming.

FOR FURTHER INFORMATION CONTACT: Mr.
Juan A. (Tony) Román, Senior
Regulatory Policy Specialist, PPQ,
APHIS, 4700 River Road Unit 133,
Riverdale, MD 20737–1236; (301) 851–
2242.

SUPPLEMENTARY INFORMATION:

Background

The regulations in “Subpart–Fruits
and Vegetables” (7 CFR 319.56–1
through 319.56–75, referred to below as
the regulations) prohibit or restrict the
importation of fruits and vegetables into
the United States from certain parts of
the world to prevent the introduction
and dissemination of plant pests within
the United States.

The national plant protection
organization (NPPO) of Argentina has
requested that the Animal and Plant
Health Inspection Service (APHIS)
amend the regulations to allow lemons
(Citrus limon) from northwest Argentina
to be imported into the continental
United States. The request is based on
the potential economic significance to the
area endangered thereby and not yet
present there, or present but not widely
distributed and being officially
controlled. The PRA identifies nine
pests of quarantine significance present
in Argentina that could follow the
pathway for lemons from northwest
Argentina to the continental United
States. They are:

- Brevipalpus californicus (Banks),
the citrus flat mite; B. obovatus
Donnadieu, the scarlet tea mite; and B.
phoenicis (Geijskes), the false spider
mite. These mites (referred to in this
document as the Brevipalpus spp. mites)
are potential vectors of citrus leprosis
virus (CiLV), a quarantine pest present in
Argentina;
- B. chilensis Baker, the Chilean false
red mite;
- Ceratitis capitata (Wiedemann), the
Mediterranean fruit fly (Medfly);
- Cryptoblabes gnidiella (Milliére),
the honeydew moth;
- Elsinoë australis Bitanc. & Jenkins
1936, the causal agent of sweet orange
scab disease (SOS);
- Gymnandrosoma aurantianum
(Lima), the citrus borer; and
- Xanthomonas citri subsp. citri (ex
Hasse) Gabriel et al. 1989, the causal
agent of citrus canker disease (Xcc).

The PRA derives plant pest risk
potentials for these pests by estimating
the likelihood of introduction of each
pest into the continental United States
through the importation of lemons
from northwest Argentina. The PRA
considers four of the pests to have a
high pest risk potential (B. chilensis, C.
capitata, C. gnidiella, and G.
aurantianum), and five to have a
medium risk potential (the Brevipalpus
spp. mites, E. australis, and Xcc).

Based on the findings of the PRA,
APHIS has determined that measures
beyond standard port-of-entry
inspection are necessary in order to
mitigate the risk associated with the
importation of fresh lemons from
northwest Argentina into the
continental United States. These
measures are listed in the RMD and are
used as the basis for the requirements of
this proposed rule.

Therefore, we are proposing to amend
the regulations to allow the importation
of commercial consignments of fresh
lemons from northwest Argentina into
the continental United States, subject to
a systems approach. Requirements of
the systems approach, which would be
added to the regulations as a new
§ 319.56–76, are discussed in the
following sections.

Proposed Systems Approach

General Requirements

Proposed paragraph (a) of § 319.56–76
would set out general requirements for
fresh lemons from northwest Argentina
destined for export to the continental
United States.

Proposed paragraph (a)(1) of § 319.56–
76 would require the NPPO of Argentina
to provide an operational workplan to
APHIS that details the systems approach
activities that the NPPO of Argentina
and places of production and
packhousing registered with the
NPPO of Argentina would, subject to
APHIS approval of the workplan,
implement to meet the proposed
requirements. An operational workplan
is an arrangement between APHIS’ Plant
Protection and Quarantine program and
officials of the NPPO of a foreign
government that specifies in detail the
phytosanitary measures that will
comply with U.S. regulations governing
the import or export of a specific
commodity. Operational workplans
apply only to the signatories and
establish detailed procedures and
guidance for the day-to-day operations
of specific import/export programs.

Operational workplans also establish
how specific phytosanitary issues are
dealt with in the exporting country and
make clear who is responsible for
dealing with those issues. Operational
workplans require APHIS approval.

If the operational workplan is
approved, APHIS would be directly
involved with the NPPO of Argentina in
monitoring and auditing the systems
approach implementation. Such
monitoring could involve site visits by
APHIS personnel.

Proposed paragraph (a)(2) of § 319.56–
76 would require the lemons considered
to be grown by places of
production that are registered with the
NPPO of Argentina and that have been
determined to be free from B. chilensis
in accordance with the proposed
regulations. We discuss the proposed
protocol for considering a production
site free from B. chilensis later in this
document.

Proposed paragraph (a)(3) of § 319.56–
76 would require the lemons to be
packed for export to the continental
United States in pest-exclusionary
packhousing that are registered with the
NPPO of Argentina.

Registations of places of production
and packhousing with the NPPO of
Argentina would ensure that the NPPO
exercises oversight of these locations
and that the places of production and
packhousing continuously follow the
provisions of the export program. It
would also facilitate traceback in the event that lemons from Argentina are determined to be infested with quarantine pests.

Proposed paragraph (a)(4) of § 319.56–76 would require the NPPO of Argentina to maintain all forms and documents pertaining to registered places of production and packinghouses for at least 1 year and, as requested, provide them to APHIS for review. Such forms and documents would include (but would not be limited to) records regarding fruit fly trapping in registered places of production and records regarding pest detections in registered places of production and registered packinghouses. Based on APHIS’ review of the records, we may monitor places of production and packinghouses, as we deem warranted.

Proposed paragraph (a)(5) of § 319.56–76 would require lemons from Argentina to be imported into the continental United States in commercial consignments only. Noncommercial shipments would not be prone to infestations because the commodity is often ripe to overripe, could be of a variety with unknown susceptibility to pests, and is often grown with little or no pest control. Commercial consignments, as defined in § 319.56–2 of the regulations, are consignments that an inspector identifies as having been imported for sale and distribution. Such identification is based on a variety of indicators, including, but not limited to: Quantity of produce, type of packaging, identification of place of production or packinghouse on the packaging, and documents consigning the fruits or vegetables to a wholesaler or retailer.

For purposes of the proposed regulations, in order for a consignment to be considered a commercial consignment, fruit in the consignment would have to be practically free of leaves, twigs, and other plant parts, except for stems less than 1 inch long and attached to the fruit. We currently require most other fruits and vegetables imported into the United States from foreign countries to be imported in commercial consignments as a mitigation against quarantine pests of those commodities. Proposed paragraph (a)(6) of § 319.56–76 would require the identity of each lemon from Argentina destined for export to the continental United States to be maintained throughout the export process, from the place of production to the arrival at the port of entry in the continental United States. The operational workplan would have to authorize a method of identification used that allows the lot to be traced back to its place of production. This requirement would facilitate traceback in the event that quarantine pests are discovered in a lot of lemons destined for export to the United States. This, in turn, would help ensure that timely remedial measures are taken to address the plant pest risk at the place of production and preclude the further export of infested fruit from that place of production.

Proposed paragraph (a)(7) of § 319.56–76 would require lemons from Argentina to be harvested green and within the time period of April 1 and August 31. If the lemons are harvested yellow or harvested outside of that time period, they would have to be treated for Medfly in accordance with § 305.107-a and the operational workplan. As documented in the RMD, lemons are a poor host of Medfly, and research has shown that harvesting them green during that time period, when Medfly populations are low in Argentina, is an effective mitigation against Medfly.

Within part 305, § 305.2 provides that approved treatment schedules for Medfly and other quarantine pests are set forth in the Plant Protection and Quarantine Treatment Manual, found online at http://www.aphis.usda.gov/import/export/plants/manuals/ports/downloads/treatment.pdf. The manual currently specifies that cold treatment according to schedule T107-a is effective in neutralizing Medfly on citrus. If lemons from Argentina are harvested yellow, or outside of the prescribed time period, they would have to be treated according to this approved schedule.

Proposed paragraph (a)(8) of § 319.56–76 would provide that lots of lemons destined for export to the continental United States must be safeguarded during movement from registered places of production to registered packinghouses as specified by the operational workplan. Such safeguarding could include the use of pest-proof screens or tarpaulins to cover the lots during transit, or other similar measures approved by APHIS and the NPPO of Argentina.

Proposed paragraph (a)(9) of § 319.56–76 would require each consignment of lemons imported from Argentina into the continental United States to be accompanied by a phytosanitary certificate issued by the NPPO of Argentina with an additional declaration stating that the requirements in the proposed regulations have been met and consignments have been inspected and found free of Brevipalpus spp. mites, B. chilensis, C. capitata, C. gnidiella, and G. aurantianum.

Proposed paragraph (b)(1) of § 319.56–76 would require that, prior to each harvest season, registered places of production of lemons destined for export to the continental United States must be determined by APHIS and the NPPO of Argentina to be free from B. chilensis based on biometric sampling conducted in accordance with the operational workplan. If a single B. chilensis mite is discovered as a result of such sampling, the plant of production would not be considered free from B. chilensis for that harvest season. Each place of production would have only one opportunity per harvest season to be considered free of B. chilensis, and certification of B. chilensis freedom would only last one harvest season.

Currently, APHIS authorizes the importation of several commodities from Chile, including kiwi, clementines, mandarins, and tangerines, subject to confirmation, using a similar sampling method, that places of production for those commodities have a low prevalence for B. chilensis. The biometric sampling used to establish freedom from B. chilensis would be modeled on the sampling protocols currently used in Chile to establish places of production of low pest prevalence for B. chilensis.

Under the proposed biometric sampling protocol, between 1 and 30 days before harvest, 100 random samples of fruit would have to be collected from each registered place of production. These samples would then have to be washed, placed on a mesh sieve, sprinkled with liquid soap and water solution, washed with water at high pressure, and washed with water at lower pressure. Once this cleaning process is repeated twice, the contents of the sieves would have to be placed on a petri dish and examined for B. chilensis.

Proposed paragraph (b)(2) of § 319.56–76 would require registered places of production to remove plant litter and fallen debris from groves in accordance with the operational workplan. It would also prohibit fallen fruit from being included in field containers of fruit brought to the packinghouse to be
packed for export. Plant litter, fallen debris, and fallen fruit are especially susceptible to quarantine pests.

Proposed paragraph (b)(3) of § 319.56–76 would require registered places of production to trap for Medfly in accordance with the operational workplan. The operational workplan would specify the types of traps and baits that must be used, the minimum number of traps per acre that must be deployed, the requisite distance between each trap, and the intervals at which the traps must be serviced. The NPPO would have to keep records regarding the placement and monitoring of all traps, as well as records of all pest detections in these traps, and provide the records to APHIS, as requested.

Proposed paragraph (b)(4) of § 319.56–76 would require registered places of production to carry out any additional grove sanitation and phytosanitary measures specified for the place of production by the operational workplan. Depending on the location, size, and plant pest history of the grove, these could include spraying protocols, safeguarding of trees, application of pesticides and fungicides, or other measures.

Proposed paragraph (b)(5) of § 319.56–76 would require the NPPO of Argentina to visit and inspect registered places of production regularly for signs of infestations and to allow APHIS to monitor these inspections. These inspections would have to start no more than 30 days before harvest and continue until the end of the export season.

Proposed paragraph (b)(6) of § 319.56–76 would provide that if APHIS or the NPPO of Argentina determines that a registered place of production has failed to follow the requirements of the regulations, the place of production would be excluded from the export program until APHIS and the NPPO of Argentina jointly agree that the place of production has taken appropriate remedial measures to address the plant pest risk.

Packinghouse Requirements

Proposed paragraph (c) of § 319.56–76 would set forth requirements for mitigation measures that would have to occur at registered packinghouses.

Proposed paragraph (c)(1) of § 319.56–76 would require that, while a registered packinghouse is in use for packing lemons for export to the continental United States, the packinghouses may only accept lemons that are from registered places of production and that have been produced in accordance with proposed § 319.56–76. Lemons from other places of production may be produced under conditions that are less stringent than those of this proposed rule, and may therefore be a pathway for the introduction of quarantine pests into the packinghouses.

Proposed paragraph (c)(2) of § 319.56–76 would require lemons to be packed within 24 hours of harvest in a registered pest-exclusionary packinghouse or stored in a degreening chamber in the registered pest-exclusionary packinghouse. The lemons would have to be packed for shipment to the continental United States in insect-proof cartons or containers, or covered with insect-proof mesh or plastic tarpaulin. These safeguards would have to remain intact until the lemons arrive in the United States, or the consignment would not be allowed to enter the United States. These requirements collectively would aid in preventing the lemons from becoming infested with plant pests during or subsequent to packing.

Proposed paragraph (c)(3) of § 319.56–76 would require the lemons to be washed, brushed, and surface disinfected for E. australis and Xcc. Additionally, a December 2010 Federal Order for the interstate movement of citrus fruit from areas of the United States that are quarantined for Xcc requires citrus fruit from areas of the United States that are quarantined for E. australis to be treated at packinghouses for Xcc. As with proposed paragraph (c)(3) of § 319.56–76 is not a pathway for the spread of the pathogens. This is reflected in our conditions for the interstate movement of citrus fruit that is symptomatic for E. australis or Xcc.

Proposed paragraph (c)(4) of § 319.56–76 would require the NPPO of Argentina or officials authorized by the NPPO of Argentina to visually inspect a biometric sample of each consignment for quarantine pests, wash the lemons in the sample, and inspect the filtrate for B. chilensis in accordance with the operational workplan. In addition to identifying lemons infested with B. chilensis, this method of visual inspection would be able to detect any symptoms of Brevipalpus spp. mite on the lemons.

A portion of the fruit would then have to be cut open and inspected for evidence of quarantine pests. Cutting the fruit open would allow inspectors to determine whether the fruit is infested with Medflies or C. gniidiella or G. aurantianum larvae.

If a single C. gniidiella or G. aurantianum in any stage of development is found on the lemons, the entire consignment would be prohibited from export to the United States, and the registered place of production that produced the lemons would be suspended from the export program until APHIS and the NPPO of Argentina jointly agree that the place of production has taken appropriate remedial measures to address plant pest risk.

If a single B. chilensis or Brevipalpus spp. mite in any stage of development is found on the lemons, the entire consignment would be prohibited from export, and the registered place of production that produced the lemons may be suspended from the export program, pending an investigation.

We would not require remedial measures to be taken if fruit is determined to be symptomatic for E. australis or Xcc because we have determined that fruit that is symptomatic for these pathogens and that has been subject to the treatment and processing protocol specified in proposed paragraph (c)(3) of § 319.56–76 is not a pathway for the spread of the pathogens. This is reflected in our conditions for the interstate movement of citrus fruit that is symptomatic for E. australis or Xcc.

Proposed paragraph (c)(5) of § 319.56–76 would provide that, if APHIS or the NPPO of Argentina determines that a registered packinghouse has failed to follow the requirements of the regulations, the packinghouse would be excluded from the export program until APHIS and the NPPO of Argentina jointly agree that the packinghouse has taken appropriate remedial measures to address the plant pest risk.

Port of Entry Requirements

Proposed paragraph (d) of § 319.56–76 would provide that consignments of lemons from Argentina will be inspected at the port of entry to the United States, and that, if any quarantine pests are observed on the lemons during this inspection, the entire lot in which the quarantine pest
was discovered would be subject to appropriate remedial measures to address this risk.

Miscellaneous Amendments to § 319.28

The regulations in § 319.28(a) prohibit the importation of citrus from Argentina, as well as from eastern and southeastern Asia, Japan, Brazil, Paraguay, and other designated areas. However, paragraphs (b) through (e) of § 319.28 set out various exceptions to this prohibition. To allow the importation of lemons from northwestern Argentina under § 319.56–76, we propose adding a new paragraph (e) to § 319.28 stating that the prohibition does not apply to lemons from northwest Argentina that meet the requirements of § 319.56–76. To accommodate the addition of the new paragraph (e) in § 319.28, we would redesignate current paragraphs (e) through (i) as (f) through (j), respectively.

Paragraph (a)(1) of § 319.28 provides that importation of fruits and peels of the genera and varieties listed in that paragraph is allowed from the Provinces 2 of Catamarca, Jujuy, Salta, and Tucumán in Argentina because those Provinces are considered to be free of Xcc. However, we now consider Xcc to be present in those Provinces. Therefore, we would remove that statement.

Finally, paragraph (a)(2) of § 319.28 currently prohibits the importation of lemons from Argentina, among other countries, to prevent the introduction of SOS within the United States. We would remove this prohibition.

Executive Order 12866 and Regulatory Flexibility Act

This proposed rule has been determined to be not significant for the purposes of Executive Order 12866 and, therefore, has not been reviewed by the Office of Management and Budget.

We have prepared an economic analysis for this rule. The economic analysis provides a cost-benefit analysis, as required by Executive Order 12866, and an initial regulatory flexibility analysis that examines the potential economic effects of this proposed rule on small entities, as required by the Regulatory Flexibility Act. The economic analysis is summarized below. Copies of the full analysis are available by contacting the person listed under FOR FURTHER INFORMATION CONTACT, in the reading room (see ADDRESSES above for more information).

2The paragraph currently refers to these administrative units as “States.” However, as noted within this document, administrative units within Argentina are Provinces, not States.

Executive Order 12988

This proposed rule would allow lemons to be imported into the continental United States from northwest Argentina. If this proposed rule is adopted, State and local laws and regulations regarding lemons imported under this rule would be preempted, while the fruit is in foreign commerce. Fresh lemons are generally imported for immediate distribution and sale to the consuming public and would remain in foreign commerce until sold to the ultimate consumer. The question of when foreign commerce ceases in other cases must be addressed on a case-by-case basis. If this proposed rule is adopted, no retroactive effect will be given to this rule, and this rule will not require administrative proceedings before parties may file suit in court challenging this rule.

Paperwork Reduction Act

In accordance with section 3507(d) of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.), the information collection or recordkeeping requirements included in this proposed rule have been submitted for approval to the Office of Management and Budget (OMB). Please send written comments to the Office of Information and Regulatory Affairs, OMB, Attention: Desk Officer for APHIS, Washington, DC 20503. Please state that your comments refer to Docket No. APHIS–2014–0092. Please send a copy of your comments to: (1) Docket No. APHIS–2014–0092, Regulatory Analysis and Development, PPD, APHIS, Station 3A–03.8, 4700 River Road Unit 118, Riverdale, MD 20737–1238, and (2) Clearance Officer, OCIO, USDA, Room 404–W, 14th Street and Independence Avenue SW., Washington, DC 20250.

This proposed rule would allow the importation of lemons from northwest Argentina that have been produced in accordance with the requirements of a systems approach. This action would
require information collection activities, such as an operational workplan, production site and packinghouse registration and recertification, pest-free determination, recordkeeping, monitoring of traps, NPPO inspection, identification, treatment records, and a phytosanitary certificate.

We are soliciting comments from the public (as well as affected agencies) concerning our proposed information collection and recordkeeping requirements. These comments will help us:

(1) Evaluate whether the proposed information collection is necessary for the proper performance of our agency’s functions, including whether the information will have practical utility;

(2) Evaluate the accuracy of our estimate of the burden of the proposed information collection, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the information collection on those who are to respond (such as through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology; e.g., permitting electronic submission of responses).

**Estimate of burden:** Public reporting burden for this collection of information is estimated to average 0.07356 hours per response.

**Respondents:** Producers, importers of lemons, the NPPO of Argentina.

**Estimated annual number of respondents:** 76.

**Estimated annual number of responses per respondent:** 52.40.

**Estimated annual number of responses:** 3,983.

**Estimated total annual burden on respondents:** 293 hours. (Due to averaging, the total annual burden hours may not equal the product of the annual number of responses multiplied by the reporting burden per response.)

Copies of this information collection can be obtained from Ms. Kimberly Hardy, APHIS’ Information Collection Coordinator, at (301) 851–2727.

**E-Government Act Compliance**

The Animal and Plant Health Inspection Service is committed to compliance with the E-Government Act to promote the use of the Internet and other information technologies, to provide increased opportunities for citizen access to Government information and services, and for other purposes. For information pertinent to E-Government Act compliance related to this proposed rule, please contact Ms. Kimberly Hardy, APHIS’ Information Collection Coordinator, at (301) 851–2727.

**List of Subjects for 7 CFR Part 319**

Coffee, Cotton, Fruits, Imports, Logs, Nursery stock, Plant diseases and pests, Quarantine, Reporting and recordkeeping requirements, Rice, Vegetables.

Accordingly, we propose to amend 7 CFR part 319 as follows:

**PART 319—FOREIGN QUARANTINE NOTICES**

1. The authority citation for part 319 continues to read as follows:

**Authority:** 7 U.S.C. 450, 7701–7772, and 7781–7786; 21 U.S.C. 136 and 136a; 7 CFR 2.22, 2.80, and 371.3.

2. Section 319.28 is amended as follows:

a. In paragraph (a)(1), by removing the words “(except for the States of Catamarca, Jujuy, Salta, and Tucumán, which are considered free of citrus canker)”.

b. In paragraph (a)(2), by removing the word “Argentina.”.

c. By redesigning paragraphs (e) through (j) as paragraphs (f) through (j), respectively, and adding a new paragraph (e).

The addition reads as follows:

**§ 319.28 Notice of quarantine.**

* * * * * * *

(e) The prohibition does not apply to lemons (Citrus limon (L.) Burm. f.) from northwest Argentina that meet the requirements of § 319.56–76.

* * * * * *

5. Section 319.56–76 is added to read as follows:

**§ 319.56–76 Lemons from northwest Argentina.**

Fresh lemons (Citrus limon (L.) Burm. f.) may be imported into the continental United States from northwest Argentina (the Provinces of Catamarca, Jujuy, Salta, and Tucumán) only under the conditions described in this section. The conditions are designed to prevent the introduction of the following quarantine pests: Brevipalpus chilensis, the Chilean false red mite; B. californicus, the citrus flat mite, B. obovatus, the scarlet tea mite, and B. phoenicis, the false spider mite (referred to in this section as “Brevipalpus spp. mites”); Ceratitis capitata, the Mediterranean fruit fly; Cryptoblabes gnidiella, the honeydew moth; Ebsinœ australis, the causal agent of sweet orange scab disease; Gymnandrasoma aurantianum (Lima), the citrus borer; and Xanthomonas citri subsp. citri (ex Hasso) Gabriel et al., the causal agent of citrus canker disease.

(a) General requirements—(1) Operational workplan. The national plant protection organization (NPPO) of Argentina must provide an operational workplan to APHIS that details the activities that the NPPO of Argentina and places of production and packinghouses registered with the NPPO of Argentina will, subject to APHIS’ approval of the workplan, carry out to meet the requirements of this section. The operational workplan must include and describe the specific requirements as set forth in this section. APHIS will be directly involved with the NPPO of Argentina in monitoring and auditing implementation of the systems approach.

(2) Registered places of production. The fresh lemons considered for export to the continental United States must be grown by places of production that are registered with the NPPO of Argentina and that have been determined to be free from B. chilensis in accordance with this section.

(3) Registered packinghouses. The lemons must be packed for export to the continental United States in pest-exclusionary packinghouses that are registered with the NPPO of Argentina.

(4) Recordkeeping. The NPPO of Argentina must maintain all forms and documents pertaining to registered places of production and packinghouses for at least 1 year and, as requested, provide them to APHIS for review. Based on APHIS’ review of records, APHIS may monitor places of production and packinghouses, as APHIS deems warranted.

(5) Commercial consignments. Lemons from Argentina can be imported to the continental United States in commercial consignments only. For purposes of this section, fruit in a commercial consignment must be practically free of leaves, twigs, and other plant parts, except for stems less than 1 inch long and attached to the fruit.

(6) Identification. The identity of the each lot of lemons from Argentina must be maintained throughout the export process, from the place of production to the arrival of the lemons at the port of entry into the continental United States. The means of identification that allows the lot to be traced back to its place of production must be authorized by the operational workplan.

(7) Harvesting restrictions or treatment for fruit flies. Lemons from Argentina must be harvested green and within the time period of April 1 and August 31. If they are harvested yellow
or harvested outside of this time period, they must be treated for *C. capitata* in accordance with part 305 of this chapter and the operational workplan.

(8) **Safeguarding.** Lots of lemons destined for export to the continental United States must be safeguarded during movement from registered places of production to registered packinghouses as specified by the operational workplan.

(9) **Phytosanitary certificate.** Each consignment of lemons imported from Argentina into the continental United States must be accompanied by a phytosanitary certificate issued by the NPPO of Argentina with an additional declaration stating that the requirements of this section have been met and that the consignments have been inspected and found free of *Brevipalpus* spp., *B. chilensis*, *C. capitata*, *C. gnidiota*, and *G. aurantianum*.

(b) **Place of production requirements.**

(1) Prior to each harvest season, registered places of production of lemons destined for export to the continental United States must be determined by APHIS and the NPPO of Argentina to be free from *B. chilensis* based on biometric sampling conducted in accordance with the operational workplan. If a single live *B. chilensis* mite is discovered as a result of such sampling, the place of production will not be considered free from *B. chilensis*. Each place of production will have only one opportunity per harvest season to be considered free from *B. chilensis*, and certification of *B. chilensis* freedom will only last one harvest season.

(2) Places of production must remove plant litter and fallen debris from groves in accordance with the operational workplan. Fallen fruit may not be included in field containers of fruit brought to the packinghouse to be packed for export.

(3) Places of production must trap for *C. capitata* in accordance with the operational workplan. The NPPO must keep records regarding the placement and monitoring of all traps, as well as records of all pest detections in these traps, and provide these records to APHIS, as requested.

(4) Places of production must carry out any additional grove sanitation and phytosanitary measures specified for the place of production by the operational workplan.

(5) The NPPO of Argentina must visit and inspect registered places of production regularly throughout the exporting season for signs of infestations. These inspections must start no more than 30 days before harvest and continuing until the end of the export season. The NPPO of Argentina must allow APHIS to monitor these inspections. The NPPO of Argentina must also provide records of pest detections and pest detection practices to APHIS. Before any place of production may export lemons to the continental United States pursuant to this section, APHIS must review and approve of these practices.

(6) If APHIS or the NPPO of Argentina determines that a registered place of production has failed to follow the requirements in this paragraph (b), the place of production will be excluded from the export program until APHIS and the NPPO of Argentina jointly agree that the place of production has taken appropriate remedial measures to address the plant pest risk.

(c) **Packinghouse requirements.**

(1) During the time registered packinghouses are in use for packing lemons for export to the continental United States, the packinghouses may only accept lemons that are from registered places of production and that have been produced in accordance with the requirements of this section.

(2) Lemons destined for export to the continental United States must be packed within 24 hours of harvest in a registered pest-exclusionary packinghouse or stored in a degreening chamber in the registered pest-exclusionary packinghouse. Lemons must be packed for shipment to the continental United States in insect-proof cartons or containers, or covered with insect-proof mesh or plastic tarpaulin. These safeguards must remain intact until the lemons arrive in the United States, or the consignment will not be allowed to enter the United States.

(3) Prior to packing, the lemons must be washed, brushed, and surface disinfected for *E. australis* and *X. citri* and in accordance with the operational workplan, treated with an APHIS-approved fungicide, and waxed.

(4) After treatment, the NPPO of Argentina or officials authorized by the NPPO of Argentina must visually inspect a biometric sample of each consignment for quarantine pests, wash the lemons in this sample, and inspect the filtrate for *B. chilensis* in accordance with the operational workplan. A portion of the lemons must then be cut open and inspected for evidence of quarantine pests.

(1) If a single *C. gnidiota* or *G. aurantianum* in any stage of development is found on the lemons, the entire consignment is prohibited from export to the United States, and the registered place of production that produced the lemons is suspended from the export program until APHIS and the NPPO of Argentina jointly agree that the place of production has taken appropriate remedial measures to address plant pest risk.

(ii) If a single *B. chilensis* or *Brevipalpus* spp. mite in any stage of development is found on the lemons, the entire consignment is prohibited from export, and the registered place of production that produced the lemons may be suspended from the export program, pending an investigation.

(iii) If a single immature Medfly is found in or with the lemons, the lemons must be treated in accordance with part 305 of this chapter and the operational workplan. Additionally, the registered place of production that produced the lemons in the consignment may be suspended from the export program, pending an investigation.

(5) If APHIS or the NPPO of Argentina determines that a registered packinghouse has failed to follow the requirements in this paragraph (c), the packinghouse will be excluded from the export program until APHIS and the NPPO of Argentina jointly agree that the packinghouse has taken appropriate remedial measures to address the plant pest risk.

(d) **Port of entry requirements.**

Consignments of lemons from Argentina will be inspected at the port of entry into the United States. If any quarantine pests are discovered on the lemons during inspection, the entire lot in which the quarantine pest was discovered will be subject to appropriate remedial measures to address this risk.

Done in Washington, DC, this 4th day of May 2016.

Michael L. Gregoire,
Acting Administrator, Animal and Plant Health Inspection Service.

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**DEPARTMENT OF TRANSPORTATION**

Federal Aviation Administration

14 CFR Part 39


RIN 2120–AA64

Airworthiness Directives; Bombardier, Inc. Airplanes

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of proposed rulemaking (NPRM).