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DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

7 CFR Part 301

[Docket No. 93-157-3]

Mexican Fruit Fly Regulations; Removal of Regulated Area

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Affirmation of interim rule as final rule.

SUMMARY: We are adopting as a final rule, without change, an interim rule that amended the regulations by removing the quarantined portion of Los Angeles County, CA, from the list of areas regulated because of the Mexican fruit fly, and by removing California from the list of States quarantined because of the Mexican fruit fly. We have determined that the Mexican fruit fly has been eradicated from California and that restrictions on the interstate movement of regulated articles from California are no longer necessary to prevent the spread of the Mexican fruit fly into noninfested areas of the United States. The interim rule was necessary to relieve unnecessary restrictions on the interstate movement of regulated articles from the previously regulated area.

EFFECTIVE DATE: February 27, 1995.

FOR FURTHER INFORMATION CONTACT: Mr. Michael B. Stefan, Operations Officer, Domestic and Emergency Operations, Plant Protection and Quarantine, APHIS, USDA, P.O. Drawer 810, Riverdale, MD 20738. The telephone number for the agency contact will change when agency offices in Hyattsville, MD, move to Riverdale, MD, during February. Telephone: (301) 436-8247 (Hyattsville); (301) 734-8247 (Riverdale).

SUPPLEMENTARY INFORMATION:

Background

In an interim rule effective October 7, 1994, and published in the **Federal Register** on October 13, 1994 (59 FR 51839-51840, Docket No. 93-157-2), we amended the regulations in 7 CFR part 301 by removing the quarantined portion of Los Angeles County, CA, from the list of areas regulated because of the Mexican fruit fly in § 301.64-3(c), and by removing California from the list of States quarantined because of the Mexican fruit fly in § 301.64(a).

Comments on the interim rule were required to be received on or before December 12, 1994. We did not receive any comments. The facts presented in the interim rule still provide a basis for the rule.

This action also affirms the information contained in the interim rule concerning Executive Order 12866 and the 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 interim rule that amended 7 CFR 301.64 and 301.64-3 and that was published at 59 FR 51839-51840 on October 13, 1994.

Authority: 7 U.S.C. 150bb, 150dd, 150ee, 150ff, 161, 162, and 164-167; 7 CFR 2.17, 2.51, and 371.2(c).

Done in Washington, DC, this 20th day of January 1995.

Terry L. Medley,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 95-1977 Filed 1-25-95; 8:45 am]

BILLING CODE 3410-34-P

Consolidated Farm Service Agency

7 CFR Part 782

RIN 0560-AD77

End-Use Certificate Program

AGENCY: Consolidated Farm Service Agency, USDA.

ACTION: Final rule.

SUMMARY: Pursuant to section 321(f) of the North American Free Trade Agreement Implementation Act (the Act), a proposed rule was published on October 20, 1994 with respect to the implementation of an end-use certificate program for wheat and barley imported from any foreign country or instrumentality that as of April 8, 1994, required end-use certificates for imports of U.S.-produced wheat and barley, respectively. This final rule adopts provisions of the proposed rule, with the exception of changes that were made based on comments received in response to the proposed rule. The major changes are further discussed in the Summary of Comments portion of this final rule. Accordingly, this final rule sets forth the policies and procedures that the Consolidated Farm Service Agency (CFSA), formerly the Agricultural Stabilization and Conservation Service (ASCS), will use to implement this end-use certificate program.

EFFECTIVE DATE: February 27, 1995.

FOR FURTHER INFORMATION CONTACT: Deputy Administrator, Commodity Operations, Consolidated Farm Service Agency, United States Department of Agriculture, P.O. Box 2415, Washington, DC 20013-2415.

SUPPLEMENTARY INFORMATION:

Executive Order 12866

This final rule has been determined to be significant and was reviewed by the Office of Management and Budget (OMB) under Executive Order 12866.

Executive Order 12778

This final rule has been reviewed in accordance with Executive Order 12778. The provisions of this final rule do not preempt State laws, are not retroactive, and do not involve administrative appeals.

Environmental Evaluation

It has been determined by an environmental evaluation that this