under the safeguard regulations to prevent the introduction and dissemination of plant pests.

The third category cited above—unloading or landing for transportation and exportation—is defined in § 352.1(b)(23) of the safeguard regulations as ''[b]rought in by carrier and transferred to another carrier for transportation to another port for exportation, whether or not some form of Customs entry is made.'' In the case of mangoes moved into the United States from Mexico for transportation and exportation into Canada, the assigned safeguards include requirements for sealed containers and conveyances, specified ports of entry on the U.S.-Mexican border, and a designated travel corridor through the United States. By comparison, mangoes from Mexico that are imported into the United States for entry into the commerce of the United States are subject to the restrictions of § 319.56–2 of the fruits and vegetables regulations, which require that the mangoes be subjected to an authorized treatment listed in the Plant Protection and Quarantine (PPQ) Treatment Manual, which is incorporated into the regulations by reference (see 7 CFR part 300). That treatment is required because mangoes are a preferred host for fruit flies of the genus *Anastrepha*, and the authorized treatments listed in the PPQ Treatment Manual have been found to be adequate to prevent the introduction of those fruit flies in the mangoes.

Although the safeguards that apply to mangoes moved into the United States from Mexico for transportation and exportation into Canada help prevent the escape and dissemination of fruit flies during the time the mangoes are transiting the United States, we have found that the pest risk does not necessarily end once the mangoes have left the United States and have been imported into Canada. United States Department of Agriculture (USDA) inspectors at ports of entry on the U.S.-Canadian border have found that shipping containers and the beds of trucks in which mangoes were moved can contain fruit fly larvae and pupae at the time the containers and conveyances reenter the United States after being unloaded in Canada. The larvae and pupae fall out of the shipping cartons during loading, movement, and unloading; if the container or conveyance has not been thoroughly cleaned after being unloaded, the pupae and larvae can enter the United States in the shipping container or truck bed. Because the container or conveyance is no longer filled with mangoes, there are no safeguards assigned to its movement, which means that the container or conveyance could be moved into areas of the United States where *Anastrepha* spp. fruit flies would pose a serious threat to agriculture.

Therefore, we are soliciting comments and suggestions on approaches to reduce the risk of fruit flies of the genus *Anastrepha* being introduced into the United States in containers and conveyances returning from Canada after being used to transport untreated mangoes from Mexico. We considered several possible options for dealing with this issue, including prohibiting the movement of untreated Mexican mangoes through the United States, requiring that all containers and conveyances used to move mangoes into Canada from Mexico be inspected by a USDA inspector prior to reentering the United States, and requiring shippers to clean all debris and insects out of the containers and the conveyance after unloading the mangoes. Two other options were considered to be the most viable: Requiring that the mangoes be treated in Mexico or requiring that the mangoes be shipped in insect-proof cartons. These options are discussed below.

Require that the mangoes be treated in Mexico. This approach would address the pest risk at its origin, and the treatment is inexpensive and widely available. The mangoes would undergo the same treatment as mangoes intended for importation into the United States, so Mexican exporters of the mangoes would have more marketing flexibility, the restrictions on the movement of the mangoes through the United States could be eliminated, and the concerns about infested containers and conveyances reentering the United States would be eliminated. On the other hand, requiring treatment would impose an additional requirement on exporters and shippers and would increase costs. Additionally, there are some packinghouses in Mexico that ship mangoes to Canada that do not have the hot water facilities for treating the fruit.

Require that the mangoes be shipped in insect-proof cartons. This option would require that all individual cartons in which the mangoes are shipped have all openings covered with screening that would prevent pupae and larvae from falling out of the cartons and onto the floor of the container or the conveyance. Using insect-proof cartons would remove the need for treating the mangoes, so the treatment costs could be avoided and packinghouses that lack hot water treatment facilities could continue to ship mangoes to Canada. The requirement for screened cartons would, however, increase costs for shippers, importers, and exporters.

We welcome all comments on the options described above and encourage the submission of new options or any other suggestions.

Authority: 7 U.S.C. 149, 150bb, 150dd, 150ee, 150ff, 154, 159, 160, 162, and 2260; 21 U.S.C. 136 and 136a; 31 U.S.C. 9701; 7 CFR 2.17, 2.51, and 371.2(c).

Done in Washington, DC, this 10th day of August 1995.

Lonnie J. King,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 95–20358 Filed 8–16–95; 8:45 am]

BILLING CODE 3410–34–P

Agricultural Marketing Service

7 CFR Part 1007

[Docket No. AO–366–A37, et al.; DA–95–22]

Milk in the Southeast Marketing Area; Notice of Hearing on Proposed Amendments to Tentative Marketing Agreement and Order

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Notice of public hearing on proposed rulemaking.

SUMMARY: A public hearing is being held in response to industry requests to amend the Southeast Federal milk marketing order. Proposals would amend certain price location adjustments within the marketing area.

DATES: The hearing will convene at 9 a.m. on September 19, 1995.

ADDRESSES: The hearing will be held at the Granada Suite Hotel, 1302 West Peachtree Street, Atlanta, Georgia 30309 (Tel: 800/548–5631).

FOR FURTHER INFORMATION CONTACT: Nicholas Memoli, Marketing Specialist, Order Formulation Branch, USDA/AMS/Dairy Division, Room 2971, South Building, P.O. Box 96456, Washington, DC 20090–6456, (202) 690–1932.

SUPPLEMENTARY INFORMATION: This administrative action is governed by the provisions of sections 556 and 557 of Title 5 of the United States Code and, therefore, is excluded from the requirements of Executive Order 12866.

Notice is hereby given of a public hearing to be held at the Granada Suite Hotel, 1302 West Peachtree Street, Atlanta, Georgia, beginning at 9:00 a.m., on September 19, 1995, with respect to proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Southeast marketing area.

The hearing is called pursuant to the provisions of the Agricultural Marketing

Agreement Act of 1937, as amended (7 U.S.C. 601–674), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR part 900).

The purpose of the hearing is to receive evidence with respect to the economic and marketing conditions which relate to the proposed amendments, hereinafter set forth, and any appropriate modifications thereof, to the tentative marketing agreement and to the order.

Actions under the Federal milk order program are subject to the Regulatory Flexibility Act (Pub. L. 96–354). This Act seeks to ensure that, within the statutory authority of a program, the regulatory and informational requirements are tailored to the size and nature of small businesses. For the purpose of the Act, a dairy farm is a ''small business'' if it has an annual gross revenue of less than $500,000, and a dairy products manufacturer is a ''small business'' if it has fewer than 500 employees. Most parties subject to a milk order are considered as a small business. Accordingly, interested parties are invited to present evidence on the probable regulatory and informational impact of the hearing proposals on small businesses. Also, parties may suggest modifications of these proposals for the purpose of tailoring their applicability to small businesses.

The amendments to the rules proposed herein have been reviewed under Executive Order 12778, Civil Justice Reform. They are not intended to have a retroactive effect. If adopted, the proposed amendments would not preempt any state or local laws, regulations, or policies, unless they present an irreconcilable conflict with this rule.

The Agricultural Marketing Agreement Act provides that administrative proceedings must be exhausted before parties may file suit in court. Under section 8c(15)(A) of the Act, any handler subject to an order may file with the Secretary a petition stating that the order, any provision of the order, or any obligation imposed in connection with the order is not in accordance with the law and requesting a modification of an order or to be exempted from the order. A handler is afforded the opportunity for a hearing on the petition. After a hearing, the Secretary would rule on the petition. The Act provides that the district court of the United States in any district in which the handler is an inhabitant, or has its principal place of business, has jurisdiction in equity to review the Secretary's ruling on the petition, provided a bill in equity is filed not later than 20 days after the date of the entry of the ruling.

Interested parties who wish to introduce exhibits should provide the Presiding Officer at the hearing with 4 copies of such exhibits for the Official Record. Also, it would be helpful if additional copies are available for the use of other participants at the hearing.

List of Subjects in 7 CFR Part 1007

Milk marketing orders.

The authority citation for 7 CFR part 1007 continues to read as follows:

Authority: 7 U.S.C. 601–674.

The proposed amendments, as set forth below, have not received the approval of the Secretary of Agriculture.

Proposed by Mid-America Dairymen, Inc.

Proposal No. 1: In § 1007.2, amend Zone 11 by adding the words ''(north of State Highway 16)'' after the word ''Tangipahoa'' and amend Zone 12 by adding the words ''Tangipahoa (south of State Highway 16)''. This amendment would increase the Class I price and the uniform price by 7 cents for milk delivered to a plant located in Hammond, Louisiana.

Proposed by Barber Pure Milk Company, Birmingham, Alabama, and Dairy Fresh Corporation, Greensboro, Alabama

Proposal No. 2: In § 1007.2, amend Zone 11 by removing the words ''(more than 20 miles from the Mobile city hall)'' and amend Zone 12 by removing the words ''Alabama counties: Mobile (within 20 miles of the Mobile city hall)''. This amendment would decrease the Class I price and the uniform price by 7 cents for milk delivered to plants located within 20 miles of Mobile, Alabama.

Proposed by the Dairy Division, Agricultural Marketing Service

Proposal No. 3: Make such changes as may be necessary to make the order conform with any amendments thereto that may result from this hearing.

Copies of this notice of hearing and the order regulating the Southeast marketing area may be procured from the Market Administrator, P.O. Box 1208, Norcross, GA 30091–1208 (Tel: 404/448–1194), or from the Hearing Clerk, Room 1083, South Building, United States Department of Agriculture, Washington, DC 20250, or may be inspected there.

Copies of the transcript of testimony taken at the hearing will not be available for distribution through the Hearing Clerk's Office. If you wish to purchase a copy, arrangements may be made with the reporter at the hearing.

From the time that a hearing notice is issued and until the issuance of a final decision in a proceeding, Department employees involved in the decision-making process are prohibited from discussing the merits of the hearing issues on an ex parte basis with any person having an interest in the proceeding. For this particular proceeding, the prohibition applies to employees in the following organizational units: Office of the Secretary of Agriculture; Office of the Administrator, Agricultural Marketing Service; Office of the General Counsel; Dairy Division, Agricultural Marketing Service (Washington office) and the Office of the Market Administrator, Southeast Federal Milk Order. Procedural matters are not subject to the above prohibition and may be discussed at any time.

Dated: August 11, 1995.

Lon Hatamiya,

Administrator, Agricultural Marketing Service.

[FR Doc. 95–20351 Filed 8–16–95; 8:45 am]

BILLING CODE 3410–02–P

Food Safety and Inspection Service

9 CFR Parts 308, 310, 318, 320, 325, 326, 327, and 381

[Docket No. 95–036N]

Pathogen Reduction; Hazard Analysis and Critical Control Point (HACCP) Systems—Federal-State Relations Conference

AGENCY: Food Safety and Inspection Service, USDA.

ACTION: Meeting notice.

SUMMARY: The Food Safety and Inspection Service (FSIS) is holding a meeting, ''Federal-State Relations Conference,'' on August 21–23, 1995, with State government leaders responsible for food safety. The purpose of the meeting is to discuss the proposed rule, ''Pathogen Reduction; Hazard Analysis and Critical Control Point (HACCP) Systems,'' and other issues relevant to Federal and State government relations.

DATES: The conference will begin at noon on August 21 and at 8:30 AM on August 22 and 23. The conference will end at 4:30 PM on August 21 and 22, and at 5 PM on August 23.

ADDRESSES: The conference will be held at the Doubletree Park Terrace Hotel, 1515 Rhode Island Avenue, NW, Washington, DC 20250, (202) 232–7000.