

# Rules and Regulations

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## OFFICE OF GOVERNMENT ETHICS

### 5 CFR Chapter XVI

RIN 3209-AA15

#### Concurrence by the Office of Government Ethics in the Issuance of Final Supplemental Standards of Ethical Conduct for Employees of the Farm Credit Administration

**AGENCY:** Office of Government Ethics (OGE).

**ACTION:** Final rule; concurrence.

**SUMMARY:** The Office of Government Ethics is concurring in the issuance by the Farm Credit Administration (FCA) of final supplemental standards of ethical conduct for FCA employees.

**EFFECTIVE DATE:** September 13, 1995.

**FOR FURTHER INFORMATION CONTACT:** William E. Gressman, Office of Government Ethics, telephone: 202-523-5757, FAX: 202-523-6325.

**SUPPLEMENTARY INFORMATION:** The Farm Credit Administration recently adopted as final, without change, interim rule supplemental standards of ethical conduct for FCA employees, for codification at chapter XXXI, consisting of part 4101, and a residual cross-reference provision in its old standards regulation at 12 CFR part 601. See FR Doc. 95-22610 at 60 FR 47453 (September 13, 1995); see also the prior interim rule, on which OGE concurred and co-signed, at 60 FR 30778-30783 (June 12, 1995). In accordance with its authority under Executive Order 12674, as modified by E.O. 12731, and the Ethics in Government Act, the Office of Government Ethics is concurring in the issuance by the FCA of the final rule supplemental ethical conduct standards for FCA employees which augment the Standards of Ethical Conduct for Employees of the Executive Branch, as issued by OGE and codified at 5 CFR part 2635.

### List of Subjects in 5 CFR Part 4101

Conflict of interests, Government employees.

Dated: November 1, 1995.

Stephen D. Potts,

*Director, Office of Government Ethics.*

For the reasons set forth above, the Office of Government Ethics is concurring in the final rule issuance by the Farm Credit Administration of 5 CFR part 4101.

[FR Doc. 95-29519 Filed 12-5-95; 8:45 am]

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## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

#### 7 CFR Part 319

[Docket No. 94-065-2]

#### Importation of Fruits and Vegetables

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

**ACTION:** Final rule.

**SUMMARY:** We are revising the regulations for the importation of fruits and vegetables to update provisions for inspections and other activities at the port of first arrival. We are clarifying the procedures by which we give notice to an importer that cleaning, disinfection, disposal, or some other action is required for a shipment of fruits and vegetables. We are also clarifying the responsibility of the owner of imported fruits or vegetables for carrying out actions ordered by an inspector in accordance with the regulations. This action provides clearer standards for persons who must comply with the regulations and aids our enforcement of the regulations.

**EFFECTIVE DATE:** January 5, 1996.

**FOR FURTHER INFORMATION CONTACT:** Ms. Jane Levy or Mr. Frank E. Cooper, Senior Operations Officers, Port Operations, PPQ, APHIS, Suite 4A03, 4700 River Road Unit 139, Riverdale, MD 20737-1236; (301) 734-8645.

#### SUPPLEMENTARY INFORMATION:

##### Background

The regulations in 7 CFR 319.56 through 319.56-8 (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 injurious insects that are new to or not widely distributed within and throughout the United States.

Section 319.56-6 of the regulations addresses requirements for the inspection and disinfection of imported fruits and vegetables at the port of first arrival. This section provides, among other things, that all imported fruits and vegetables, as a condition of entry, shall be subject to inspection, disinfection, or both, at the port of first arrival, as may be required by a U.S. Department of Agriculture inspector. The purpose of the inspection or disinfection is to detect and eliminate plant pests. This section also provides that any shipment of fruits and vegetables may be refused entry if the shipment is infested with fruit flies or other dangerous plant pests and an inspector determines that it cannot be cleaned by disinfection or treatment, or if the shipment contains leaves, twigs, or other portions of plants.

Section 319.56-6 also prohibits the movement of imported fruits and vegetables from the port of first arrival until the inspector gives notice to the collector of customs that the products have been inspected and found to be free from infestation and from plants or portions of plants used as packing or otherwise. This section also states that the importer is responsible for all charges for storage, cartage, and labor incident to inspection and disinfection, other than the services of the inspector.

On July 12, 1995, we published in the Federal Register (60 FR 35871-35873, Docket No. 94-065-1) a proposal to amend the regulations by revising § 319.56-6 to update provisions for inspections and other activities at the port of first arrival; to clarify the procedures by which we give notice to an importer that cleaning, disinfection, disposal, or some other action is required for a shipment of fruits or vegetables; and to clarify the responsibility of the owner of imported fruits or vegetables for carrying out actions ordered by an inspector in accordance with the regulations. We proposed these clarifications because the regulations are unclear on some points, and we have experienced difficulties enforcing some of the requirements because the regulations do not specify who is responsible for all of