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DEPARTMENT OF AGRICULTURE

Special Provisions for Canadian Fresh Fruit and Vegetable Imports Under the North American Free Trade Agreement

AGENCY: Office of the Secretary, USDA.

ACTION: Notice of Determination of Existence of Conditions Necessary for Imposition of Temporary Duty on Cabbage From Canada.

SUMMARY: As required by section 301(a) of the United States-Canada Free-Trade Agreement Implementation Act of 1988, as amended by the North American Free Trade Agreement Implementation Act ("FTA Implementation Act"), this is a notification that the Secretary of Agriculture has determined that the necessary conditions exist with respect to United States acreage and import price criteria for cabbage classifiable to subheadings 0704902000 of the Harmonized Tariff Schedule of the United States (HTS) imported from Canada to permit the Secretary to consider recommending to the President that imposition of a temporary duty ("snapback duty") by the United States pursuant to section 301(a) of the FTA Implementation Act, implementing Article 702 of the United States-Canada Free-Trade Agreement, Special Provisions for Fresh Fruits and Vegetables, as incorporated by reference and made a part of the North American Free Trade Agreement (NAFTA) pursuant to Annex 702.1, paragraph 1 of NAFTA.

FOR FURTHER INFORMATION CONTACT: Howard Wetzel, Horticultural & Tropical Products Division, Foreign Agricultural Service, U.S. Department of Agriculture, Washington, DC 20250-1000 or telephone at (202) 720-3423.

SUPPLEMENTARY INFORMATION: The FTA Implementation Act, in accordance with the NAFTA, authorizes the imposition of a temporary duty (snapback) for a limited group of fresh fruits and vegetables from Canada when certain

conditions exist. Cabbage, classified under subheadings 0704902000 of the HTS is a good subject to the snapback duty provision.

Under section 301(a) of the FTA Implementation Act, two conditions must exist before imposition by the United States of a snapback duty can be considered. First, the import price of a covered Canadian fruit or vegetable, for each of five consecutive working days, must be less than ninety percent of the corresponding five-year average monthly import price. This price for a particular day is the average import price of a Canadian fresh fruit or vegetable imported into the United States from Canada, for the calendar month in which that day occurs, in each of the five preceding years, excluding the years with the highest and lowest monthly averages.

Second, the planted acreage in the United States for the like fruit or vegetable must be no higher than the average planted acreage over the preceding five years, excluding the years with the highest and lowest acreage.

From November 18 to November 22, 1996, the price conditions with respect to cabbage were met.

The most recent revision of planted acreage for cabbage shows that this year's planted acreage is below the planted acreage over the preceding five years, excluding the years with the highest and lowest planted acreages.

Issued at Washington, D.C. the 12th day of February 1997.

Dan Glickman,

Secretary of Agriculture.

[FR Doc. 97-4413 Filed 2-21-97; 8:45 am]

BILLING CODE 3410-10-M

Animal and Plant Health Inspection Service

[Docket No. 96-101-1]

Revision of the International Plant Protection Convention

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice and solicitation of comments.

SUMMARY: We are giving notice that the International Plant Protection Convention (IPPC), an international treaty developed to control the global

spread of plant pests, is currently being revised to meet the changing needs of plant protection and international trade. The United States is a signatory to the IPPC, and the United States Department of Agriculture's Animal and Plant Health Inspection Service is the lead U.S. agency participating in the technical discussions with other member countries and the Food and Agriculture Organization of the United Nations to revise the IPPC. This notice contains the entire text of the current IPPC with guidance on which areas are being considered for updates or revisions. We are soliciting public comment on any aspect of the scope, coverage, or institutions of the current IPPC.

DATES: Consideration will be given only to comments received on or before April 10, 1997.

ADDRESSES: Please send an original and three copies of your comments to Docket No. 96-101-1, Regulatory Analysis and Development, PPD, APHIS, suite 3C03, 4700 River Road Unit 118, Riverdale, MD 20737-1238. Please state that your comments refer to Docket No. 96-101-1. Comments received may be inspected at USDA, room 1141, South Building, 14th Street and Independence Avenue SW., Washington, DC, between 8 a.m. and 4:30 p.m., Monday through Friday, except holidays. Persons wishing to inspect comments are requested to call ahead on (202) 690-2817 to facilitate entry into the comment reading room.

FOR FURTHER INFORMATION CONTACT: Mr. Robert Griffin, Senior Plant Pathologist, Risk Analysis Systems, PPD, APHIS, 4700 River Road Unit 117, Riverdale, MD 20737-1228, (301) 734-3576, rgriffin@aphis.usda.gov.

SUPPLEMENTARY INFORMATION:

Background

As the result of the World Trade Organization (WTO) Agreement on Sanitary and Phytosanitary measures (commonly referred to as the "SPS Agreement"), contracting parties, including the United States, are committed to harmonizing their human, animal, and plant health import requirements by basing their sanitary and phytosanitary (SPS) import measures on international standards (SPS Agreement Article 3.1). The SPS Agreement recognizes three international standard-setting bodies as