

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

## 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

the official entities for developing health-related standards, guidelines, and recommendations (SPS Agreement Article 3.4): Codex Alimentarius for food safety standards, International Plant Protection Convention (IPPC) for plant health standards, and Office of International Epizootics for animal health standards.

**IPPC Membership and Secretariat**

The IPPC, in effect since 1952, is a multilateral treaty that promotes “\* \* \* common and effective action to prevent the spread and introduction of pests of plants and plant products and to promote measures for their control (IPPC Preamble).” The treaty is administered by the Food and Agricultural Organization (FAO) of the United Nations. Currently, 105 signatory countries adhere to IPPC principles. Because of the technical and regulatory nature of plant health issues covered by the IPPC, the Animal and Plant Health Inspection Service (APHIS) is the lead U.S. agency participating in IPPC activity.

In 1989, FAO member countries considered the creation of an IPPC Secretariat to coordinate activities for the IPPC and to support the

development and administration of international phytosanitary standards under the IPPC. The IPPC Secretariat, located at FAO headquarters in Rome, Italy, became operational in 1993.

**Revision of the IPPC**

The IPPC was amended in 1979 in response to changing plant pest conditions and quarantine concerns. The amendment came into force in 1991, upon ratification by two-thirds of the signatory countries. In October 1995, IPPC contracting parties agreed to revise the IPPC again in response to changes in global agriculture and the signing of the WTO SPS Agreement promoting the use of international standards, including plant health standards developed under the IPPC.

In June 1995, the IPPC Secretariat took the lead in gathering recommendations from countries regarding potential revisions to the current scope, coverage, and institutions of the IPPC. The proposed revisions were reviewed in September 1995 and formed the basis for identifying changes in the text. In March 1996, plant quarantine experts from various signatory countries met to further discuss and develop the draft text. The

resulting second draft is currently under review by all signatory countries. The signatory countries met to discuss the current amended version of the IPPC at a Technical Consultations meeting at FAO headquarters from January 13–17, 1997.

The IPPC Secretariat set a timetable for reviewing, approving, and adopting an amended version of the IPPC by October 1997. However, completion of the process is dependent on the progress of the signatory countries to propose language acceptable to the majority of contracting parties. FAO adoption of the amended IPPC can occur either through consensus or by a two-thirds vote of FAO members in favor.

We are soliciting public comment on any aspect of the scope, coverage, or institutions of the current IPPC. The entire text of the current IPPC, with guidance on which areas are being considered for updates or revisions, follows:

Done in Washington, DC, this 18th day of February 1997.

Terry L. Medley,  
*Acting Administrator, Animal and Plant Health Inspection Service.*

International Plant Protection Convention	Issues identified for revision or proposals for review
<p><b>PREAMBLE</b></p>	
<p>The contracting parties, recognizing the usefulness of international co-operation in controlling pests of plants and plant products and in preventing their spread, and especially their introduction across national boundaries, and desiring to ensure close coordination of measures directed to these ends, have agreed as follows:</p>	<p>Does not discuss the harmonization of phytosanitary measures through standards and ensuring that measures are not unjustified barriers to trade.</p>
<p><b>ARTICLE I—Purpose and responsibility</b></p>	
<p>1. With the purpose of securing common and effective action to prevent the spread and introduction of pests of plants and plant products and to promote measures for their control, the contracting parties undertake to adopt the legislative, technical, and administrative measures specific in this Convention and in supplementary agreements pursuant to Article III.</p>	<p>Clarify the scope of the Convention with respect to plant protection, plant quarantine, and the environment. Demonstrate recognition of SPS principles and obligations.</p>
<p>2. Each contracting party shall assume responsibility for the fulfillment within its territories of all requirements under this Convention.</p>	<p>Clarify the obligations and role of “regional economic integration organizations” such as the European Union here and in various other articles.</p>
<p><b>ARTICLE II—Scope</b> .....</p>	<p>Clarify scope in Article I and use Article II to define key terms.</p>
<p>1. For the purpose of this Convention the term “plants” shall comprise living plants and parts thereof, including seeds insofar as the supervision of their importation under Article VI of the Convention or the issue of phytosanitary certificates in respect of them under Articles IV(1)(a)(iv) and V of this Convention may be deemed necessary by contracting parties; and the term “plant products” shall comprise unmanufactured material of plant origin (including seeds insofar as they are not included in the term “plants”) and those manufactured products which, by their nature or that of their processing, may create a risk for the spread of pests.</p>	<p>Define key terms by updating existing definitions and adding new terms. Proposed terms include: Commission on Phytosanitary Measures, Harmonization, Introduction, Pest, Phytosanitary measures, Plants, Plant products, Quarantine pest, Regulated article, Secretariat, and Standards. Definitions for quarantine pests and phytosanitary measures will be linked to decisions concerning the scope of the Convention with respect to nonquarantine pests.</p>
<p>2. For the purpose of this Convention, the term “pest” means any form of plant or animal life, or any pathogenic agent, injurious or potentially injurious to plants or plant products; and the term “quarantine pest” means a pest of potential national economic importance to the country endangered thereby and not yet present there, or present but not widely distributed and being actively controlled.</p>	

International Plant Protection Convention	Issues identified for revision or proposals for review
<p>3. Where appropriate, the provisions of this Convention may be deemed by contracting parties to extend to storage places, conveyances, containers, and any other object or material capable of harbouring or spreading plant pests, particularly where international transportation is involved.</p> <p>4. This Convention applies mainly to quarantine pests involved with international trade.</p> <p>5. The definitions set forth in this Article, being limited to the application of this Convention, shall not be deemed to affect definitions established under domestic laws or regulations of contracting parties.</p>	
<p>ARTICLE III—Supplementary agreements</p>	
<p>1. Supplementary agreements applicable to specific regions, to specific pests, to specific plants and plant products, to specific methods of international transportation of plants and plant products, or otherwise supplementing the provisions of this Convention, may be proposed by the Food and Agriculture Organization of the United Nations (hereinafter referred to as FAO) on the recommendation of a contracting party or on its own initiative, to meet special problems of plant protection which need particular attention or action.</p> <p>2. Any such supplementary agreements shall come into force for each contracting party after acceptance in accordance with the provisions of the FAO Constitution and General Rules of the Organization.</p>	<p>Clarify intent and application; possibly delete or replace with a discussion of regulated-non quarantine pests.</p>
<p>ARTICLE IV—National organization for plant protection .....</p>	<p>Cover general provisions for a national plant protection organization in terms of functions and responsibilities.</p>
<p>1. Each contracting party shall make provision, as soon as possible and to the best of its ability, for</p> <p>(a) An official plant protection organization with the following main functions:</p> <p>(i) the inspection of growing plants, of areas under cultivation (including fields, plantations, nurseries, gardens, and greenhouses), and of plants and plant products in storage or in transportation, particularly with the object of reporting the existence, outbreak, and spread of plant pests and of controlling those pests;</p> <p>(ii) the inspection of consignments of plants and plant products moving in international traffic, and, where appropriate, the inspection of consignments of other articles or commodities moving in international traffic under conditions where they may act incidentally as carriers of pests of plants and plant products, and the inspection and supervision of storage and transportation facilities of all kinds involved in international traffic whether of plants and plant products or of other commodities, particularly with the object of preventing the dissemination across national boundaries of pests of plants and plant products;</p> <p>(iii) the disinfestation or disinfection of consignments of plants and plant products moving in international traffic, and their containers (including packing material or matter of any kind accompanying plants or plant products), storage places, or transportation facilities of all kinds employed; and</p> <p>(iv) the issuance of certificates relating to phytosanitary condition and origin of consignments of plants and plant products (hereinafter referred to as "phytosanitary certificates");</p> <p>(b) The distribution of information within the country regarding the pests of plants and plant products and the means of their prevention and control;</p> <p>(c) Research and investigation in the field of plant protection.</p> <p>2. Each contracting party shall submit a description of the scope of its national organization for plant protection and of changes in such organization to the Director-General of FAO, who shall circulate such information to all contracting parties.</p>	<p>Expand scope from cultivated systems to include wild flora.            Include responsibilities for risk analysis or technical justifications forming the basis for requirements.            Include the designation of pest free areas as a responsibility.            Update the concept of inspection using surveillance.            Note responsibility for issuing regulations.</p>
<p>ARTICLE V—Phytosanitary certificates</p>	

International Plant Protection Convention	Issues identified for revision or proposals for review
<p>1. Each contracting party shall make arrangements for the issuance of phytosanitary certificates to accord with the plant protection regulations of other contracting parties, and in conformity with the following provisions:</p> <p>(a) Inspection shall be carried out and certificates issued only by or under the authority of technically qualified and duly authorized officers and in such circumstances and with such knowledge and information available to those officers that the authorities of importing countries may accept such certificates with confidence as dependable documents.</p> <p>(b) Each certificate for the export or re-export of plants or plant products shall be as worded in the Annex to this Convention.</p> <p>(c) Uncertified alterations or erasures shall invalidate the certificates.</p> <p>2. Each contracting party undertakes not to require consignments of plants or plant products imported into its territories to be accompanied by phytosanitary certificates inconsistent with the models set out in the Annex to this Convention. Any requirement for additional declarations shall be kept to a minimum.</p>	<p>Refer to a standard and/or the model annex. Consider new certifying statements. Limit issuance to national officials but allow for the accreditation of personnel for supporting activities. Limit declarations to those technically justified. Recognize electronically equivalent certification.</p>
<p>ARTICLE VI—Requirements in relation to imports .....</p> <p>1. With the aim of preventing the introduction of pests of plants and plant products into their territories, contracting parties shall have full authority to regulate the entry of plants and plant products and to this end, may:</p> <p>(a) Prescribe restrictions or requirements concerning the importation of plants or plant products;</p> <p>(b) Prohibit the importation of particular plants or plant products, or of particular consignments of plants or plant products;</p> <p>(c) Inspect or detain particular consignments of plants or plant products;</p> <p>(d) Treat, destroy, or refuse entry to particular consignments of plants or plant products that do not comply with the requirements prescribed under subparagraph (a) or (b) of this paragraph, or require such consignments to be treated or destroyed or removed from the country;</p> <p>(e) List pests the introduction of which is prohibited or restricted because they are of potential economic importance to the country concerned.</p> <p>2. In order to minimize interference with international trade, each contracting party undertakes to carry out the provisions referred to in paragraph 1 of this Article in conformity with the following:</p> <p>(a) Contracting parties shall not, under their plant protection legislation, take any of the measures specified in paragraph 1 of this Article unless such measures are made necessary by phytosanitary considerations.</p> <p>(b) If a contracting party prescribes any restrictions or requirements concerning the importation of plants and plant products into its territories, it shall publish the restrictions or requirements and communicate them immediately to FAO, any regional plant protection organization of which the contracting party is a member, and all other contracting parties directly concerned.</p> <p>(c) If a contracting party prohibits, under the provisions of its plant protection legislation, the importation of any plants or plant products, it shall publish its decision with reasons and shall immediately inform FAO, any regional plant protection organization of which the contracting party is a member, and all other contracting parties directly concerned.</p> <p>(d) If a contracting party requires consignments of particular plants or plant products to be imported only through specified points of entry, such points shall be so selected as not unnecessarily to impede international commerce. The contracting party shall publish a list of such points of entry and communicate it to FAO, any regional plant protection organization of which the contracting party is a member, and all other contracting parties directly concerned. Such restrictions on points of entry shall not be made unless the plants or plant products concerned are required to be accompanied by phytosanitary certificates or to be submitted to inspection or treatment.</p>	<p>Reorganize in terms of rights and obligations. Clarify sovereign authority with respect to other agreements. Clarify right to restrict pests and biocontrol organisms. Extend reporting for noncompliance beyond commercially certified consignments. Note obligation to use international standards. Clarify obligations concerning the movement of people. Note the importance of pest risk analysis or the technical justification for restrictive measures. Broaden and strengthen provisions for emergency action. Add a separate article covering regulated nonquarantine pests.</p>

International Plant Protection Convention	Issues identified for revision or proposals for review
<p>(e) Any inspection by the plant protection organization of a contracting party of consignments of plants or plant products offered for importation shall take place as promptly as possible with due regard to the perishability of the plants or plant products concerned. If any commercial or certified consignment of plants or plant products is found not to conform to the requirements of the plant protection legislation of the importing country, the plant protection organization of the importing country must ensure that the plant protection organization of the exporting country is properly and adequately informed. If the consignment is destroyed, in whole or in part, an official report shall be forwarded immediately to the plant protection organization of the exporting country.</p> <p>(f) Contracting parties shall make provisions which, without endangering their own plant production, will keep certification requirements to a minimum, particularly for plants or plant products not intended for planting, such as cereals, fruits, vegetables, and cut flowers.</p> <p>(g) Contracting parties may make provisions, with adequate safeguards, for the importation for purposes of scientific research or education, of plants and plant products and of specimens of plant pests. Adequate safeguards likewise need to be taken when introducing biological control agents and organisms claimed to be beneficial.</p> <p>3. The measures specified in this Article shall not be applied to goods in transit throughout the territories of contracting parties unless such measures are necessary for the protection of their own plants.</p> <p>4. FAO shall disseminate information received on importation restrictions, requirements, prohibitions, and regulations (as specified in paragraph 2(b), 2(c), and 2(d) of this Article) at frequent intervals to all contracting parties and regional plant protection organizations.</p>	
<p>ARTICLE VII—International cooperation</p> <p>The contracting parties shall cooperate with one another to the fullest practicable extent in achieving the aims of this Convention, in particular as follows:</p> <p>(a) Each contracting party agrees to cooperate with FAO in the establishment of a world reporting service on plant pests, making full use of the facilities and services of existing organizations for this purpose and, when this is established, to furnish FAO periodically, for distribution by FAO to the contracting parties, with the following information:</p> <p>(i) reports on the existence, outbreak, and spread of economically important pests of plants and plant products which may be of immediate or potential danger;</p> <p>(ii) information on means found to be effective in controlling the pests of plants and plant products.</p> <p>(b) Each contracting party shall, as far as is practicable, participate in any special campaigns for combating particular destructive pests that may seriously threaten crop production and need international action to meet the emergencies.</p>	<p>Cooperate in the exchange of information for pest risk analysis. Identify contact points for the exchange of information.</p>
<p>ARTICLE VIII—Regional plant protection organizations</p> <p>1. The contracting parties undertake to cooperate with one another in establishing regional plant protection organizations in appropriate areas.</p> <p>2. The regional plant protection organizations shall function as the coordinating bodies in the areas covered, shall participate in various activities to achieve the objectives of this Convention and, where appropriate, shall gather and disseminate information.</p>	<p>Strengthen or weaken the role of regional plant protection organizations.</p>
<p>ARTICLE IX—Settlement of disputes .....</p> <p>1. If there is any dispute regarding the interpretation or application of this Convention, or if a contracting party considers that any action by another contracting party is in conflict with the obligations of the latter under Articles V and VI of this Convention, especially regarding the basis of prohibiting or restricting the imports of plants or plant products coming from its territories, the government or governments concerned may request the Director-General of FAO to appoint a committee to consider the question in dispute.</p>	<p>Add a new Article describing the establishment of standards and the role of a Commission in standard setting.</p> <p>Encourage country consultation as the first level of resolution. Involve the Commission.</p>

International Plant Protection Convention	Issues identified for revision or proposals for review
<p>2. The Director-General of FAO shall thereupon, after consultation with the governments concerned, appoint a committee of experts which shall include representatives of those governments. This committee shall consider the question in dispute, taking into account all documents and other forms of evidence submitted by the governments concerned. This committee shall submit a report to the Director-General of FAO, who shall transmit it to the governments concerned and to the governments of other contracting parties.</p> <p>3. The contracting parties agree that the recommendations of such a committee, while not binding in character, will become the basis for renewed consideration by the governments concerned of the matter out of which the disagreement arose.</p> <p>4. The governments concerned shall share equally the expenses of the experts.</p>	
ARTICLE X—Substitution of prior agreements .....	Add an Article describing the role and function of a Commission on Phytosanitary Measures.
This Convention shall terminate and replace, between contracting parties, the International Convention respecting measures to be taken against the <i>Phylloxera vastatrix</i> of 3 November 1881, the additional Convention signed at Berne on 15 April 1889, and the International Convention for the Protection of Plants signed at Rome on 16 April 1929.	No changes proposed.
ARTICLE XI—Territorial application .....	Add an Article describing the role and function of the IPPC Secretariat Clarify the role of regional economic integration organizations.
<p>1. Any state may at the time of ratification or adherence or at any time thereafter communicate to the Director-General of FAO a declaration that this Convention shall extend to all or any of the territories for the international relations of which it is responsible and this Convention shall be applicable to all territories specified in the declaration as from the thirtieth day after the receipt of the declaration by the Director-General.</p> <p>2. Any state which has communicated to the Director-General of FAO a declaration in accordance with paragraph 1 of this Article may at any time communicate a further declaration modifying the scope of any former declaration or terminating the application of the provisions of the present Convention in respect of any territory. Such modification or termination shall take effect as from the thirtieth day after the receipt of the declaration by the Director-General.</p> <p>3. The Director-General of FAO shall inform all signatory and adhering states of any declaration received under this Article.</p>	
ARTICLE XII—Ratification and adherence	Clarify the role of regional economic integration organizations.
<p>1. This Convention shall be open for signature by all states until 1 May 1952 and shall be ratified at the earliest possible date. The instruments of ratification shall be deposited with the Director-General of FAO, who shall give notice of the date of deposit to each of the signatory states.</p> <p>2. As soon as this Convention has come into force in accordance with Article XIV, it shall be open for adherence by non-signatory states. Adherence shall be effected by the deposit of an instrument of adherence with the Director-General of FAO, who shall notify all signatory and adhering states.</p>	
ARTICLE XIII—Amendment	Add provisions for a Commission.
<p>1. Any proposal by a contracting party for the amendment of this Convention shall be communicated to the Director-General of FAO.</p> <p>2. Any proposed amendment of this Convention received by the Director-General of FAO from a contracting party shall be presented to a regular or special session of the Conference of FAO for approval and, if the amendment involves important technical changes or imposes additional obligations on the contracting parties, it shall be considered by an advisory committee of specialists convened by FAO prior to the Conference.</p> <p>3. Notice of any proposed amendment of this Convention shall be transmitted to the contracting parties by the Director-General of FAO not later than the time when the agenda of the session of the Conference at which the matter is to be considered is dispatched.</p> <p>4. Any such proposed amendment of this Convention shall require the approval of the Conference of FAO and shall come into force as from the thirtieth day after acceptance by two-thirds of the contracting parties. Amendments involving new obligations for contracting parties, however, shall come into force in respect of each contracting party only on acceptance by it and as from the thirtieth day after such acceptance.</p>	

International Plant Protection Convention	Issues identified for revision or proposals for review
<p>5. The instruments of acceptance of amendments involving new obligations shall be deposited with the Director-General of FAO, who shall inform all contracting parties of the receipt of acceptance and the entry into force of amendments.</p>	
<p>ARTICLE XIV—Entry into force As soon as this Convention has been ratified by three signatory states it shall come into force between them. It shall come into force for each state ratifying or adhering thereafter from the date of deposit of its instrument of ratification or adherence.</p>	<p>Clarify the role of regional economic integration organizations.</p>
<p>ARTICLE XV—Denunciation 1. Any contracting party may at any time give notice of denunciation of this Convention by notification addressed to the Director-General of FAO. The Director-General shall at once inform all signatory and adhering States. 2. Denunciation shall take effect one year from the date of receipt of the notification by the Director-General of FAO.</p>	<p>Clarify the role of regional economic integration organizations.</p>
<p>ANNEX ..... 1. Model Phytosanitary Certificate ..... 2. Model Phytosanitary Certificate for Re-Export .....</p>	<p>Replace with standard for certification. Continue to maintain annexes, replace or supplement with standards. Amend certifying statements.</p>

[FR Doc. 97-4477 Filed 2-21-97; 8:45 am]  
BILLING CODE 3410-34-P

**Commodity Credit Corporation**

**Notice and Request for Comment for an Approval of a New Information Collection**

**AGENCY:** Commodity Credit Corporation, USDA.

**ACTION:** Notice and request for comments.

**SUMMARY:** The Commodity Credit Corporation (CCC) is seeking approval from the Office of Management and Budget (OMB) to revise procedures for accepting vendor bids to supply commodities for use under export donation programs. An Electronic Bid Entry System (EBES) will provide for electronic submission of bids via the Internet. This will replace the current system, which requires hard-copy bids and manual entry into CCC's system. The new procedure will be more reliable and more efficient than the current procedure.

**DATES:** Comments on this notice must be received on or before April 25, 1997 to be assured consideration.

**ADDITIONAL INFORMATION OR COMMENTS:** Comments regarding this information collection requirement may be directed to the Office of Information and Regulatory Affairs of OMB, Attention: Desk Officer for USDA, Washington, DC 20503 and to Donna Ryles, Chief Planning and Analysis Division, Kansas City Commodity Office, 9200 Ward Parkway, Kansas City, Missouri 64114, telephone (816) 926-1505, fax (816) 926-6767.

**SUPPLEMENTARY INFORMATION:**

*Title:* Electronic Bid Entry System (EBES)—7 CFR 1496.

*OMB Number:* New submission.

*Expiration Date:* Not yet determined.

*Type of Request:* Approval of a new information collection.

*Abstract:* The United States donates agricultural commodities overseas under Title II of the Agricultural Trade Development and Assistance Act of 1954 (P.L. 480) to meet famine or other relief requirements to combat malnutrition and to promote economic development.

CCC issues invitations to purchase or process commodities for food donation programs monthly. Vendors respond by making offers using the CCC Commodity Bid Form (form PBI170). CCC verifies that the PBI170 is responsive and manually enters the information on the form into the bid evaluation program to determine the lowest landed cost and award data for the creation of contracts.

The current keypunching process requires entering hand-written data and then verifying the results. The sensitivity of the data and the high value of the contracts at stake requires a reliable and efficient system for capturing the bid data.

Regulations governing paperwork burdens on the public require that before an agency collects information from the public, the agency must receive approval from OMB. In accordance with those regulations, CCC is seeking approval for EBES to provide for the submission of bids through the Internet.

Under OMB regulations, comments concerning EBES must be submitted to OMB within 30 days of this notice's publication in the Federal Register. Within 60 days "after receipt of the proposed collection of information or publication of the notice" in the Federal

Register, whichever is later, OMB shall notify CCC of its decision to approve, require modifications to, or disapprove EBES.

**Bid Process Modifications**

In August 1996, the Export Operations Division, Kansas City Commodity Office (KCCO), issued a survey to all active vendors requesting specifics about their computer capabilities. Based on the response to that survey, it was determined that a majority of vendors have IBM-compatible Personal Computers (PC's), and are currently involved in some form of electronic commerce. Therefore, this project will require IBM-compatible PC's. We anticipate having the final PC configuration requirements for this project by March 1997. In addition to meeting the PC specifications, each vendor will be required to obtain an Internet Service Provider to participate in the EBES.

KCCO will provide vendor training and offer hotline assistance for EBES. It is anticipated EBES will be put into operation in the summer of 1997. Vendor participation in the EBES shall be required to submit bids to CCC for the purchase of agricultural commodities intended for food donation programs for export distribution. The EBES will capture commodity vendor bid data for the regular monthly purchases of agricultural commodities for food donation programs for export distribution in a more reliable and efficient way than the current system. EBES provides the data in an electronic and linear format.

*Estimate of Burden:* Public reporting burden for collecting information under this notice is estimated to average 30 minutes per response, including the time for reviewing instructions,