

# Notices

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

### Office of the Secretary

[Docket No. 97-056-6]

### Declaration of Extraordinary Emergency Because of the Mediterranean Fruit Fly

A serious outbreak of the Mediterranean fruit fly, *Ceratitis capitata* (Wiedemann), has occurred in Florida.

The Mediterranean fruit fly is one of the most destructive pests of over 200 species of fruits, nuts, and vegetables, especially citrus and stone fruits. The pest can develop rapidly and spread easily, causing severe damage to entire citrus and other fruit and vegetable growing areas. At least 43 countries are known to regulate in some manner for the Mediterranean fruit fly.

As of August 1997, infestations of the Mediterranean fruit fly had been found in portions of Hillsborough, Manatee, Orange, Polk, and Sarasota Counties, FL. The presence of this fruit fly in the continental United States could severely disrupt the fruit and vegetable industry due to the loss of export markets. The Florida agricultural industry, worth an estimated \$6 billion annually, is based on continued trade in international markets. According to industry sources, in 1996 the value of Florida citrus exports, in fresh and juice form, was estimated at approximately \$940 million.

Control and eradication of Mediterranean fruit fly is difficult. Management of the pest is through quarantine and containment of regulated articles. Initial emergency action was taken by the State of Florida and the Animal and Plant Health Inspection Service (APHIS). Since shortly after the first Mediterranean fruit fly was detected in Hillsborough County, FL, on May 28, 1997, APHIS and the State of Florida have been conducting a coordinated program to

eradicate this fruit fly infestation in Florida. The program, which involves trapping, malathion bait spray treatments, sterile fly releases, and restrictions on the movement of Mediterranean fruit fly host material, has proven successful. The last detection of the pest came on August 26, 1997, in Polk County, FL. Additional treatments, followed by a period of intensive trapping, are still necessary to complete the program. However, on September 19, 1997, a State administrative law judge in Florida ruled that several of the emergency regulations under which the State's eradication program has operated were invalid. Without such regulations, the State of Florida is unable to continue to take action necessary to control and eradicate the Mediterranean fruit fly in Florida.

This infestation of Mediterranean fruit fly represents a threat to United States fruit and vegetable crops. It constitutes a real danger to the national economy and seriously burdens interstate and foreign commerce. Therefore, the U.S. Department of Agriculture has determined that an extraordinary emergency exists because of the existence of Mediterranean fruit fly in Florida and the inability of the State of Florida to continue to take action necessary to control and eradicate it.

Therefore, in accordance with 7 U.S.C. 150dd, this declaration of extraordinary emergency authorizes the Secretary to: (1) Seize, quarantine, treat, apply other remedial measures to, destroy, or otherwise dispose of, in such manner as the Secretary deems appropriate, any product or article of any character whatsoever, or means of conveyance that the Secretary has reason to believe is infested with or contains Mediterranean fruit fly; and (2) quarantine, treat, or apply other remedial measures to, in such manner as the Secretary deems appropriate, any premises, including articles on such premises, that the Secretary has reason to believe are infested with Mediterranean fruit fly. The Governor of Florida has been informed of these facts.

**Effective Date:** This declaration of extraordinary emergency shall become effective September 24, 1997.

**Dan Glickman,**

*Secretary of Agriculture.*

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## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

[PY-97-007]

### United States Grade Standards for Poultry and Rabbits

**AGENCY:** Agricultural Marketing Service, USDA.

**ACTION:** Notice.

**SUMMARY:** The Agricultural Marketing Service (AMS) is soliciting comments on its proposal to change the United States Grade Standards for Poultry.

Specifically, AMS proposes to change existing grade standards for boneless parts, skinless carcasses and parts, and boneless, skinless parts. New grade standards would be added for ready-to-cook (raw), boneless, skinless drumsticks and legs; and raw size-reduced boneless, skinless products.

AMS proposes also to clarify existing standards for defeathering by detailing specific feather tolerances for grades A-B-, and C-quality carcasses and parts.

Additionally, AMS proposes to terminate the authority to grade-identify boneless, skinless products under three tentative standards that were used to develop the proposed new grade standards. From time to time, sections in the standards are affected by changes in poultry processing technology and marketing. This notice updates the standards to reflect these changes.

**DATES:** Comments must be received on or before December 1, 1997.

**ADDRESSES:** Written comments may be submitted to Douglas C. Bailey at the Standardization Branch, Poultry Division, AMS, USDA, Room 3944-South Bldg., STOP 0259, 1400 Independence Avenue, SW, Washington, D.C. 20250-0259; or faxed to (202) 690-0941.

All comments received will be available for public inspection during regular business hours (8 a.m.-4:30 p.m. eastern time).

The current United States Grade Standards for Poultry and Rabbits, along with the proposed changes, are available either through the above address or by accessing AMS's Internet site at: [www.ams.usda.gov/standards/standpy.htm](http://www.ams.usda.gov/standards/standpy.htm).

**FOR FURTHER INFORMATION CONTACT:** Contact Rex A. Barnes at (202) 720-3271.