

Since the ports of Brownsville and Hidalgo, TX, have not been used for any shipments of untreated citrus from Mexico in over 20 years, this proposed action would have no economic effect on any entity. Small entities located at or around the ports of Brownsville and Hidalgo, TX, will not be affected by this proposed rule for the same reason that no economic entity of any size will be affected.

Under these circumstances, the Administrator of the Animal and Plant Health Inspection Service has determined that this action would not have a significant economic impact on a substantial number of small entities.

Executive Order 12988

This proposed rule has been reviewed under Executive Order 12988, Civil Justice Reform. If this proposed rule is adopted: (1) All State and local laws and regulations that are inconsistent with this rule will be preempted; (2) no retroactive effect will be given to this rule; and (3) administrative proceedings will not be required before parties may file suit in court challenging this rule.

Paperwork Reduction Act

This proposed rule contains no information collection or recordkeeping requirements under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

List of Subjects in 7 CFR Part 352

Customs duties and inspection, Imports, Plant diseases and pests, Quarantine, Reporting and recordkeeping requirements, Transportation.

Accordingly, we propose to amend 7 CFR part 352 as follows:

PART 352—PLANT QUARANTINE SAFEGUARD REGULATIONS

1. The authority citation for part 352 would continue to read as follows:

Authority: 7 U.S.C. 2260, 7711–7714, 7731, and 7734; 21 U.S.C. 136 and 136a; 31 U.S.C. 9701; 7 CFR 2.22, 2.80, and 371.3.

§ 352.30 [Amended]

2. Section 352.30 would be amended as follows:

- a. In paragraph (b)(2), by removing the words “Brownsville,” and “Hidalgo,”.
- b. In paragraph (b)(3)(iii), by removing the words “Brownsville or”.
- c. In paragraph (c)(1), by removing the words “Brownsville, or”.
- d. In paragraph (c)(3), in the paragraph heading and in paragraphs (c)(3)(i) and (c)(3)(ii), by removing the words “Brownsville or” each time they appear.

Done in Washington, DC, this 18th day of March 2002.

W. Ron DeHaven,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 02–6838 Filed 3–20–02; 8:45 am]

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DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 928

[Docket No. FV02–928–2]

Papayas Grown in Hawaii; Continuance Referendum

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Order to terminate and reschedule referendum.

SUMMARY: This document directs that the continuance referendum scheduled to be held March 4 through March 22, 2002 among eligible growers of Hawaii papayas be terminated and rescheduled for May 6 through May 31, 2002. Rescheduling is necessary due to complications encountered with timely delivery of ballots by mail. Rescheduling will ensure that eligible growers receive their ballots with time to review them and vote. A referendum is necessary to determine whether eligible growers of Hawaii papayas favor continuance of the marketing order regulating the handling of papayas grown in the production area.

DATES: The rescheduled referendum will be conducted from May 6, through May 31, 2002. To vote in this referendum, growers must have been producing Hawaii papayas during the period July 1, 2000, through June 30, 2001.

ADDRESSES: Copies of the marketing order may be obtained from the office of the referendum agent at 2202 Monterey Street, Suite 102 B, Fresno, California, 93721, or the Office of the Docket Clerk, Marketing Order Administration Branch, Fruit and Vegetable Programs, Agricultural Marketing Service (AMS), US Department of Agriculture (USDA), 1400 Independence Avenue SW., Stop 0237, Washington, DC 20250–0237.

FOR FURTHER INFORMATION CONTACT: J. Terry Vawter, California Marketing Field Office, Marketing Order Administration Branch, Fruit and Vegetable Programs, AMS, USDA, at 2202 Monterey Street, Suite 102 B, Fresno, California 93721; telephone (559) 487–5901; or Melissa Schmaedick, Marketing Order Administration

Branch, Fruit & Vegetable Programs, AMS, USDA, 1400 Independence Avenue SW., Stop 0237, Washington, DC 20250–0237; telephone (202) 720–2491.

SUPPLEMENTARY INFORMATION: Pursuant to Marketing Order No. 928 (7 CFR part 928), hereinafter referred to as the “order” and the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), hereinafter referred to as the “Act,” it is hereby directed that the March 4 through March 22, 2002 referendum be terminated and that a rescheduled referendum be conducted from May 6 through May 31, 2002 to ascertain whether continuance of the order is favored by producers. Only growers that were engaged in the production of Hawaii papayas during the period of July 1, 2000, through June 30, 2001, may participate in the rescheduled continuance referendum.

A continuance referendum to be conducted among growers of papayas in Hawaii had been scheduled for the period March 4, through March 22, 2002. Notice of this referendum order was issued on January 31, 2002 and published in the February 6, 2002 issue of the **Federal Register** (67 FR 5526). Termination of this referendum is necessary due to complications encountered with timely delivery of ballots by mail. Given this delay, we can no longer ensure that adequate time will be given to all eligible voters to fully review, contemplate and cast their ballots within the allotted referendum period. All ballots pertaining to the March referendum period will be considered invalid.

The USDA has determined that a rescheduled referendum to determine if growers of papayas in the production area favor continuance of their marketing order will be held from May 6 through May 31, 2002. Rescheduling of the referendum period will ensure proper distribution and ample review for all eligible growers voting in the referendum. New ballots and voting instruction will be issued to all growers of record subsequent to this Notice.

The USDA has determined that continuance referenda are an effective means for ascertaining whether growers favor continuation of marketing order programs. The USDA would continue the order if either two-thirds of the growers voting in the referendum or growers of two-thirds of the volume of Hawaii papayas represented in the referendum favor continuance. In evaluating the merits of continuance versus termination, the USDA will consider the results of the referendum

and other relevant information regarding operation of the order. The USDA will evaluate the order's relative benefits and disadvantages to growers, handlers, and consumers to determine whether continuing the order would tend to effectuate the declared policy of the Act.

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the ballot materials used in the referendum herein ordered have been submitted to and approved by the Office of Management and Budget (OMB) and have been assigned OMB No. 0581-0102 for Hawaii papayas. It has been estimated that it will take an average of 20 minutes for each of the approximately 400 growers of Hawaii papayas to cast a ballot. Participation is voluntary. Ballots postmarked after May 31, 2002, will not be included in the vote tabulation.

J. Terry Vawter and Martin Engeler of the California Marketing Field Office, Fruit and Vegetable Programs, AMS, USDA, are hereby designated as the referendum agents of the Department to conduct such referendum. The procedure applicable to the referendum shall be the "Procedure for the Conduct of Referenda in Connection With Marketing Orders for Fruits, Vegetables, and Nuts Pursuant to the Agricultural Marketing Agreement Act of 1937, as Amended" (7 CFR 900.400-900.407).

Ballots will be mailed to all growers of record and may also be obtained from the referendum agents and from their appointees.

List of Subjects in 7 CFR Part 928

Marketing agreements, Papayas, Reporting and recordkeeping requirements.

Authority: 7 U.S.C. 601-674.

Dated: March 19, 2002.

A.J. Yates,

Administrator, Agricultural Marketing Service.

[FR Doc. 02-6957 Filed 3-19-02; 2:36 pm]

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DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

9 CFR Part 94

[Docket No. 01-059-1]

Change in Disease Status of Greece With Regard to Foot-and-Mouth Disease

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Proposed rule.

SUMMARY: We are proposing to amend the regulations to add Greece to the list of regions that are considered free of rinderpest and foot-and-mouth disease. We are taking this action because we have determined that Greece is now free of foot-and-mouth disease. We are also proposing to add Greece to the list of regions that are subject to certain import restrictions on meat or meat products because of their proximity to or trading relationships with rinderpest- or foot-and-mouth-disease-affected regions. These actions would update the disease status of Greece with regard to foot-and-mouth disease while continuing to protect the United States from an introduction of this disease by providing additional requirements for any meat and meat products imported into the United States from Greece.

DATES: We will consider all comments we receive that are postmarked, delivered, or e-mailed by May 20, 2002.

ADDRESSES: You may submit comments by postal mail/commercial delivery or by e-mail. If you use postal mail/commercial delivery, please send four copies of your comment (an original and three copies) to: Docket No. 01-059-1, Regulatory Analysis and Development, PPD, APHIS, Station 3C71, 4700 River Road Unit 118, Riverdale, MD 20737-1238. Please state that your comment refers to Docket No. 01-059-1. If you use e-mail, address your comment to regulations@aphis.usda.gov. Your comment must be contained in the body of your message; do not send attached files. Please include your name and address in your message and "Docket No. 01-059-1" on the subject line.

You may read any comments that we receive on this docket in our reading room. The reading room is located in room 1141 of the USDA South Building, 14th Street and Independence Avenue SW., Washington, DC. Normal reading room hours are 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. To be sure someone is there to help you, please call (202) 690-2817 before coming.

APHIS documents published in the **Federal Register**, and related information, including the names of organizations and individuals who have commented on APHIS dockets, are available on the Internet at <http://www.aphis.usda.gov/ppd/rad/webrepor.html>.

FOR FURTHER INFORMATION CONTACT: Dr. Anne Goodman, Senior Staff Microbiologist, Regionalization Evaluation Services Staff, VS, APHIS,

4700 River Road Unit 38, Riverdale, MD 20737-1231; (301) 734-4356.

SUPPLEMENTARY INFORMATION:

Background

The regulations in 9 CFR part 94 (referred to below as the regulations) govern the importation of certain animals and animal products into the United States in order to prevent the introduction of various diseases, including rinderpest, foot-and-mouth disease (FMD), African swine fever, hog cholera, and swine vesicular disease. These are dangerous and destructive communicable diseases of ruminants and swine. Section 94.1 lists regions of the world that are declared to be free of rinderpest or free of both rinderpest and FMD. The Animal and Plant Health Inspection Service (APHIS) considers rinderpest or FMD to exist in all parts of the world not listed. Section 94.11 of the regulations lists regions of the world that APHIS has determined to be free of rinderpest and FMD, but that are subject to certain restrictions because of their proximity to or trading relationships with rinderpest- or FMD-affected regions.

Greece is currently listed in § 94.1(a)(3) of the regulations as a region free of rinderpest. On June 25, 1999, we published in the **Federal Register** (64 FR 34155-34168, Docket No. 98-090-1) a proposal to amend § 94.1 to recognize Greece as a region free of FMD. However, in July 2000, FMD was diagnosed in cattle in the Evros Prefecture in Greece. This and subsequent outbreaks meant that we were unable to declare Greece free of FMD based on that proposal.

Since September 2000, there have been no additional outbreaks of FMD in Greece. APHIS representatives conducted a site visit to Greece in January 2001 to obtain evidence regarding the FMD status of Greece. Documentation of the control and eradication procedures used during the FMD outbreaks in Greece is provided in the site visit report, which may be viewed on the Internet at <http://www.aphis.usda.gov/vs/reg-request.html>. Briefly summarized, the disease outbreak was eradicated by applying a stamping out/nonvaccination policy. Controls over the movement of animals and animal products from regions of higher risk, such as along Greece's border with Turkey, were applied. In addition, Greece continues to conduct an established surveillance program to detect and control any future incursions of FMD or other diseases. Greece continues to work with Turkey to address risk factors associated with the presence of FMD in Turkey.