

# Rules and Regulations

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## OFFICE OF PERSONNEL MANAGEMENT

### 5 CFR Part 250

RIN 3206-AJ92

#### Human Resources Management in Agencies

**AGENCY:** Office of Personnel Management.

**ACTION:** Final rule; correction.

**SUMMARY:** The Office of Personnel Management (OPM) is correcting a final rule to implement certain provisions of the Chief Human Capital Officers Act of 2002, which set forth new OPM and agency responsibilities and requirements to enhance and improve the strategic management of the Federal Government's civilian workforce, as well as the planning and evaluation of agency efforts in that regard. This correction makes sure that subpart C of 5 CFR part 250 dealing with employee surveys is not affected by the changes to subpart A and subpart B.

**DATES:** *Effective Date:* The regulations are effective on May 28, 2008.

**FOR FURTHER INFORMATION CONTACT:** Charles D. Grimes by phone at 202-418-3163, by FAX at 202-606-2838, or by e-mail at [pay-performance-policy@opm.gov](mailto:pay-performance-policy@opm.gov). You may contact Mr. Grimes by TTY on 202-418-3134.

**SUPPLEMENTARY INFORMATION:** On April, 28, 2008, the Office of Personnel Management (OPM) issued final regulations to change 5 CFR part 250, to read "Human Resources Management in Agencies" to reflect current usage, to make a plain language revision in subpart A, and to add regulations on strategic human resources management as new subpart B.

In 73 FR 23012, appearing on page 23013 in the **Federal Register** of Monday, April 28, 2008, the following correction is made:

## PART 250—[CORRECTED]

■ 1. On page 23013, in the third column, in Part 250 Human Resources Management in Agencies, in amendment 1, the instruction "Revise part 250 to read as follows:" is corrected to read "Revise subpart A and add subpart B to part 250 to read as follows:"

Office of Personnel Management.

Charles D. Grimes III,

Deputy Associate Director, Center for Performance and Pay Systems.

[FR Doc. E8-9973 Filed 5-5-08; 8:45 am]

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## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

#### 7 CFR Parts 305 and 318

[Docket No. APHIS-2007-0050]

RIN 0579-AC62

#### Interstate Movement of Fruit From Hawaii

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

**ACTION:** Final rule.

**SUMMARY:** We are amending the Hawaiian fruits and vegetables regulations to allow mangosteen, dragon fruit, melon, pods of cowpea and its relatives, breadfruit, jackfruit, and fresh moringa pods to be moved interstate from Hawaii under certain conditions. This action will allow the movement of these tropical fruits from Hawaii to the continental United States while continuing to provide protection against the spread of plant pests from Hawaii to the continental United States.

**DATES:** *Effective Date:* May 6, 2008.

**FOR FURTHER INFORMATION CONTACT:** Mr. David B. Lamb, Import Specialist, Commodity Import Analysis and Operations, PPQ, VS, APHIS, 4700 River Road, Unit 133, Riverdale, MD 20737-1236; (301) 734-8758.

**SUPPLEMENTARY INFORMATION:**

#### Background

The Hawaiian fruits and vegetables regulations, contained in 7 CFR 318.13 through 318.13-17 (referred to below as the regulations), govern, among other

things, the interstate movement of fruits and vegetables from Hawaii to the continental United States. The regulations are necessary to prevent the spread of plant diseases and pests that occur in Hawaii but not in the continental United States. The regulations in § 318.13-4f identify specific fruits and vegetables that are allowed to be moved interstate from Hawaii if, among other things, they are treated with irradiation in accordance with our phytosanitary treatments regulations in 7 CFR part 305.

On November 15, 2007, we published in the **Federal Register** (72 FR 64163-64170, Docket No. APHIS-2007-0050) a proposal<sup>1</sup> to amend the regulations to allow mangosteen, dragon fruit, melon, pods of cowpea and its relatives, breadfruit, jackfruit, and fresh moringa pods to be moved interstate from Hawaii under certain conditions. We also proposed to amend § 305.31(a) to add irradiation doses for three plant pests: Coconut scale (*Aspidiotus destructor*), white peach scale (*Pseudaulacaspis pentagona*), and *Copitarsia decolora* (Lepidoptera: Noctuidae).

We solicited comments concerning our proposal for 60 days ending January 14, 2008. We received nine comments by that date, from private citizens, members of Congress, Hawaiian fruit growers, a farm bureau organization, scientists, a consumer group, and a foreign agricultural agency. The commenters were generally supportive of the proposed rule, but some did raise issues about the proposal. Those issues are discussed below.

One commenter stated that the irradiation standards for Hawaiian produce are less flexible than those for international shipments. Specifically, the commenter drew attention to the provisions regarding the design of a facility's dosimetry system and procedures. The regulations in 7 CFR 305.31, which apply to imported produce, provide that the facility operator must address guidance and principles from the American Society for Testing and Materials (ASTM) Standards, or equivalent standards recognized by the Administrator. However, the regulations in 7 CFR 305.34, which apply to Hawaiian

<sup>1</sup> To view the proposed rule and the comments we received, go to <http://www.regulations.gov/fdmspublic/component/main?main=DocketDetail&d=APHIS-2007-0050>.