

Rules and Regulations

Federal Register

Vol. 74, No. 174

Thursday, September 10, 2009

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each week.

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

7 CFR Part 319

[Docket No. APHIS-2007-0115]

RIN 0579-AC83

Importation of Sweet Oranges and Grapefruit From Chile; Technical Amendment

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Final rule; technical amendment.

SUMMARY: In a final rule that was published in the **Federal Register** on April 7, 2009, and effective on May 7, 2009, we amended the fruits and vegetables regulations to allow the importation of sweet oranges and grapefruit from Chile into the continental United States. However, in making this change, we inadvertently amended the regulations to restrict the importation of clementines, mandarins, and tangerines from Chile to the continental United States and Hawaii, when in fact those fruits had been eligible for importation into the entire United States, including the territories. This technical amendment is necessary to correct that error.

DATES: *Effective Date:* September 10, 2009.

FOR FURTHER INFORMATION CONTACT: Mr. David Lamb, Import Specialist, Risk Management and Plants for Planting Policy, PPQ, APHIS, 4700 River Road, Unit 133, Riverdale, MD 20737-1231; (301) 734-0627.

SUPPLEMENTARY INFORMATION: In a final rule published in the **Federal Register** on April 7, 2009 (74 FR 15635-15640, Docket No. APHIS-2007-0115), and effective on May 7, 2009, we amended the regulations in "Subpart—Fruits and

Vegetables" (7 CFR 319.56-1 through 319.56-49) to allow the importation, under certain conditions, of sweet oranges and grapefruit from Chile into the continental United States. These conditions, which we established in § 319.56-38, are the same as those that were already in place for the importation of clementines, mandarins, and tangerines from Chile in § 319.56-38, except that clementines, mandarins, and tangerines from Chile have been eligible for importation into the entire United States, including its territories. However, in adding sweet oranges and grapefruit to the list of fruit eligible for importation from Chile in the introductory text of § 319.56-38, we inadvertently restricted the importation of clementines, mandarins, and tangerines to the continental United States and Hawaii. This document corrects that error.

List of Subjects in 7 CFR Part 319

Coffee, Cotton, Fruits, Imports, Logs, Nursery stock, Plant diseases and pests, Quarantine, Reporting and recordkeeping requirements, Rice, Vegetables.

■ Accordingly, we are amending 7 CFR part 319 as follows:

PART 319—FOREIGN QUARANTINE NOTICES

■ 1. The authority citation for part 319 continues to read as follows:

Authority: 7 U.S.C. 450, 7701-7772, and 7781-7786; 21 U.S.C. 136 and 136a; 7 CFR 2.22, 2.80, and 371.3.

■ 2. In § 319.56-38, the introductory text is revised to read as follows:

§ 319.56-38 Citrus from Chile.

Clementines (*Citrus reticulata* Blanco var. Clementine), mandarins (*Citrus reticulata* Blanco), and tangerines (*Citrus reticulata* Blanco) may be imported into the United States from Chile, and grapefruit (*Citrus paradisi* Macfad.) and sweet oranges (*Citrus sinensis* (L.) Osbeck) may be imported into the continental United States from Chile, in accordance with this section and all other applicable provisions of this subpart.

* * * * *

Done in Washington, DC, this 3rd day of September 2009.

Kevin Shea,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. E9-21801 Filed 9-9-09; 8:45 am]

BILLING CODE 3410-34-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. 29334; Amendment No. 71-41]

Airspace Designations; Incorporation by Reference

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends Title 14 Code of Federal Regulations (14 CFR) part 71 relating to airspace designations to reflect the approval by the Director of the Federal Register of the incorporation by reference of FAA Order 7400.9T, Airspace Designations and Reporting Points. This action also explains the procedures the FAA will use to amend the listings of Class A, B, C, D, and E airspace areas; air traffic service routes; and reporting points incorporated by reference.

DATES: *Effective Date:* These regulations are effective September 15, 2009, through September 15, 2010. The incorporation by reference of FAA Order 7400.9T is approved by the Director of the Federal Register as of September 15, 2009, through September 15, 2010.

FOR FURTHER INFORMATION CONTACT: Tameka Bentley, Airspace and Rules Group, Office of System Operations Airspace and AIM, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267-8783.

SUPPLEMENTARY INFORMATION:

History

FAA Order 7400.9S, Airspace Designations and Reporting Points, effective October 31, 2008, listed Class A, B, C, D and E airspace areas; air traffic service routes; and reporting points. Due to the length of these descriptions, the FAA requested approval from the Office of the Federal

Register to incorporate the material by reference in the Federal Aviation Regulations section 71.1, effective October 31, 2008, through September 15, 2009. During the incorporation by reference period, the FAA processed all proposed changes of the airspace listings in FAA Order 7400.9S in full text as proposed rule documents in the **Federal Register**. Likewise, all amendments of these listings were published in full text as final rules in the **Federal Register**. This rule reflects the periodic integration of these final rule amendments into a revised edition of Order 7400.9T, Airspace Designations and Reporting Points. The Director of the Federal Register has approved the incorporation by reference of FAA Order 7400.9T in section 71.1, as of September 15, 2009, through September 15, 2010. This rule also explains the procedures the FAA will use to amend the airspace designations incorporated by reference in part 71. Sections 71.5, 71.15, 71.31, 71.33, 71.41, 71.51, 71.61, 71.71, and 71.901 are also updated to reflect the incorporation by reference of FAA Order 7400.9T.

The Rule

This action amends Title 14 Code of Federal Regulations (14 CFR) part 71 to reflect the approval by the Director of the Federal Register of the incorporation by reference of FAA Order 7400.9T, effective September 15, 2009, through September 15, 2010. During the incorporation by reference period, the FAA will continue to process all proposed changes of the airspace listings in FAA Order 7400.9T in full text as proposed rule documents in the **Federal Register**. Likewise, all amendments of these listings will be published in full text as final rules in the **Federal Register**. The FAA will periodically integrate all final rule amendments into a revised edition of the Order, and submit the revised edition to the Director of the Federal Register for approval for incorporation by reference in section 71.1.

The FAA has determined that this action: (1) Is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. This action neither places any new restrictions or requirements on the public, nor changes the dimensions or operation requirements of the airspace listings incorporated by reference in part 71. Consequently, notice and public procedure under 5 U.S.C. 553(b) are

unnecessary. Because this action will continue to update the changes to the airspace designations, which are depicted on aeronautical charts, and to avoid any unnecessary pilot confusion, I find that good cause exists, under 5 U.S.C. 553(d), for making this amendment effective in less than 30 days.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

Adoption of the Amendment

■ In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

■ 1. The authority citation for part 71 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

■ 2. Section 71.1 is revised to read as follows:

§ 71.1 Applicability.

A listing for Class A, B, C, D, and E airspace areas; air traffic service routes; and reporting points can be found in FAA Order 7400.9T, Airspace Designations and Reporting Points, dated August 27, 2009. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. The approval to incorporate by reference FAA Order 7400.9T is effective September 15, 2009, through September 15, 2010. During the incorporation by reference period, proposed changes to the listings of Class A, B, C, D, and E airspace areas; air traffic service routes; and reporting points will be published in full text as proposed rule documents in the **Federal Register**. Amendments to the listings of Class A, B, C, D, and E airspace areas; air traffic service routes; and reporting points will be published in full text as final rules in the **Federal Register**.

Periodically, the final rule amendments will be integrated into a revised edition of the Order and submitted to the Director of the Federal Register for approval for incorporation by reference in this section. Copies of FAA Order 7400.9T may be obtained from Airspace and Rules Group, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591, (202) 267–8783. An electronic version of the Order is available on the FAA Web

site at http://www.faa.gov/air_traffic/publications. Copies of FAA Order 7400.9T may be inspected in Docket No. 29334 on the **Federal Register** Web site at <http://www.regulations.gov>.

§ 71.5 [Amended]

■ 3. Section 71.5 is amended by removing the words "FAA Order 7400.9S" and adding, in their place, the words "FAA Order 7400.9T."

§ 71.15 [Amended]

■ 4. Section 71.15 is amended by removing the words "FAA Order 7400.9S" and adding, in their place, the words "FAA Order 7400.9T."

§ 71.31 [Amended]

■ 5. Section 71.31 is amended by removing the words "FAA Order 7400.9S" and adding, in their place, the words "FAA Order 7400.9T."

§ 71.33 [Amended]

■ 6. Paragraph (c) of section 71.33 is amended by removing the words "FAA Order 7400.9S" and adding, in their place, the words "FAA Order 7400.9T."

§ 71.41 [Amended]

■ 7. Section 71.41 is amended by removing the words "FAA Order 7400.9S" and adding, in their place, the words "FAA Order 7400.9T."

§ 71.51 [Amended]

■ 8. Section 71.51 is amended by removing the words "FAA Order 7400.9S" and adding, in their place, the words "FAA Order 7400.9T."

§ 71.61 [Amended]

■ 9. Section 71.61 is amended by removing the words "FAA Order 7400.9S" and adding, in their place, the words "FAA Order 7400.9T."

§ 71.71 [Amended]

■ 10. Paragraphs (b), (c), (d), (e), and (f) of section 71.71 are amended by removing the words "FAA Order 7400.9S" and adding, in their place, the words "FAA Order 7400.9T."

§ 71.901 [Amended]

■ 11. Paragraph (a) of section 71.901 is amended by removing the words "FAA Order 7400.9S" and adding, in their place, the words "FAA Order 7400.9T."

Issued in Washington, DC, on August 31, 2009.

Edith V. Parish,

Manager, Airspace and Rules Group.

[FR Doc. E9–21484 Filed 9–9–09; 8:45 am]

BILLING CODE 4910–13–P