

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

### Animal and Plant Health Inspection Service

[Docket No. APHIS-2010-0058]

#### Notice of Availability of a Pest Risk Analysis for the Importation of Sweet Limes From Mexico Into the Continental United States

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

**ACTION:** Notice.

**SUMMARY:** We are advising the public that we have prepared a pest risk analysis that evaluates the risks associated with the importation of sweet limes from Mexico into the continental United States. Based on that analysis, we have concluded that the application of one or more designated phytosanitary measures will be sufficient to mitigate the pest risk. We are making the pest risk analysis available to the public for review and comment.

**DATES:** We will consider all comments that we receive on or before **August 9, 2010**.

**ADDRESSES:** You may submit comments by either of the following methods:

- Federal eRulemaking Portal: Go to (<http://www.regulations.gov/fdmspublic/component/main?main=DocketDetail&d=APHIS-2010-0058>) to submit or view comments and to view supporting and related materials available electronically.

- Postal Mail/Commercial Delivery: Please send one copy of your comment to Docket No. APHIS-2010-0058, Regulatory Analysis and Development, PPD, APHIS, Station 3A-03.8, 4700 River Road Unit 118, Riverdale, MD 20737-1238. Please state that your comment refers to Docket No. APHIS-2010-0058.

*Reading Room:* 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.

*Other Information:* Additional information about APHIS and its programs is available on the Internet at (<http://www.aphis.usda.gov>).

**FOR FURTHER INFORMATION CONTACT:** Mr. David Lamb, Import Specialist, Regulatory Coordination and Compliance, PPQ, APHIS, 4700 River Road Unit 133, Riverdale, MD 20737; (301) 734-0627.

#### SUPPLEMENTARY INFORMATION:

##### Background

Under the regulations in “Subpart—Fruits and Vegetables” (7 CFR 319.56-1 through 319.56-50, referred to below as the regulations), the Animal and Plant Health Inspection Service (APHIS) of the U.S. Department of Agriculture prohibits or restricts the importation of fruits and vegetables into the United States from certain parts of the world to prevent plant pests from being introduced into and spread within the United States.

Section 319.56-4 contains a performance-based process for approving the importation of commodities that, based on the findings of a pest risk analysis, can be safely imported subject to one or more of the designated phytosanitary measures listed in paragraph (b) of that section. These measures are:

- The fruits or vegetables are subject to inspection upon arrival in the United States and comply with all applicable provisions of § 319.56-3;

- The fruits or vegetables are imported from a pest-free area in the country of origin that meets the requirements of § 319.56-5 for freedom from that pest and are accompanied by a phytosanitary certificate stating that the fruits or vegetables originated in a pest-free area in the country of origin;

- The fruits or vegetables are treated in accordance with 7 CFR part 305;

- The fruits or vegetables are inspected in the country of origin by an inspector or an official of the national plant protection organization of the exporting country, and have been found

free of one or more specific quarantine pests identified by the risk analysis as likely to follow the import pathway; and/or

- The fruits or vegetables are a commercial consignment.

APHIS received a request from the Government of Mexico to allow the importation of sweet limes (*Citrus limetta*) into the continental United States. Currently, sweet limes are not authorized for entry from Mexico, although related varieties of citrus with similar pest complexes are enterable under certain conditions. We completed a pest risk analysis to identify pests of quarantine significance that could follow the pathway of importation and identify phytosanitary measures that could be applied to sweet limes to mitigate the pest risk. We have concluded that sweet limes can safely be imported into the continental United States from Mexico using one or more of the five designated phytosanitary measures listed in § 319.56-4(b). Therefore, in accordance with § 319.56-4(c), we are announcing the availability of our pest risk analysis for public review and comment. The analysis may be viewed on the Regulations.gov Web site or in our reading room (see **ADDRESSES** above for instructions for accessing Regulations.gov and information on the location and hours of the reading room). You may request paper copies of the analyses by calling or writing to the person listed under **FOR FURTHER INFORMATION CONTACT**. Please refer to the subject of the analysis that you wish to review when requesting copies.

After reviewing any comments we receive, we will announce our decision regarding the import status of sweet limes from Mexico in a subsequent notice. If the overall conclusions of the analysis and the Administrator’s determination of risk remain unchanged following our consideration of the comments, then we will begin issuing permits for the importation of sweet limes from Mexico into the continental United States subject to the requirements specified in the risk management document.

**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.

Done in Washington, DC, this 3<sup>rd</sup> day of June 2010.

**Kevin Shea**

*Acting Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 2010-13934 Filed 6-9-10; 8:45 am]

**BILLING CODE 3410-34-S**

## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

[Docket No. APHIS-2009-0082]

#### Notice of Determination of Pest-Free Areas in the Republic of Chile

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

**ACTION:** Notice.

**SUMMARY:** We are advising the public that we are recognizing an additional area of the Republic of Chile as a pest-free area for *Ceratitis capitata*, Mediterranean fruit fly (Medfly). Based on our site visit to the area and our review of the documentation submitted by the Republic of Chile, which we made available to the public review and comment through a previous notice, the Administrator has determined that the area meets the criteria in our regulations for recognition as a pest-free area for Medfly.

**EFFECTIVE DATE:** June 10, 2010.

**FOR FURTHER INFORMATION CONTACT:** Mr. Phillip B. Grove, Regulatory Coordination Specialist, Regulatory Coordination and Compliance, APHIS, 4700 River Road Unit 156, Riverdale, MD 20737; (301) 734-6280.

**SUPPLEMENTARY INFORMATION:** Under the regulations in "Subpart-Fruits and Vegetables" (7 CFR 319.56 through 319.56-50, referred to below as the regulations), the Animal and Plant Health Inspection Service (APHIS) of the U.S. Department of Agriculture prohibits or restricts the importation of fruits and vegetables into the United States from certain parts of the world to prevent plant pests from being introduced into and spread within the United States.

Section 319.56-4 of the regulations contains a performance-based process for approving the importation of commodities that, based on the findings of a pest risk analysis, can be safely imported subject to one or more of the designated phytosanitary measures listed in paragraph (b) of that section. One of the designated phytosanitary measures is that the fruits or vegetables are imported from a pest-free area in the country of origin that meets the

requirements of § 319.56-5 for freedom from that pest and are accompanied by a phytosanitary certificate stating that the fruits or vegetables originated in a pest-free area in the country of origin.

Under the regulations in § 319.56-5, APHIS requires that determinations of pest-free areas be made in accordance with the criteria for establishing freedom from pests found in International Standard for Phytosanitary Measures (ISPM) No. 4, "Requirements for the establishment of pest-free areas." The international standard was established by the International Plant Protection Convention of the United Nations' Food and Agriculture Organization and is incorporated by reference in our regulations in 7 CFR 300.5. In addition, APHIS must also approve the survey protocol used to determine and maintain pest-free status, as well as protocols for actions to be performed upon detection of a pest. Pest-free areas are subject to audit by APHIS to verify their status.

In accordance with that process, we published a notice<sup>1</sup> in the **Federal Register** on February 1, 2010 (75 FR 5034-5035, Docket No. APHIS-2009-0082), in which we announced the availability, for review and comment, of a commodity import evaluation document titled "Recognition of an Additional Region as Medfly Pest-Free Area (PFA) for the Republic of Chile." In this document, we examined the survey protocols and other information provided by the Republic of Chile relative to its system to establish freedom, phytosanitary measures to maintain freedom, and system for the verification of the maintenance of freedom from Mediterranean fruit fly (Medfly, *Ceratitis capitata*). Prior to this notice, APHIS recognized the Republic of Chile, except for the Arica Province, as free of Medfly. Therefore, recognizing the Arica Province as free of Medfly would result in the entire Republic of Chile as being recognized as free of that pest.

We solicited comments on the notice for 60 days ending on April 2, 2010. We received four comments by that date, from packers, importers, and a fresh produce company, that all supported the recognition of the Arica Province of the Republic of Chile as a pest-free area.

Therefore, in accordance with § 319.56-5(c), we are announcing the Administrator's determination that the Arica Province meets the criteria of § 319.56(a) and (b) with respect to

<sup>1</sup> To view the notice, the commodity import evaluation document, and the comments we received, go to (<http://www.regulations.gov/jdmspublic/component/main?main=DocketDetail&d=APHIS-2009-0082>).

freedom from Medfly. Accordingly, we are recognizing the Republic of Chile as a pest-free area for Medfly and have added it to the list of pest-free areas, which may be viewed at ([http://www.aphis.usda.gov/import\\_export/plants/manuals/ports/downloads/DesignatedPestFreeAreas.pdf](http://www.aphis.usda.gov/import_export/plants/manuals/ports/downloads/DesignatedPestFreeAreas.pdf)). The list of pest-free areas may also be obtained from the person listed under **FOR FURTHER INFORMATION CONTACT**.

Done in Washington, DC, this 3<sup>rd</sup> day of June 2010.

**Kevin Shea**

*Acting Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 2010-13933 Filed 6-9-10; 8:45 am]

**BILLING CODE 3410-34-S**

## DEPARTMENT OF COMMERCE

### International Trade Administration

#### Colorado State University, et al.; Notice of Consolidated Decision on Applications for Duty-Free Entry of Electron Microscopes

This is a decision consolidated pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, as amended by Pub. L. 106-36; 80 Stat. 897; 15 CFR part 301). Related records can be viewed between 8 a.m. and 5 p.m. in Room 3720, U.S. Department of Commerce, 14th and Constitution Avenue., NW., Washington, DC.

*Docket Number:* 10-008. *Applicant:* Colorado State University, Fort Collins, CO 80523. *Instrument:* Electron Microscope. *Manufacturer:* JEOL Ltd., Japan. *Intended Use:* See notice at 75 FR 23669, May 4, 2010.

*Docket Number:* 10-009. *Applicant:* University of Oregon, Eugene, OR 97401-3753. *Instrument:* Electron Microscope. *Manufacturer:* FEI Company, Czech Republic. *Intended Use:* See notice at 75 FR, 23669, May 4, 2010.

*Comments:* None received. *Decision:* *Approved.* No instrument of equivalent scientific value to the foreign instrument, for such purposes as these instruments are intended to be used, was being manufactured in the United States at the time the instruments were ordered. *Reasons:* Each foreign instrument is an electron microscope and is intended for research or scientific educational uses requiring an electron microscope. We know of no electron microscope, or any other instrument suited to these purposes, which was being manufactured in the United States at the time of order of each instrument.