

# Notices

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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–2011–0013]

#### Notice of Decision To Authorize the Importation of Fresh Papaya Fruit From Malaysia into the Continental United States

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

**ACTION:** Notice.

**SUMMARY:** We are advising the public of our decision to authorize the importation into the continental United States of fresh papaya fruit from Malaysia. Based on the findings of a pest risk analysis, which we made available to the public for review and comment through a previous notice, we believe that the application of one or more designated phytosanitary measures will be sufficient to mitigate the risks of introducing or disseminating plant pests or noxious weeds via the importation of fresh papaya fruit from Malaysia.

**DATES:** *Effective Date:* August 11, 2011.

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

#### SUPPLEMENTARY INFORMATION:

##### Background

Under the regulations in “Subpart—Fruits and Vegetables” (7 CFR 319.56–1 through 319.56–51, 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 spreading within

the United States. Under that process, APHIS may publish a notice in the **Federal Register** announcing the availability of a pest risk analysis that evaluates the risks associated with the importation of a particular fruit or vegetable. Following the close of the 60-day comment period, APHIS may authorize the importation of the fruit or vegetable subject to the risk-mitigation measures identified in the pest risk analysis if: (1) No comments were received on the pest risk analysis; (2) the comments on the pest risk analysis revealed that no changes to the pest risk analysis were necessary; or (3) changes to the pest risk analysis were made in response to public comments, but the changes did not affect the overall conclusions of the analysis and the Administrator’s determination of risk.

In accordance with that process, we published a notice<sup>1</sup> in the **Federal Register** on March 15, 2011 (76 FR 13972, Docket No. APHIS–2011–0013), in which we announced the availability, for review and comment, of a pest risk analysis evaluating the risks associated with the importation into the continental United States of fresh papaya fruit (*Carica papaya*) from Malaysia. The pest risk analysis consisted of a pest list identifying pests of quarantine significance that are present in Malaysia and could follow the pathway of importation of papaya into the United States and a risk management document (RMD) identifying phytosanitary measures to be applied to Malaysian papaya to mitigate the pest risk. We solicited comments on the notice for 60 days ending on May 16, 2011. We received one comment by that date, from a State Department of Agriculture. The commenter requested that shipments of papaya not be allowed entry into the commenter’s State until the effectiveness of the phytosanitary measures listed in the pest risk analysis had been demonstrated through use on products imported into lower-risk States.

We have determined, for the reasons described in the RMD that accompanied the March 2011 notice, that the measures specified in the RMD will effectively mitigate the risk associated with the importation of fresh papaya

fruit from Malaysia. The commenter did not provide any evidence suggesting that the mitigations are not effective. Therefore, we are not taking the action requested by the commenter.

Therefore, in accordance with the regulations in § 319.56–4(c)(2)(ii), we are announcing our decision to authorize the importation into the continental United States of fresh papaya fruit from Malaysia subject to the following phytosanitary measures:

- The fruit must be imported into the United States as a commercial consignment.
- The fruit must be irradiated in accordance with the requirements of 7 CFR part 305 with a minimum absorbed dose of 400 Gy.
- If irradiation is applied outside the United States, each consignment of fruit must be precleared by APHIS inspectors in Malaysia. Each shipment must be inspected jointly by APHIS and Malaysian inspectors and accompanied by a phytosanitary certificate issued by the national plant protection organization (NPPO) of Malaysia certifying that the fruit received the required irradiation treatment.
- If irradiation is to be applied upon arrival in the United States, each consignment of fruit must be inspected by Malaysian inspectors prior to departure and accompanied by a phytosanitary certificate issued by the NPPO of Malaysia.
- Each consignment is subject to inspection at the U.S. port of entry.

These conditions will be listed in the Fruits and Vegetables Import Requirements database (available at <http://www.aphis.usda.gov/favir>). In addition to these specific measures, fresh papaya fruit from Malaysia will be subject to the general requirements listed in § 319.56–3 that are applicable to the importation of all fruits and vegetables. Further, for fruits and vegetables requiring treatment as a condition of entry, the phytosanitary treatment regulations in 7 CFR part 305 contain administrative and procedural requirements that must be observed in connection with the application and certification of specific treatments.

**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.

<sup>1</sup>To view the notice and the pest risk analysis, go to <http://www.regulations.gov/#/docketDetail;D=APHIS-2011-0013>.

Done in Washington, DC, this 5th day of August 2011.

**Gregory L. Parham,**

*Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 2011-20411 Filed 8-10-11; 8:45 am]

**BILLING CODE 3410-34-P**

## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

[Docket No. APHIS-2010-0023]

#### Notice of Availability of a Pest Risk Analysis for the Importation of Fresh Cape Gooseberry Fruit With Husks From Chile

**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 into the continental United States of fresh Cape gooseberry fruit (*Physalis peruviana* L.) with husks from Chile. Based on this analysis, we concluded that the application of one or more designated phytosanitary measures will be sufficient to mitigate the risks of introducing or disseminating plant pests or noxious weeds via the importation of fresh Cape gooseberry fruit from Chile. 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 October 11, 2011.

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

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov/#!documentDetail;D=APHIS-2010-0023-0001>.

- *Postal Mail/Commercial Delivery:* Send your comment to Docket No. APHIS-2010-0023, Regulatory Analysis and Development, PPD, APHIS, Station 3A-03.8, 4700 River Road, Unit 118, Riverdale, MD 20737-1238.

Supporting documents and any comments we receive on this docket may be viewed at <http://www.regulations.gov/#!docketDetail;D=APHIS-2010-0023> or in our reading room, which 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.

**FOR FURTHER INFORMATION CONTACT:** Ms. Claudia Ferguson, Regulatory Policy Specialist, Regulations, Permits, and Manuals, PPQ, APHIS, 4700 River Road Unit 133, Riverdale, MD 20737-1231, (301) 734-0754.

#### SUPPLEMENTARY INFORMATION:

##### Background

Under the regulations in “Subpart—Fruits and Vegetables” (7 CFR 319.56-1 through 319.56-51, 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.

APHIS received a request from the national plant protection organization (NPPO) of the Republic of Chile to allow the importation of fresh Cape gooseberry fruit (*Physalis peruviana* L.), with husks, to be imported from Chile into the continental United States. We have completed a pest risk assessment for this commodity to identify pests of quarantine significance that could follow the pathway of importation into the United States and, based on this list, have prepared a risk management document to identify phytosanitary measures that could be applied to fresh Cape gooseberry fruit with husks from Chile to mitigate the pest risk. We have concluded that fresh Cape gooseberry fruit with husks can be safely imported into the continental United States from Chile using one or more of the five designated phytosanitary measures listed in § 319.56-4(b). For Cape gooseberry fruit with husks from Chile, these measures are:

- Cape gooseberry fruit will be subject to inspection upon arrival in the United States.
- Each consignment of Cape gooseberry fruit must be accompanied by a phytosanitary certificate issued by NPPO of Chile stating: “The Cape gooseberry in the consignment has been inspected and is free of pests.”
- Cape gooseberry fruit must be imported into the United States in commercial consignments only.

Therefore, in accordance with § 319.56-4(c), we are announcing the availability of our pest risk analysis for public review and comment. The pest risk analysis may be viewed on the Regulations.gov Web site or in our reading room (see **ADDRESSES** above for a link to Regulations.gov and information on the location and hours of the reading room). You may request paper copies of the pest risk analysis by calling or writing to the person listed under **FOR FURTHER INFORMATION CONTACT**. Please refer to the subject of the pest risk analysis you wish to review when requesting copies.

After reviewing any comments we receive, we will announce our decision regarding the import status of fresh Cape gooseberry fruit with husks from Chile 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 authorize the importation of fresh Cape gooseberry fruit with husks from Chile 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 5th day of August 2011.

**Gregory L. Parham,**

*Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 2011-20412 Filed 8-10-11; 8:45 am]

**BILLING CODE 3410-34-P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-588-845, A-580-834, C-580-835, A-583-831]

#### Continuation of Antidumping and Countervailing Duty Orders: Stainless Steel Sheet and Strip in Coils From Japan, Korea, and Taiwan

**AGENCY:** Import Administration, International Trade Administration, Department of Commerce.

**SUMMARY:** As a result of the determinations by the Department of Commerce (the “Department”) that revocation of the antidumping duty (“AD”) orders on stainless steel sheet and strip in coils from Japan, Korea, and Taiwan would likely lead to continuation or recurrence of dumping, that revocation of the countervailing duty (“CVD”) order on stainless steel sheet and strip in coils from Korea would likely lead to continuation or