

percent (312,840) of imported fruit trees. Thirty-two trees of *Prunus* spp. and 21 of *Pyrus* spp. were also imported. There were no imports of *Chaenomeles* spp. or *Cydonia* spp. Prices of imported fruit trees averaged about \$5.25 per tree.

Annually, domestic producers market about 20 million fruit trees of these five genera, valued at approximately \$105 million. Domestic tree prices range from \$5 to \$6 per tree. Imported fruit trees, therefore, currently account for only about 1.5 percent of fruit trees available in the U.S. market.

Shipments from government research stations tend to be small, whereas shipments from private nurseries are generally large. Historically, we have received small shipments from France. In 1994 there was a single importation of 25,000 fruit trees from a private nursery in France. In 1995, there were 4 shipments of fruit trees from France (between 2 and 42 fruit trees per shipment) imported into the United States. Therefore, we expect that as a result of this rule, private nurseries in France could export 20,000 to 30,000 trees to the United States each year. This number of fruit trees would account for less than one-half of one percent of the fruit trees available in the U.S. market. Furthermore, these fruit trees from France probably will compete directly with imports from The Netherlands, thus lessening the impact on U.S. producers. We anticipate, therefore, that this rule will not have a significant economic impact on domestic fruit tree producers or other small entities.

Also, we have determined, using the Small Business Administration definition of a small business involved in the retail nursery business or the wholesale trade of flowers and nursery stock (100 or fewer employees), that there are currently about 9,097 small retail nurseries and 11,347 small wholesale shippers of flowers and nursery stock in the United States. We expect that these small businesses may benefit, if only slightly, from this rule. They will gain access to a greater variety of imported fruit trees, possibly at lower prices.

We are also removing the port of Laredo, TX, from the list of ports with plant inspection stations. About 400 million plants are imported through plant inspection stations into the United States annually. Only 24 shipments of 21,429 plants (less than 1 percent of 400 million) were imported through the plant inspection station at Laredo in 1993. In view of the low volume of plants imported into the United States through the Laredo plant inspection station, we do not believe that this rule

will have a significant economic effect on businesses or other entities, large or small. Moreover, any plants requiring written permits and previously imported through Laredo could be diverted to the ports of Brownsville or El Paso, TX, which still retain plant inspection stations.

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

#### Executive Order 12778

This rule has been reviewed under Executive Order 12778, Civil Justice Reform. This rule: (1) Preempts all State and local laws and regulations that are inconsistent with this rule; (2) has no retroactive effect; and (3) does not require administrative proceedings before parties may file suit in court challenging this rule.

#### Paperwork Reduction Act

This rule contains no new 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 319

Bees, Coffee, Cotton, Fruits, Honey, Imports, Incorporation by reference, Nursery stock, Plant diseases and pests, Quarantine, Reporting and recordkeeping requirements, Rice, Vegetables.

Accordingly, 7 CFR part 319 is amended as follows:

### PART 319—FOREIGN QUARANTINE NOTICES

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

Authority: 7 U.S.C. 150dd, 150ee, 150ff, 151–167, 450, 2803, and 2809; 21 U.S.C. 136 and 136a; 7 CFR 2.22, 2.80, and 371.2(c).

2. Section 319.37–5 is amended as follows:

a. In paragraph (b)(1), the first sentence is amended by adding the words “the article was” immediately before the words “grown to be” and by removing the reference to “(b)(2)” and adding a reference to “(b)(3)” in its place.

b. Footnote 7 and its reference are removed.

c. Paragraph (b)(2) is redesignated as paragraph (b)(3) and a new paragraph (b)(2) is added to read as set forth below.

d. Paragraph (d) is amended by adding a closed parenthesis immediately after the words “sweet-william”.

### § 319.37–5 Special foreign inspection and certification requirements.

\* \* \* \* \*

(b) \* \* \*  
(2) Species of *Prunus* not immune to plum pox virus (species other than *P. avium*, *P. cerasus*, *P. effusa*, *P. laurocerasus*, *P. mahaleb*, *P. padus*, *P. sargentii*, *P. serotina*, *P. serrula*, *P. serrulata*, *P. subhirtella*, *P. yedoensis*, and *P. virginiana*) and grown in Belgium, France, Germany, Great Britain, or The Netherlands shall be certified only from the government operated nurseries (research stations) where the certified plants were grown and the original parent stock is indexed for the appropriate national fruit tree certification program.

\* \* \* \* \*

### §§ 319.37–5, 319.37–6, 319.37–7, 319.37–8, and 319.37–13 [Amended]

3. Footnotes 8 through 12 and their references are redesignated as footnotes 7 through 11, respectively.

### § 319.37–14 [Amended]

4. In § 319.37–14, paragraph (b), under the list of ports of entry in Texas, the asterisk immediately preceding the entry for Laredo is removed.

Done in Washington, DC, this 25th day of September 1996.

A. Strating,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 96–25100 Filed 9–30–96; 8:45 am]

BILLING CODE 3410–34–P

## Agricultural Research Service

### 7 CFR Part 502

#### Conduct on Beltsville Agricultural Research Center Property, Beltsville, Maryland

**AGENCY:** Agricultural Research Service; Research, Education, and Economics; USDA.

**ACTION:** Final rule.

**SUMMARY:** The Agricultural Research Service (ARS) is revising regulations governing conduct on Beltsville Agricultural Research Center (BARC) property. This action is being taken because a review of the regulations identified certain words in the current regulations that are out of date. Other minor changes, corrections and deletions will be made to clarify the regulations.

**EFFECTIVE DATE:** October 1, 1996.

**FOR FURTHER INFORMATION CONTACT:** Area Administrative Officer, Beltsville Area, ARS, Building 003, Room 203, Beltsville, MD 20705; (301) 504–5392.

**SUPPLEMENTARY INFORMATION:** A review of this regulation was done in response to the President's Regulatory Review Initiative. As a result, certain words describing the property and personnel contained in the current regulations were identified as obsolete. The amendments change these obsolete descriptions and make other minor revisions and deletions to the current regulations. Pursuant to 5 U.S.C. 553(b) it has been determined that notice and public comment procedures are unnecessary because the changes being made are minor changes to obsolete words and will not substantively alter the regulation. Further, since this rule involves minor revision to existing regulations it is not a "major rule" and is exempt from the provisions of Executive Order 12291. The amendments will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.* This rule has been determined to be not significant for the purpose of Executive Order 12866 and therefore has not been reviewed by the Office of Management and Budget. This rule is exempt from the requirements of the National Environmental Policy Act, as amended (42 U.S.C. 4321 *et seq.*) and the requirements of the Paperwork Reduction Act (44 U.S.C. Ch. 35). Among other minor changes, the amendment changes the phrase "Agricultural Research Center" to "Beltsville Agricultural Research Center (BARC)"; the phrase "seeing eye dogs" is replaced with "assistance trained animals"; references to "guards" are changed to "BARC Security"; and references to "innoculations" are changed to "vaccinations."

#### List of Subjects in 7 CFR Part 502

Beltsville Agricultural Research Center, Federal buildings and facilities, Security measures.

For the reasons set out in the preamble, 7 CFR Part 502 is amended as set forth below.

### **PART 502—CONDUCT ON BELTSVILLE AGRICULTURE RESEARCH CENTER PROPERTY, BELTSVILLE, MARYLAND**

1. The heading for Part 502 is revised as set forth above.

2. The authority citation for part 502 is revised to read as follows:

Authority: Secs. 2, 4, 62 Stat. 281; 40 U.S.C. 318 (a), (c); sec. 103, 63 Stat. 380; 40 U.S.C. 753; sec. 205(d), 63 Stat. 389; 40 U.S.C. 486(d); 36 FR 18440 and 60 FR 56392.

3. Section 502.1 is revised to read as follows:

#### **§ 502.1 General.**

The rules and regulations in this part apply to the buildings and grounds of the Beltsville Agricultural Research Center (BARC), Beltsville, MD, and to any persons entering in or on such property. The Administrator, General Services Administration, has delegated to the Secretary of Agriculture, with authority to redelegate, the authority to make all the needful rules and regulations for the protection of the buildings, grounds, equipment, and experimental plants and animals of BARC (36 FR 18440). The Secretary of Agriculture has delegated this authority to the Under Secretary for Research, Education, and Economics (60 FR 56392) who in turn has delegated such authority to the Administrator, Agricultural Research Service (60 FR 56392). The rules and regulations in this part are issued pursuant to such delegations.

4. Section 502.2 is revised to read as follows:

#### **§ 502.2 Admission.**

Admission to BARC during "off duty" hours shall be restricted to the main arteries and any deviation therefrom by individuals shall be limited to authorized individuals who may be required to sign a register and display identification documents when requested by BARC Security or other authorized individual. "Off duty" hours will be posted at BARC. Admission during "duty" hours when BARC is closed to the public in emergency situations will be limited to authorized individuals who may be required to sign a register and display identification documents when requested by BARC Security or other authorized individual.

5. Section 502.4 is revised to read as follows:

#### **§ 502.4 Conformity with signs and emergency directions.**

Persons in and on property of BARC shall comply with official signs of a prohibitory or directory nature, and with the directions of authorized individuals.

6. Section 502.5 is revised to read as follows:

#### **§ 502.5 Nuisances.**

The use of loud, abusive or otherwise improper language, unwarranted loitering, sleeping, or assembly, the creating of any hazard to persons or things, improper disposal of rubbish, spitting, prurient prying, the commission of any obscene or indecent act, or any other unseemly or disorderly conduct, throwing articles of any kind from a building, or climbing upon any

part of a building is prohibited. Further, conduct which obstructs the usual use of entrances, foyers, corridors, office elevators, stairways and parking lots, or which otherwise tends to impede or disturb BARC employees in the performance of their duties or which otherwise impedes the general public from obtaining the administrative services provided by BARC is prohibited.

7. Section 502.6 is revised to read as follows:

#### **§ 502.6 Hunting, fishing, camping, horseback riding.**

The use of BARC grounds for any form of hunting, fishing, camping, or horseback riding is prohibited. Further, the use of these grounds for unauthorized picnicking is also prohibited.

8. Section 502.7 is revised to read as follows:

#### **§ 502.7 Gambling.**

Participating in games for money or other personal property, or the operation of gambling devices, the conduct of a lottery or pool, or the selling or purchasing of numbers tickets, in or on BARC property, is prohibited.

9. Section 502.8 is revised to read as follows:

#### **§ 502.8 Intoxicating beverages and narcotics.**

Entering BARC property or the operation of a motor vehicle thereon, by a person under the influence of intoxicating beverages or narcotic drug, hallucinogen, marihuana, barbiturate, or amphetamine (unless prescribed by a physician) or the consumption of such beverages, or the use of any such drug or substance in or on BARC property, is prohibited.

10. Section 502.9 is revised to read as follows:

#### **§ 502.9 Soliciting, vending, debt collection, and distribution of handbills.**

The soliciting of alms and contributions, commercial soliciting and vending of all kinds or the display or distribution of commercial advertising, or the collecting of private debts, in or on BARC property, is prohibited. This section does not apply to national or local drives for funds for welfare, health, and other purposes sponsored or approved by the Agricultural Research Service, concessions, or personal notices posted by employees on authorized bulletin boards. Distribution of material such as pamphlets, handbills, and flyers or the posting of materials on bulletin boards or elsewhere is prohibited without prior approval of the Director, Beltsville Area.

11. Section 502.10 is revised to read as follows:

**§ 502.10 Photographs by visitors or for news, advertising, or commercial purposes.**

Photographs may be taken by visitors or for news purposes without prior permission. Photographs for advertising and commercial purposes may be taken at BARC only with the prior written approval of the Director, Beltsville Area.

12. Section 502.11 is revised to read as follows:

**§ 502.11 Pets.**

Pets, except assistance trained animals, brought upon BARC property must be kept on a leash and have proper vaccinations. Pets that are the property of employees residing on BARC must be up to date on their vaccinations, in accordance with State or local laws, and be kept on a leash or similarly restrained. The abandonment of unwanted animals on BARC grounds is prohibited.

13. Section 502.12 is amended by revising paragraphs (a) through (c) to read as follows:

**§ 502.12 Vehicular and pedestrian traffic.**

(a) Drivers of all vehicles whether or not motorized in or on BARC property shall drive in a careful and safe manner at all times and shall comply with the signals and directions of the security staff and all posted traffic signs;

(b) The blocking of entrances, driveways, walks, loading platforms, or fire hydrants in or on BARC property is prohibited;

(c) Except in emergencies, parking in or on BARC property in other than designated areas is not allowed without a permit. Parking without authority, parking in unauthorized locations or in locations reserved for other persons, or contrary to the direction of posted signs is prohibited. This section may be supplemented from time to time, by the issuance and posting of specific traffic directives as may be required, and when so issued and posted such directives shall have the same force and effect as if made a part hereof.

\* \* \* \* \*

**§ 502.13 [Removed]**

**§§ 502.14 through 502.17 [Redesignated as § 502.13 through 502.16]**

14. Section 502.13 is removed and §§ 502.14 through 502.17 are redesignated as §§ 502.13 through 502.16 and newly redesignated § 502.13 is revised to read as follows:

**§ 502.13 Weapons and explosives.**

No person while in or on BARC property shall carry firearms, other

dangerous or deadly weapons, or explosives, either openly or concealed, except as officially authorized for official purposes.

15. Newly designated § 502.14 is revised to read as follows:

**§ 502.14 Nondiscrimination.**

There shall be no discrimination by segregation or otherwise against any person or persons because of race, religion, color, sex, age, disability or national origin, in furnishing, or by refusing to furnish to such person or persons the use of any facility of a public nature, including all services, privileges, accommodations, and activities provided thereby on BARC property.

16. Newly designated § 502.15 is revised to read as follows:

**§ 502.15 Exceptions.**

The Administrator, Agricultural Research Service, may in individual cases, make prior, written exceptions to the rules and regulations in this part, if a determination is made that the exception is not adverse to the public interest.

Done at Washington DC, this 18th day of September 1996.

Floyd P. Horn,

*Administrator, Agricultural Research Service.*

[FR Doc. 96-25006 Filed 9-30-96; 8:45 am]

BILLING CODE 3410-03-M

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**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 39**

[Docket No. 96-NM-129-AD; Amendment 39-9677; AD 96-13-09]

RIN 2120-AA64

**Airworthiness Directives; Jetstream Model 4101 Airplanes**

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Final rule; correction.

**SUMMARY:** This amendment clarifies information in an existing airworthiness directive (AD), applicable to all Jetstream 4101 airplanes, that currently requires a review of maintenance records to determine the time-in-service of the bearings in the starter/generators of both engines. It also establishes a new time-in-service limit for the bearings, and requires replacement of the starter/generator unit with a serviceable unit, if necessary. The actions specified in that AD are intended to prevent failure of the bearings of the starter/generator, which

could cause severe vibrations and resultant in-flight shutdown of one or both engines. This amendment clarifies the requirements of the current AD by specifying the name of the manufacturer of the starter/generator units that are affected by the requirements of this AD.

**DATES:** Effective July 15, 1996.

The incorporation by reference of certain publications listed in the regulations was approved previously by the Director of the Federal Register as of July 15, 1996 (61 FR 33647, June 28, 1996).

**FOR FURTHER INFORMATION CONTACT:** William Schroeder, Aerospace Engineer, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (206) 227-2148; fax (206) 227-1149.

**SUPPLEMENTARY INFORMATION:** On June 17, 1996, the FAA issued AD 96-13-09, amendment 39-9677 (61 FR 33647, June 28, 1996), which is applicable to all Jetstream Model 4101 airplanes. That AD requires a review of maintenance records to determine the time-in-service of the bearings in the starter/generators of both engines. It also establishes a new time-in-service limit for the bearings, and requires replacement of the starter/generator unit with a serviceable unit, if necessary. That AD was prompted by reports of controlled in-flight engine shutdowns resulting from severe vibration caused by the failure of the bearings in the direct current (DC) starter/generator unit. The actions specified in that AD are intended to prevent such failure of the bearings of the starter/generator, which could cause severe vibrations and resultant in-flight shutdown of one or both engines.

Actions Since Issuance of AD 96-13-09

Since the issuance of that AD, the FAA has been advised that there may be confusion on the part of operators as to which specific make and model of starter/generator units are susceptible to the bearing problem and should be subject to the requirements of the AD. Additionally, operators of airplanes other than Jetstream Model 4101 airplanes may be confused as to whether starter/generator units installed on those airplanes are also susceptible to the bearing problem. Such confusion arises because the name of the manufacturer of the affected units was not specified in AD 96-13-09.

The FAA notes that there are several manufacturers of starter/generator units, but only those manufactured by Lucas Aerospace Power Systems for Jetstream Model 4101 airplanes are installed on the affected airplanes and are subject to