

# 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–2011–0047]

#### Notice of Decision To Authorize the Importation of Dragon Fruit From Thailand 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 dragon fruit (multiple genera and species) from Thailand. 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 dragon fruit from Thailand.

**DATES:** *Effective Date:* October 4, 2011.

**FOR FURTHER INFORMATION CONTACT:** Ms. Claudia Ferguson, Regulatory Policy Specialist, Regulations, Permits, and Manuals, PPQ, APHIS, 4700 River Road Unit 133, Riverdale, MD 20737–1236; (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 of the regulations contains a performance-based process for approving the importation of commodities that, based on the findings of a pest risk analysis (PRA), can be safely imported subject to one or more of the designated phytosanitary measures listed in paragraph (b) of that section. Under that process, APHIS publishes a notice in the **Federal Register** announcing the availability of the PRA 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 identified designated measures if: (1) No comments were received on the PRA; (2) the comments on the PRA revealed that no changes to the PRA were necessary; or (3) changes to the PRA 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 June 30, 2011 (76 FR 38349, Docket No. APHIS–2011–0047), in which we announced the availability, for review and comment, of a PRA that evaluates the risks associated with the importation into the continental United States of dragon fruit (multiple genera and species) from Thailand. We solicited comments on the notice for 60 days ending on August 29, 2011. We did not receive any comments by that date.

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 dragon fruit from Thailand subject to the following phytosanitary measures:

- The dragon fruit may be imported into the continental United States in commercial consignments only.
- The dragon fruit must be irradiated in accordance with 7 CFR part 305 with a minimum absorbed dose of 400 Gy.
- If the irradiation treatment is applied outside the United States, each consignment of fruit must be jointly inspected by APHIS and the national plant protection organization (NPPO) of

Thailand and accompanied by a phytosanitary certificate (PC) attesting that the fruit received the required irradiation treatment.

- If the irradiation treatment is to be applied upon arrival in the United States, each consignment of fruit must be inspected by the NPPO of Thailand prior to departure and accompanied by a PC.
- This commodity 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, dragon fruit from Thailand 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 treatments 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.

Done in Washington, DC, this 28th day of September 2011.

**Kevin Shea,**

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

[FR Doc. 2011–25489 Filed 10–3–11; 8:45 am]

**BILLING CODE 3410–34–P**

## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

[Docket No. APHIS–2011–0039]

#### Notice of Decision To Authorize the Importation of Fresh Apricot, Sweet Cherry, and Plumcot Fruit From South Africa 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 apricot, sweet cherry, and plumcot fruit from South Africa. Based

<sup>1</sup> To view the notice and the PRA, go to <http://www.regulations.gov/#/docketDetail;D=APHIS-2011-0047>.

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 apricot, sweet cherry, and plumcot fruit from South Africa. We are also revising a treatment schedule in the Plant Protection and Quarantine Treatment Manual.

**DATES:** *Effective Date:* November 3, 2011.

**FOR FURTHER INFORMATION CONTACT:** Ms. Dorothy C. Wayson, Senior Regulatory Coordination Specialist, Regulations, Permits, and Manuals, PPQ, APHIS, 4700 River Road Unit 141, Riverdale, MD 20737; (301) 734-0772.

**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 June 1, 2011 (76 FR 31577–31578, Docket No. APHIS–2011–0039), 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 apricot, sweet cherry, and plumcot fruit from South Africa. The pest risk analysis consisted of a risk assessment identifying pests of quarantine significance that could follow the pathway of importation of fresh apricot, sweet cherry, and plumcot fruit from South Africa into the United States and a risk management document identifying phytosanitary measures to be applied to those commodities to mitigate the pest risk. In accordance with 7 CFR 305.3(a)(1), we also provided notice that we had determined that it was necessary to revise treatment schedule T107–e in the Plant Protection and Quarantine (PPQ) Treatment Manual<sup>2</sup> to include plumcots among the commodities to which that treatment schedule may be applied and the Mediterranean and the Bezzi fruit fly among the pests it is intended to eliminate. We solicited comments on the notice for 60 days ending on August 1, 2011. We did not receive any comments.

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 apricot, sweet cherry, and plumcot fruit from South Africa subject to the following phytosanitary measures:

- The fruit must be imported as a commercial consignment, as defined in 319.56–2.
- Each consignment of fruit must be accompanied by a phytosanitary certificate issued by the national plant protection organization of South Africa. For apricots and plumcots only, the phytosanitary certificate must include an additional declaration stating that the fruit was inspected and found free of cinch bug (*Macchiademus diplopterus*).
- Apricots and plumcots must be cold treated for fruit flies (*Ceratitis* spp.) and false codling moth (*Thaumatotibia leucotreta*) in accordance with 7 CFR part 305.
- Sweet cherries must be cold treated for the Mediterranean fruit fly (*Ceratitis capitata*) in accordance with 7 CFR part 305.
- Each consignment of fruit is subject to inspection upon arrival in the United States.

<sup>2</sup> The Treatment Manual is available on the Internet at [http://www.aphis.usda.gov/import\\_export/plants/manuals/index.shtml](http://www.aphis.usda.gov/import_export/plants/manuals/index.shtml) or by contacting the Animal and Plant Health Inspection Service, Plant Protection and Quarantine, Manuals Unit, 92 Thomas Johnson Drive, Suite 200, Frederick, MD 21702.

We are also updating the PPQ Treatment Manual as discussed earlier in this document.

The phytosanitary conditions listed above will also 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 apricot, sweet cherry, and plumcot fruit from South Africa 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.

Done in Washington, DC, this 28th day of September 2011.

**Kevin Shea,**

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

[FR Doc. 2011–25490 Filed 10–3–11; 8:45 am]

**BILLING CODE 3410–34–P**

## DEPARTMENT OF AGRICULTURE

### Rural Business-Cooperative Service

#### Maximum Loan Amount Available for B&I Guaranteed Loans in Fiscal Year 2012

**AGENCY:** Rural Business-Cooperative Service, USDA.

**ACTION:** Notice.

**SUMMARY:** 7 CFR 4279.119(a)(1) allows the Rural Development Administrator, at the Administrator’s discretion, to grant an exception to the \$10 million limit for Business and Industry (B&I) guaranteed loans of \$25 million or less under certain circumstances. Due to the limited program funds that will be available for Fiscal Year 2012 for the B&I Guaranteed Loan Program, the Administrator has decided not to grant exceptions to the \$10 million limit during FY 2012 in an effort to make guaranteed loan funds go farther and to provide financing assistance to as many projects as possible. Limiting guaranteed loans to \$10 million or less will allow the Agency to guarantee more loans and target smaller loans/projects impacting more small businesses and will assist the Agency to conserve scarce funding dollars at a time when there is unprecedented interest in the program.

<sup>1</sup> To view the notice and the pest risk analysis, go to <http://www.regulations.gov/#!docketDetail;D=APHIS-2011-0039>.