

Register on October 27, 2014 (79 FR 63807–63809, Docket No. APHIS–2013–0059), and effective on November 26, 2014, we amended the regulations concerning the importation of citrus fruit (referred to below as the regulations) to remove certain restrictions on the importation of Unshu oranges from Japan. Among other changes, we removed a requirement from the regulations that required the oranges to be grown in export areas in Japan that are free of citrus canker (*Xanthomonas citri* subsp. *citri*, referred to as Xcc), with buffer zones that are similarly free of Xcc, based on joint inspection by the Government of Japan and the Animal and Plant Health Inspection Service (APHIS). We also removed a requirement from the regulations that required the national plant protection organization (NPPO) of Japan and APHIS to jointly inspect fruit in the groves prior to and during harvest, as well as in the packinghouses during packinghouse operations. We removed these requirements in order to make our regulations concerning the importation of Unshu oranges from Japan consistent with our domestic regulations concerning the interstate movement of citrus fruit from areas quarantined for citrus canker, which do not require APHIS oversight of grove or packinghouse inspections.

As a result of the rule, APHIS believed that its presence in Japan to help oversee the export program for Unshu oranges to the United States was no longer necessary. Accordingly, we recalled inspectors assigned to that program to the United States.

However, our final rule retained provisions in the regulations that required Unshu oranges imported from Shikoku and Honshu Islands in Japan to be fumigated with methyl bromide in accordance with 7 CFR part 305 after harvest and prior to export to the United States, if the oranges are to be imported into Arizona, California, Florida, Hawaii, Louisiana, or Texas, all of which have significant commercial citrus production. We also retained provisions of the regulations that prohibited Unshu oranges from Shikoku or Honshu Island that have not been fumigated with methyl bromide in accordance with 7 CFR part 305 from being imported into Arizona, California, Florida, Hawaii, Louisiana, or Texas.

Within part 305, § 305.4 requires any treatment performed outside of the United States to be monitored and certified by inspector or an official authorized by APHIS, and further

provides that all treatments are subject to monitoring and verification by APHIS.

As a matter of APHIS policy, we currently require chemical treatments performed outside the United States to be monitored and certified by APHIS inspectors and do not authorize other officials to perform such functions in our absence. Accordingly, when we recalled APHIS inspectors assigned to the export program for Unshu oranges to the United States from Japan, we effectively precluded Shikoku and Honshu Islands from administering the methyl bromide treatment required by the regulations for citrus destined to Arizona, California, Florida, Hawaii, Louisiana, or Texas. We thus inadvertently prohibited the two islands from shipping Unshu oranges to those States.

This was not our intent. Therefore, we are amending the regulations to allow Unshu oranges from Shikoku or Honshu Islands to be fumigated with methyl bromide at the port of entry into Arizona, California, Florida, Hawaii, Louisiana, or Texas. We are also amending the regulations to allow such oranges to be shipped to Arizona, California, Florida, Hawaii, Louisiana, or Texas without prior methyl bromide fumigation, provided that they are fumigated at the port of entry in Arizona, California, Florida, Hawaii, Louisiana, or Texas.

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. Section 319.28 is amended by revising paragraphs (b)(6) and (b)(8)(ii) to read as follows:

§ 319.28 Notice of quarantine.

* * * * *

(b) * * *

(6) To be eligible for importation into Arizona, California, Florida, Hawaii, Louisiana, or Texas, each shipment of oranges grown on Honshu Island or Shikoku Island, Japan, must be fumigated with methyl bromide in accordance with part 305 of this chapter

either after harvest and prior to exportation to the United States, or upon arrival at the port of entry in Arizona, California, Florida, Hawaii, Louisiana, or Texas. Fumigation will not be required for shipments of oranges grown on Honshu Island or Shikoku Island, Japan, that are to be imported into States other than Arizona, California, Florida, Hawaii, Louisiana, or Texas.

* * * * *

(8) * * *

(ii)(A) Unshu oranges from Honshu Island or Shikoku Island, Japan, may not be imported into American Samoa, Northern Mariana Islands, Puerto Rico, or the U.S. Virgin Islands.

(B) Unshu oranges from Kyushu Island, Japan (Prefectures of Fukuoka, Kumamoto, Nagasaki, and Saga only) that have not been fumigated in accordance with part 305 of this chapter may not be imported into American Samoa, Arizona, California, Florida, Hawaii, Louisiana, the Northern Mariana Islands, Puerto Rico, Texas, or the U.S. Virgin Islands.

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Done in Washington, DC, this 5th day of August 2015.

Kevin Shea,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 2015–19698 Filed 8–10–15; 8:45 am]

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DEPARTMENT OF AGRICULTURE

Federal Crop Insurance Corporation

7 CFR Part 457

[Docket No. FCIC–14–0004]

RIN 0563–AC44

Common Crop Insurance Regulations; Macadamia Tree Crop Insurance Provisions Correcting Amendment

AGENCY: Federal Crop Insurance Corporation, USDA.

ACTION: Final rule; correcting amendment.

SUMMARY: This document contains necessary amendments for addressing potential ambiguities in the final regulation for Macadamia Tree Crop Insurance Provisions, which was published on April 16, 2015 (80 FR 20407–20413).

DATES: This rule is effective August 11, 2015.

FOR FURTHER INFORMATION CONTACT: Tim Hoffmann, Director, Product Administration and Standards Division,

Risk Management Agency, United States Department of Agriculture, Beacon Facility, Stop 0812, Room 421, P.O. Box 419205, Kansas City, MO 64141-6205, telephone (816) 926-7730.

SUPPLEMENTARY INFORMATION:

Background

The final regulation subject to this amendment revised the Common Crop Insurance Regulations, Macadamia Tree Crop Insurance Provisions. The final regulation was published April 16, 2015 (80 FR 20407-20413).

Need for Amendment

As published, language in the final regulation for Macadamia Tree Crop Insurance Provisions may require clarification to ensure proper application of the policy provisions. Sections 11(b)(3)(ii)(A) and (B) of the Macadamia Tree Crop Insurance Provisions may lack information or explanation needed to properly calculate an indemnity. Section 11(b)(3)(ii)(A) has been clarified to note that the result in this provision must also be multiplied by 100 to clearly represent the percentage of destroyed trees. Section 11(b)(3)(ii)(B) states the loss adjuster must take the number of damaged trees and divide by the total number of trees to calculate the percent of damage. However, the loss adjuster must also determine the percent of damage for each damaged tree within the overall loss calculation formula, when at least some damage (rather than solely complete destruction) is at issue. As a result, a description of specific additional steps is necessary under section 11(b)(3)(ii)(B) to clarify this issue.

In addition, section 11(c)(1) of the Macadamia Tree Crop Insurance Provisions was revised to change the provision from “. . . over 80 percent actual damage due to an insured cause of loss will be considered to be 100 percent damaged” to “. . . over 80 percent of the actual trees damaged or destroyed due to an insured cause of loss will be considered to be 100 percent damaged . . . ” This change may have appeared to require the loss adjuster to determine whether the orchard was damaged more than 80 percent solely by counting the number of trees damaged or destroyed, without calculating the actual damage to individual trees. That application was not FCIC’s intent. It is FCIC’s intent that actual damage to each individual tree, in addition to the total number and percentage of actual damaged trees, are both used among other factors (such as destroyed trees when applicable) to

determine whether the orchard is damaged more than 80 percent.

List of Subjects in 7 CFR Part 457

Crop insurance, Macadamia tree, Reporting and recordkeeping requirements, Amendment of publication.

Accordingly, 7 CFR part 457 is amended by making the following correcting amendments:

PART 457—COMMON CROP INSURANCE REGULATIONS

■ 1. The authority citation for 7 CFR part 457 continues to read as follows:

Authority: 7 U.S.C. 1506(1) and 1506(o).

■ 2. In § 457.130, under the heading 11. Settlement of Claim, revise paragraphs (b)(3)(ii)(A) and (B) paragraph (c) to read as follows:

§ 457.130 Macadamia tree crop insurance provisions.

* * * * *

11. Settlement of Claim

* * * * *

(b) * * *

(3) * * *

(ii) * * *

(A) For destroyed trees, divide the number of trees destroyed by the total number of trees and multiply by 100 to calculate the percent of loss;

(B) For damaged trees:

(1) Divide the number of trees damaged by the total number of trees (both damaged and undamaged) to calculate the amount of damage;

(2) Divide the number of damaged scaffold limbs by the total number of scaffold limbs on each damaged tree to calculate the amount of damage for each damaged tree;

(3) Total the results in (b)(3)(ii)(B)(2);

(4) Divide the result of (b)(3)(ii)(B)(3) by the number of damaged trees;

(5) Multiply the result of (b)(3)(ii)(B)(1) by the result of (b)(3)(ii)(B)(4), then multiply that result by 100 to calculate the percent of loss; and

* * * * *

(c) * * *

(1) Any orchard with damage, destruction, or combined damage and destruction, that results in a total percent of loss greater than 80 percent due to an insured cause of loss will be considered to be 100 percent damaged and/or destroyed; and

* * * * *

Signed in Washington, DC, on July 31, 2015.

Brandon Willis,
Manager, Federal Crop Insurance Corporation.

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DEPARTMENT OF ENERGY

10 CFR Part 430

[Docket Number EERE-2015-BT-STD-0017]

RIN 1904-AD55

Energy Conservation Program for Consumer Products: Definitions and Standards for Grid-Enabled Water Heaters

AGENCY: Office of Energy Efficiency and Renewable Energy, Department of Energy.

ACTION: Final rule.

SUMMARY: Congress created a new definition and energy conservation standard for grid-enabled water heaters in the Energy Efficiency Improvement Act of 2015, which amended the Energy Policy and Conservation Act of 1975 (EPCA). The Department of Energy (DOE) is publishing this final rule to place in the Code of Federal Regulations (CFR) the energy conservation standards, and related definitions, and to explain its interpretation of the new language. This final rule will implement these amendments to EPCA.

DATES: Effective Date: August 11, 2015.

FOR FURTHER INFORMATION CONTACT:

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SUPPLEMENTARY INFORMATION:

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