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## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

[Docket No. APHIS-2007-0143]

#### Notice of Decision To Issue Permits for the Importation of Dropwort Leaves With Stems from South Korea 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 begin issuing permits for the importation of dropwort leaves with stems from South Korea into the continental United States subject to the requirements specified in the risk management analysis. 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 dropwort leaves with stems from South Korea.

**EFFECTIVE DATE:** March 20, 2008.

**FOR FURTHER INFORMATION CONTACT:** Mr. Alex Belano, Import Specialist, Commodity Import Analysis and Operations, Plant Health Programs, PPQ, APHIS, 4700 River Road Unit 133, Riverdale, MD 20737-1231; (301) 734-8758.

**SUPPLEMENTARY INFORMATION:** Under the regulations in “Subpart—Fruits and Vegetables” (7 CFR 319.56 through 319.56-47, 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. Under that process, APHIS publishes a notice in the **Federal Register** announcing the availability of the 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 begin issuing permits for importation of the fruit or vegetable subject to the identified designated measures 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 November 21, 2007 (72 FR 65560-65561, Docket No. APHIS-2007-0143), in which we announced the availability, for review and comment, of a pest risk analysis that evaluates the risks associated with the importation into the continental United States of dropwort leaves with stems from South Korea. We solicited comments on the notice for 60 days ending on January 22, 2008. We received one comment by that date, from a private citizen. The commenter stated that food should be grown locally and not imported, and that the risks—which the commenter did not specify—associated with imports generally were too great. No changes to the pest risk analysis are necessary based on that comment.

Therefore, in accordance with the regulations in § 319.56-4(c)(2)(ii), we are announcing our decision to begin issuing permits for the importation into the continental United States of dropwort leaves with stems from South

Korea subject to the following conditions:

- The dropwort leaves with stems must be part of a commercial consignment as defined in § 319.56-2.
- Each consignment of dropwort leaves with stems must be accompanied by a phytosanitary certificate issued by the Korean National Plant Protection Organization (NPPO) certifying that the dropwort is a product of the Republic of Korea. The NPPO must also include an additional declaration in the phytosanitary certificate that states: “The water dropwort (*Oenanthe javanica*) in this shipment was inspected and considered free from Water Dropwort Witches’ Broom and *Puccinia oenanthes-stoloniferae*.”

These conditions will be listed in the fruits and vegetables manual (available at [http://www.aphis.usda.gov/import\\_export/plants/manuals/ports/downloads/fv.pdf](http://www.aphis.usda.gov/import_export/plants/manuals/ports/downloads/fv.pdf)). In addition to these specific measures, the dropwort stems with leaves will be subject to the general requirements listed in § 319.56-3 that are applicable to the importation of all fruits and vegetables.

Done in Washington, DC, this 17th day of March 2008.

**Kevin Shea,**

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

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**BILLING CODE 3410-34-P**

## DEPARTMENT OF AGRICULTURE

### Rural Utilities Service

#### Basin Electric Power Cooperative, Inc.: Notice of Intent To Hold Public Scoping Meeting and Prepare an Environmental Assessment

**AGENCY:** Rural Utilities Service, USDA.

**ACTION:** Notice of Intent to Hold Public Scoping Meeting and Prepare an Environmental Assessment.

**SUMMARY:** The Rural Utilities Service (RUS), an Agency delivering the United States Department of Agriculture (USDA) Rural Development Utilities Programs, hereinafter referred to as Rural Development and/or the Agency, intends to hold a public scoping meeting and prepare an Environmental Assessment (EA) in connection with possible impacts related to a project being proposed by Basin Electric Power

<sup>1</sup>To view the notice, the pest risk analysis, and the comment we received, go to <http://www.regulations.gov/fdmspublic/component/main?main=DocketDetail&d=APHIS-2007-0143>.