

is not expected to significantly affect U.S. mango producers, as the amount of those larger mangoes likely to be imported from Mexico, Central America, and the West Indies would represent a fraction of current import levels. These markets are unlikely to be affected by the availability of larger mangoes from Mexico, Central America, and the West Indies. Therefore, we do not expect that the economic effects of this rule on U.S. entities, large or small, will be significant.

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 12988

This rule has been reviewed under Executive Order 12988, 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 final 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

7 CFR Part 300

Incorporation by reference, Plant diseases and pests, Quarantine.

7 CFR Part 318

Cotton, Cottonseeds, Fruits, Guam, Hawaii, Plant diseases and pests, Puerto Rico, Quarantine, Transportation, Vegetables, Virgin Islands.

■ Accordingly, 7 CFR parts 300 and 318 are amended as follows:

PART 300—INCORPORATION BY REFERENCE

■ 1. The authority citation for part 300 continues to read as follows:

Authority: 7 U.S.C. 7701–7772; 7 CFR 2.22, 2.80, and 371.3.

■ 2. In § 300.1, paragraph (a) is amended as follows:

■ a. In paragraph (a)(4), by removing the word “and”.

■ b. In paragraph (a)(5), by removing the period and adding the word “; and” in its place.

■ c. By adding a new paragraph (a)(6) to read as follows:

§ 300.1 Plant Protection and Quarantine Treatment Manual.

(a) * * *

(6) Treatment T102–a, dated March 2003.

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PART 318—HAWAIIAN AND TERRITORIAL QUARANTINE NOTICES

■ 3. The authority citation for part 318 continues to read as follows:

Authority: 7 U.S.C. 7711, 7712, 7714, 7731, 7754, and 7756; 7 CFR 2.22, 2.80, and 371.3.

§ 318.58 [Amended]

■ 4. In § 318.58, paragraph (a) is amended by removing the words “*mombinpraeoptans* Sein” and adding the word “*obliqua*” in their place.

§ 318.58–2 [Amended]

■ 5. In § 318.58–2, paragraph (b)(1), the entry for mangoes is amended by removing the words “no larger than size 8 (no more than 700 g each)” and adding the words “no larger than 900 grams each” in their place.

Done in Washington, DC, this 16th day of May, 2003.

Kevin Shea,

Acting Administrator, Animal and Plant Health Inspection Service.

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DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

7 CFR Parts 318 and 319

[Docket No. 00–059–2]

Movement and Importation of Fruits and Vegetables

AGENCY: Animal and Plant Health Inspection Service.

ACTION: Affirmation of interim rule as final rule.

SUMMARY: We are adopting as a final rule, without change, an interim rule that amended the regulations that govern the movement of fruits and vegetables from Puerto Rico and the U.S. Virgin Islands to require the treatment of pigeon peas (fresh shelled or in the pod) from Puerto Rico for movement into any other area of the United States. In addition, we amended the regulations that govern the importation of fruits and vegetables to require the treatment of pigeon peas (fresh shelled or in the pod) from the Dominican Republic imported into any area of the United States except Puerto

Rico, and to prohibit the importation of mangoes from the British Virgin Islands into the U.S. Virgin Islands. These actions were necessary to prevent the introduction and dissemination of plant pests that are new to or not widely distributed within the United States.

DATES: The interim rule became effective January 21, 2003.

FOR FURTHER INFORMATION CONTACT: Mr. Hesham A. Abuelnaga, Import Specialist, Phytosanitary Issues Management Team, PPQ, APHIS, 4700 River Road Unit 140, Riverdale, MD 20737–1236; (301) 734–5334.

SUPPLEMENTARY INFORMATION:

Background

The regulations in “Subpart—Fruits and Vegetables from Puerto Rico or Virgin Islands” (7 CFR 318.58 through 318.58–16) are designed to prevent the dissemination of plant pests, including diseases, from Puerto Rico and the U.S. Virgin Islands into other parts of the United States. The regulations in “Subpart—Fruits and Vegetables” (7 CFR 319.56 through 319.56–8) prohibit or restrict the importation of fruits and vegetables into the United States from certain parts of the world to prevent the introduction and dissemination of plant pests that are new to or not widely distributed within the United States.

In an interim rule effective and published in the **Federal Register** on January 21, 2003 (68 FR 2681–2684, Docket No. 00–059–1), we amended the regulations in “Subpart—Fruits and Vegetables from Puerto Rico or Virgin Islands” to require the treatment of pigeon peas (fresh shelled or in the pod) from Puerto Rico for movement into any other area of the United States, including the U.S. Virgin Islands. (The **Federal Register** published a correction (68 FR 6544) to the interim rule on February 7, 2003.) In addition, we amended the regulations in “Subpart—Fruits and Vegetables” to require the treatment of pigeon peas (fresh shelled or in the pod) from the Dominican Republic for importation into any area of the United States, except Puerto Rico, and to prohibit the importation of mangoes from the British Virgin Islands into the U.S. Virgin Islands. These actions were necessary to protect the United States from the introduction or spread of injurious plant pests.

Comments on the interim rule were required to be received on or before March 24, 2003. We did not receive any comments. Therefore, for the reasons given in the interim rule, we are adopting the interim rule as a final rule.

This action also affirms the information contained in the interim