

site, quarantine pest, and specific written permit to read as follows:

§ 319.56–1 Definitions.

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Field. A plot of land with defined boundaries within a place of production on which a commodity is grown.

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General permit. The authorization contained in § 319.56–2(b), (c), or (d) for any person to import the articles named in those paragraphs, in accordance with the requirements specified in those paragraphs, without being issued a specific written permit.

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Permit. A written or oral authorization, including by electronic methods, to import fruits or vegetables in accordance with the regulations in this subpart.

Place of production. Any premises or collection of fields operated as a single production or farming unit. This may include a production site that is separately managed for phytosanitary purposes.

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Production site. A defined portion of a place of production utilized for the production of a commodity that is managed separately for phytosanitary purposes. This may include the entire place of production or portions of it. Examples of portions of places of production are a defined orchard, grove, field, or premises.

Quarantine pest. A pest of potential economic importance to the area endangered by it and not yet present there, or present but not widely distributed there and being officially controlled.

Specific written permit. A written or electronic authorization issued by APHIS to a person to import a particular fruit or vegetable from a specified country in accordance with the requirements of this subpart and any additional conditions that may be assigned.

■ 9. Section 319.56–2 is amended as follows:

■ a. In paragraphs (b), (c), and (d), by adding a heading to read as set forth below.

■ b. In paragraph (e), by revising the introductory text to read as set forth below.

■ c. In paragraph (e)(1), by removing the words “injuriously insects, including fruit and melon flies (Tephritidae)” and adding the words “quarantine pests” in their place.

■ d. In paragraph (e)(2), by removing the words “injuriously insects that attack it” and adding the words “quarantine pests” in their place.

■ e. In paragraph (e)(3), by removing the words “, its importation can be authorized without risk,”; and by removing the words “injuriously insects” and adding the words “quarantine pests” in their place.

■ f. In paragraph (e)(4), by removing the words “, its importation can be authorized without risk,” and by removing the words “certain injurious insects”, “certain insects”, and “injuriously insects” and adding the words “quarantine pests” in their place.

■ g. By revising paragraphs (f) and (h) and the OMB citation at the end of the section to read as set forth below.

■ h. In paragraph (j), by adding the words “except Arica” immediately after the words “all Provinces in Chile”.

§ 319.56–2 Restrictions on entry of fruits and vegetables.

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(b) *General permit for dried, cured, or processed fruits and vegetables.* * * *

(c) *General permit for fruits and vegetables grown in Canada.* * * *

(d) *General permit for fruits and vegetables grown in the British Virgin Islands.* * * *

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(e) Any other fruit or vegetable, except those restricted to certain countries and districts by special quarantine,¹ other orders, or provisions of the regulations in this subpart² may be imported from any country under a permit issued in accordance with this subpart and upon compliance with the regulations in this subpart, at the ports authorized in the permit, if the U.S. Department of Agriculture, after reviewing evidence presented to it, is satisfied that the fruit or vegetable either:

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(f) Before the Administrator may authorize importation of a fruit or vegetable under paragraphs (e)(3) or (4) of this section, he or she must determine that the fruit or vegetable is being imported from an area that is free of the pest or pests in accordance with the criteria for establishing freedom found in International Standard for Phytosanitary Measures Publication No. 4, “Requirements for the Establishment of Pest Free Areas.” The international standard was established by the

¹ The importation of citrus fruits into the United States from eastern and southeastern Asia and certain other areas is restricted by the Citrus Fruit Quarantine, § 319.28.

² Fruits and vegetables from designated countries or localities that are subject to specific import requirements prescribed elsewhere in this subpart are not subject to the regulations in paragraph (e) of this section unless specified otherwise. Such fruits and vegetables are, however, subject to all other general requirements contained in other sections of this subpart.

International Plant Protection Convention of the United Nations’ Food and Agriculture Organization and is incorporated by reference in § 300.5 of this chapter. APHIS must approve the survey protocol used to determine pest-free status, and pest-free areas are subject to audit by APHIS to verify their status. When used to authorize importation under paragraph (e)(3) of this section, the criteria must be applied to all quarantine pests that attack the fruit or vegetable; when used to authorize importation under paragraph (e)(4) of this section, the criteria must be applied to those particular quarantine pests from which the area or district is to be considered free.

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(h) The Administrator has determined that the following areas in Mexico meet the criteria of paragraphs (e) and (f) of this section with regard to the plant pests *Ceratitis capitata*, *Anastrepha ludens*, *A. serpentina*, *A. obliqua*, and *A. fraterculus*: Comondu, La Paz, Loreto, Los Cabos, and Mulegé in the State of Baja California Sur; the municipalities of Bachiniva, Casas Grandes, Cuahutemoc, Guerrero, Namiquipa, and Nuevo Casas Grandes in the State of Chihuahua; the municipalities of Ahome, Choix, El Fuerte, Guasave, and Sinaloa de Leyva in the State of Sinaloa; and the municipalities of Altar, Atil, Bacum, Benito Juárez, Caborca, Cajeme, Carbo, Empalme, Etchojoa, Guaymas, Hermosillo, Huatabampo, Navojoa, Pitiquito, Plutarco Elias Calles, Puerto Penasco, San Luis Rio Colorado, San Miguel, and San Ignacio Rio Muerto in the State of Sonora. Fruits and vegetables otherwise eligible for importation under this subpart may be imported from these areas without treatment for the pests named in this paragraph.

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(Approved by the Office of Management and Budget under control numbers 0579–0049 and 0579–0210)

§ 319.56–2b [Amended]

■ 10. In § 319.56–2b, paragraph (a)(1), the citation “§ 319.56–4” is removed and the citation “§ 319.56–3” is added in its place.

■ 11. Section 319.56–2d is amended as follows:

■ a. By redesignating footnote 1 as footnote 3.

■ b. By revising paragraph (b)(1) to read as set forth below.

§ 319.56–2d Administrative instructions for cold treatments of certain imported fruits.

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