

Rules and Regulations

Federal Register

Vol. 68, No. 205

Thursday, October 23, 2003

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DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

7 CFR Part 319

[Docket No. 98-062-3]

Update of Nursery Stock Regulations; Correction

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Final rule; correction.

SUMMARY: We are correcting an error in the rule portion of a final rule that amended the regulations for importing nursery stock to require additional certifications for imported niger seed and lilac, to reflect changes in plant taxonomy and pest distributions, and to make various changes to the requirements for postentry quarantine of imported plants. The final rule was published in the **Federal Register** on August 20, 2003, and was effective on September 19, 2003.

EFFECTIVE DATE: September 19, 2003.

FOR FURTHER INFORMATION CONTACT: Mr. William Thomas, Import Specialist, Phytosanitary Issues Management Team, PPQ, APHIS, 4700 River Road Unit 140, Riverdale, MD 20737-1236; (301) 734-5214.

SUPPLEMENTARY INFORMATION: On August 20, 2003, we published in the **Federal Register** (68 FR 50039-50048, Docket No. 98-062-2) a final rule that amended the regulations for importing nursery stock to require additional certifications for imported niger seed and lilac, to reflect changes in plant taxonomy and pest distributions, and to make various changes to the requirements for postentry quarantine of imported plants.

In the rule portion of the final rule, § 319.37-8, in paragraph (g), we provided an address in Riverdale, MD, to which requests for the guidelines

established by the International Plant Protection Convention of the United Nations' Food and Agriculture Organization for conducting pest risk assessments may be sent. The office that handles these requests has been transferred to another location, but we inadvertently did not update the address in the final rule. This document corrects that error.

In FR Doc. 03-21304, published on August 20, 2003 (68 FR 50039-50048), make the following correction: On page 50047, in the third column, in § 319.37-8(g), correct "Permits and Risk Assessment, Commodity Risk Analysis Branch, 4700 River Road Unit 133, Riverdale, MD 20737" to read "Center for Plant Health Science and Technology, Plant Epidemiology and Risk Assessment Laboratory, 1017 Main Campus Drive, Suite 2500, Raleigh, NC 27606".

Done in Washington, DC, this 17th day of October, 2003.

Kevin Shea,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 03-26784 Filed 10-22-03; 8:45 am]

BILLING CODE 3410-34-P

DEPARTMENT OF AGRICULTURE

Grain Inspection, Packers and Stockyards Administration

7 CFR Part 801

RIN 0580-AA57

Official Performance Requirements for Grain Inspection Equipment

AGENCY: Grain Inspection, Packers and Stockyards Administration, USDA.

ACTION: Direct final rule.

SUMMARY: The Grain Inspection, Packers and Stockyards Administration (GIPSA) is amending the regulations under the United States Grain Standards Act, as amended, entitled Official Performance Requirements for Grain Inspection Equipment by removing regulation on tolerance for dividers. This change is being made to simplify inspection regulations. The removed section has been determined to be unnecessary, since testing of dividers has been modified in current instructions and directives to eliminate testing with grain and to require only a visual condition examination of grain dividers.

DATES: This rule is effective December 22, 2003 without further action, unless adverse comments or written notice of intent to submit adverse comments are received by November 24, 2003. If adverse comments are received, GIPSA will publish a timely withdrawal of the rule in the **Federal Register**.

ADDRESSES: Comments or notice of intent must be sent to Tess Butler, USDA, GIPSA, Room 1647-S, STOP 3604, 1400 Independence Avenue, SW., Washington, DC 20250-3604, FAX (202) 690-2755. All comments received will be made available for public inspection at the above address during regular business hours (8 a.m.-3:30 p.m.) (7 CFR 1.27(b)).

FOR FURTHER INFORMATION CONTACT: John Giler, Chief, Policies and Procedures Branch at (202) 720-0252 or e-mail: John.C.Giler@usda.gov.

SUPPLEMENTARY INFORMATION: Each type (design) of grain divider receives a thorough laboratory test and evaluation, prior to approval. The type of divider must provide a statistically unbiased division of the sample into representative portions. Representative portions are sub-samples that contain the same percentage of various components as the sample from which they are taken. Also, for ease of use, each must meet criteria for accuracy and repeatability of portion weight delivered.

Testing of each individual divider on a periodic basis at field locations was intended to ensure that they function properly. After receiving recommendations from a task force on equipment testing requirements and from other experienced personnel, GIPSA determined that field testing dividers with grain samples to evaluate the weight of grain delivered to each collection pan is unnecessary. It was determined that the test was actually a user adjustment that was more appropriately performed as a maintenance function, on an as needed basis.

Because of the prior laboratory approval testing, testing of dividers was modified in instructions and directives to eliminate testing with grain and to require only a visual condition examination of grain dividers. This practice is in accord with the visual examination required of similar kinds of equipment used for sampling grain.