

In addition, although the flower of banana (*Musa* spp.) and the inflorescence of cucurbits (*Cucurbitaceae*) are currently listed in § 319.56–2t as admissible plant parts from Mexico, the fruit of banana and the flower and fruit of cucurbits have been admissible as well under permit. Therefore, we propose to amend the existing entries for bananas and cucurbits from Mexico so that all admissible plant parts of those commodities are listed in § 319.56–2t.

While a few quarantine pests have been detected on these particular fruits and vegetables during inspection at the ports, they have been eliminated from the fruit or vegetable by treatment or other procedures. Therefore, we believe that these fruits and vegetables, or plant parts, should be listed in § 319.56–2t so that the regulations specifically indicate that these commodities may be imported from Mexico. In accordance with § 319.56–6, these fruits and vegetables would continue to be inspected at the port of first arrival and, if required by an inspector, disinfected at the port of first arrival.

Coconut Fruit With Milk and Husk From Mexico

In 1989, we prepared a decision sheet in response to Mexico's request to export coconut fruit with milk and husk to the United States. Because we identified two quarantine pests of concern (the red ring nematode [*Rhadinaphelenchus cocophylus*] and lethal yellowing disease), we denied the request.

Since that time, however, we have determined that the risk associated with red ring nematode is low. In 1992, we amended 7 CFR 319.37–5(g) to allow seed coconuts to be imported into the United States from Costa Rica, where the red ring nematode is also known to occur, since the risk associated with introducing red ring nematode in seed coconuts was determined to be low. Prior to that amendment, the importation of seed coconut was allowed only from Jamaica, where the red ring nematode is not known to occur. Given that the risk associated with the red ring nematode is the same for seed coconuts and coconuts with milk and husk, and that seed coconut from Costa Rica has been successfully imported into the United States for over a decade, we have reconsidered Mexico's request and propose to allow coconut fruit with milk and husk to be imported into the United States from Mexico if inspected at the port of first arrival in accordance with § 319.56–6. Because the risk associated with the red ring nematode is low, we believe that

inspection at the port of first arrival is sufficient to mitigate the risk.

To mitigate the risk associated with lethal yellowing disease, we propose to allow coconut fruit with milk and husk to be imported into the United States from Mexico under conditions similar to the existing conditions for the importation of seed coconuts from Costa Rica and Jamaica. Seed coconuts imported into the United States from Costa Rica or Jamaica must be of either the Malayan dwarf variety or the Maypan variety, which are resistant to lethal yellowing disease. The seed coconuts must be accompanied by a phytosanitary certificate which declares that the coconuts are either the Malayan dwarf variety or the Maypan variety.

Therefore, we are proposing to require that the coconut fruit with milk and husk be accompanied by a phytosanitary certificate issued by the national plant protection organization (NPPO) of Mexico with an additional declaration stating that the fruit is of the Malayan dwarf variety or Maypan variety (=F₁ hybrid, Malayan Dwarf × Panama Tall), based on verification of the parent stock. Inspection at the port of entry would further mitigate the risk associated with lethal yellowing disease. We believe that these proposed conditions are adequate to prevent the introduction of the quarantine pests of concern. Therefore, we propose to list coconut fruit with milk and husk from Mexico in § 319.56–2t.

Pitaya From Mexico

Based on a pest risk assessment conducted for pitaya from Mexico that identified the pests of concern as the Mediterranean fruit fly (Medfly, *Ceratitis capitata*), fruit flies of the genus *Anastrepha*, gray pineapple mealybug (*Dymicoccus neobrevipes*), and passionvine mealybug (*Planococcus minor*), we propose to allow the entry of pitaya from Mexico only under certain conditions.

In addition to requiring that pitaya from Mexico be subject to inspection and disinfection at the port of entry, we would require that the pitaya be grown in an area that has been recognized as a fruit fly-free area. The regulations in § 319.56–2(h) list the municipalities in Mexico that APHIS has determined meet the criteria of § 319.56–2(e) and (f) with regard to freedom from the Medfly and fruit flies of the genus *Anastrepha*.

The fruit would have to be accompanied by a phytosanitary certificate issued by Mexico's NPPO declaring that the fruit originated in an area designated in § 319.56–2(h) as free from pests and, upon inspection, was

found free of *D. neobrevipes* and *P. minor*. These additional conditions would be necessary to assure us that the product originated in a fruit fly-free area and was inspected and found free of the specified mealybugs.

Because the pest risk assessment was limited to the continental United States, we would require pitaya from Mexico to be shipped in boxes labeled "Not for importation or distribution in HI, PR, VI, or Guam."

We believe that these proposed conditions are adequate to prevent the introduction of the quarantine pests of concern. Therefore, we propose to list pitaya from Mexico in § 319.56–2t.

Other Amendments to § 319.56–2t

In many cases, the entries for specific fruits and vegetables in the table in § 319.56–2t include additional conditions, such as restrictions on the distribution of the fruit or vegetable or a requirement that the fruit or vegetable originate in a pest-free area and be so certified on a phytosanitary certificate. We propose to remove those additional conditions from the table and place them in a new paragraph (b) in § 319.56–2t. In the table, the entries in which the additional conditions had appeared would instead include a reference to the paragraph or paragraphs in the new paragraph (b) where the applicable conditions would appear. We believe this reorganization of the information contained in the table would make the table easier to read and use and would eliminate the need to repeat the same conditions multiple times when those conditions apply to more than one fruit or vegetable.

In order to minimize the number of restrictions in the proposed new paragraph (b), we would state certain requirements more generally. For instance, rather than stating that a phytosanitary certificate must be issued by the NPPO of a specific country, we would state that the phytosanitary certificate must be issued by the NPPO of the country of origin. Because the term "country of origin" is not defined in the regulations, we propose to add a definition of the term "country of origin" in § 319.56–1. The term "country of origin" would be defined as "Country where the plants from which the plant products are derived were grown," which is consistent with the definition provided in the standards of the International Plant Protection Convention of the United Nations' Food and Agriculture Organization.

The entries for some of the fruits and vegetables in the current regulations specify that the commodity may not be imported into or distributed within