

entry of the specified quarantine pests in shipments of watermelon, squash, cucumber, and oriental melon imported from the Republic of Korea into the United States:

Condition	Quarantine pest to which it applies
The watermelon, squash, cucumber, and oriental melon must be grown in pest-proof greenhouses registered with the Republic of Korea's NPPO.	<i>B. depressa</i> , <i>D. indica</i> , <i>O. furnacalis</i> .
The NPPO must inspect and regularly monitor greenhouses for plant pests. The NPPO must inspect greenhouses and plants, including fruit, at intervals of no more than 2 weeks, from the time of fruit set until the end of harvest.	<i>B. depressa</i> , <i>D. indica</i> , <i>O. furnacalis</i> , cucumber green mottle mosaic virus.
The NPPO must set and maintain fruit fly traps in greenhouses from October 1 to April 30. The number of traps must be set as follows: Two traps for greenhouses smaller than 0.2 hectare in size; three traps for greenhouses 0.2 to 0.5 hectare; four traps for greenhouses over 0.5 hectare and up to 1.0 hectare; and for greenhouses greater than 1 hectare, traps must be placed at a rate of four traps per hectare.	<i>B. depressa</i> .
The NPPO must check all traps once every 2 weeks. If a single pumpkin fruit fly is captured, that greenhouse will lose its registration until trapping shows that the infestation has been eradicated.	<i>B. depressa</i> .
The fruit may be shipped only from December 1 through April 30	<i>B. depressa</i> .
Each shipment must be accompanied by a phytosanitary certificate issued by NPPO, with the following additional declaration: "The regulated articles in this shipment were grown in registered greenhouses as specified by 7 CFR 319.56-2aa".	<i>B. depressa</i> , <i>D. indica</i> , <i>O. furnacalis</i> , cucumber green mottle mosaic virus.
Each shipment must be protected from pest infestation from harvest until export. Newly harvested fruits must be covered with insect-proof mesh or a plastic tarpaulin while moving to the packinghouse and awaiting packing. Fruit must be packed within 24 hours of harvesting, in an enclosed container or vehicle or in insect-proof cartons or cartons covered with insect-proof mesh or plastic tarpaulin, and then placed in containers for shipment. These safeguards must be intact when the shipment arrives at the port in the United States.	<i>B. depressa</i> , <i>D. indica</i> , <i>O. furnacalis</i> .

Grapes from the Republic of Korea

We propose to allow the importation of grapes (*Vitis* spp.) into the United States from the Republic of Korea under certain conditions that would be set forth in a new § 319.56-2ll. The quarantine pests of concern for grapes grown in the Republic of Korea that were rated "high" in the pest risk assessment are the yellow peach moth (*Conogethes punctiferalis*), grapevine moth (*Eupoecilia ambiguella*), leaf-rolling torix (*Sparganothis pilleriana*), apple heliodinid (*Stathmopoda auriferella*), and the plant pathogenic fungus *Monilinia fructigena*. Another quarantine pest of concern is the moth *Nippoptilia vitis*, which was rated "medium" in the pest risk assessment. We propose the following phytosanitary measures to guard against the entry of quarantine pests in shipments of grapes imported from the Republic of Korea into the United States:

(1) The fields where the grapes are grown must be inspected during the growing season by the NPPO. The NPPO must inspect 250 grapevines per hectare, inspecting leaves, stems, and fruit of the vines.

(2) If evidence of *C. punctiferalis*, *E. ambiguella*, *S. pilleriana*, *S. auriferella*, or *M. fructigena* is detected during inspection, the field will immediately be rejected, and exports from that field will be canceled until visual inspection

of the vines shows that the infestation has been eradicated.

(3) Fruit must be bagged from the time the fruit sets until harvest.

(4) Each shipment must be inspected by NPPO before export. For each shipment, NPPO must issue a phytosanitary certificate with an additional declaration stating that the fruit in the shipment was found free from *C. punctiferalis*, *E. ambiguella*, *S. pilleriana*, *S. auriferella*, *M. fructigena*, and *N. vitis*.

We believe that these proposed growing, inspection, and shipping requirements would be adequate to prevent the introduction of quarantine pests into the United States with grapes imported from the Republic of Korea.

Executive Order 12866 and Regulatory Flexibility Act

This proposed rule has been reviewed under Executive Order 12866. The rule has been determined to be not significant for the purposes of Executive Order 12866 and, therefore, has not been reviewed by the Office of Management and Budget.

In accordance with 5 U.S.C. 603, we have performed an initial regulatory flexibility analysis, which is set out below, regarding the economic effects of this proposed rule on small entities. Based on the information we have, there is no reason to conclude that adoption of this proposed rule would result in

any significant economic effect on a substantial number of small entities. However, we do not currently have all of the data necessary for a comprehensive analysis of the effects of this proposed rule on small entities. Therefore, we are inviting comments on potential effects. In particular, we are interested in determining the number and kind of small entities that may incur benefits or costs from the implementation of this proposed rule.

Under the Plant Protection Act (7 U.S.C. 7701-7772), the Secretary of Agriculture is authorized to regulate the importation of plants, plant products, and other articles to prevent the introduction of plant pests into the United States or the dissemination of plant pests within the United States.

We propose to amend the fruits and vegetables regulations to list a number of fruits and vegetables from certain parts of the world as eligible, under specified conditions, for importation into the United States. All of the fruits and vegetables, as a condition of entry, would be inspected and subject to such disinfection at the port of first arrival as may be required by an inspector. In addition, some of the fruits and vegetables would be required to meet other special conditions. We also propose to recognize areas in Peru as free from the South American cucurbit fly. These actions would provide the United States with additional kinds and