

# Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

#### 7 CFR Part 319

[Docket No. 05-003-2]

#### Importation of Peppers From Certain Central American Countries; Correction

**AGENCY:** Animal and Plant Health Inspection Service, USDA.

**ACTION:** Proposed rule; correction

**SUMMARY:** We are correcting two errors in a proposed rule that would amend the fruits and vegetables regulations to allow certain types of peppers grown in approved registered production sites in Costa Rica, El Salvador, Guatemala, Honduras, and Nicaragua to be imported into the United States without treatment. The proposed rule was published in the **Federal Register** on October 12, 2005 (70 FR 59283-59290, Docket No. 05-003-1).

**FOR FURTHER INFORMATION CONTACT:** Ms. Donna L. West, Senior Import Specialist, Commodity Import Analysis and Operations, PPQ, APHIS, 4700 River Road Unit 133, Riverdale, MD 20737-1228; (301) 734-8758.

**SUPPLEMENTARY INFORMATION:** On October 12, 2005, we published in the **Federal Register** (70 FR 59283-59290, Docket No. 05-003-1) a proposed rule that would amend the fruits and vegetables regulations in 7 CFR part 319 to allow certain types of peppers grown in approved registered production sites in Costa Rica, El Salvador, Guatemala, Honduras, and Nicaragua to be imported into the United States without treatment.

In the **SUPPLEMENTARY INFORMATION** section of the proposed rule, we stated that Guatemala and Honduras contained areas that had been determined to be free of the Mediterranean fruit fly (Medfly) in accordance with § 319.56-2(f). This information was incorrect. The Department of Peten in Guatemala is

currently the only Medfly-free area in the five Central American countries covered by the proposed rule.

Also in the supplementary information of the proposed rule, under the heading "Paperwork Reduction Act," we stated that the estimated total annual burden on respondents was 2,299 hours. This number was incorrect. It should have read 2,999 hours. This document corrects these errors.

#### Correction

In FR Doc. 05-20388, published on October 12, 2005 70 FR 59283-59290, make the following corrections: On page 59285, second column, fourth paragraph, in the second sentence, correct "Honduras and Guatemala are the only Central American countries covered by this proposal that contain such areas." to read "Guatemala is the only Central American country covered by this proposal that contains such areas." On page 59288, second column, eighth paragraph, in the first sentence, correct "2,299" to read "2,999".

Done in Washington, DC, this 1st day of November 2005.

**Elizabeth E. Gaston,**

*Acting Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 05-22176 Filed 11-4-05; 8:45 am]

**BILLING CODE 3410-34-P**

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

#### 7 CFR Part 930

[Docket No. FV05-930-1 PR]

#### Tart Cherries Grown in the States of Michigan, et al.; Final Free and Restricted Percentages for the 2005-2006 Crop Year for Tart Cherries

**AGENCY:** Agricultural Marketing Service, USDA.

**ACTION:** Proposed rule.

**SUMMARY:** This rule invites comments on the establishment of final free and restricted percentages for the 2005-2006 crop year. The percentages are 58 percent free and 42 percent restricted and will establish the proportion of cherries from the 2005 crop which may be handled in commercial outlets. The percentages are intended to stabilize supplies and prices, and strengthen market conditions. The percentages

were recommended by the Cherry Industry Administrative Board (Board), the body that locally administers the marketing order. The marketing order regulates the handling of tart cherries grown in the States of Michigan, New York, Pennsylvania, Oregon, Utah, Washington, and Wisconsin.

**DATES:** Comments must be received by December 7, 2005.

**ADDRESSES:** Interested persons are invited to submit written comments concerning this rule. Comments must be sent to the Docket Clerk, Marketing Order Administration Branch, Fruit and Vegetable Programs, AMS, USDA, 1400 Independence Avenue, SW., Stop 0237, Washington, DC 20250-0237; Fax: (202) 720-5698, or e-mail:

[moabdocket.clerk@usda.gov](mailto:moabdocket.clerk@usda.gov). Comments should reference the docket number and the date and page number of this issue of the **Federal Register** and will be available for public inspection in the Office of the Docket Clerk during regular business hours or can be viewed at: <http://www.ams.usda.gov/fv/moab.html>.

#### FOR FURTHER INFORMATION CONTACT:

Patricia A. Petrella or Kenneth G. Johnson, Marketing Order Administration Branch, Fruit and Vegetable Programs, AMS, USDA, Unit 155, 4700 River Road, Riverdale, MD 20737; Telephone: (301) 734-5243, or Fax: (301) 734-5275; or George Kelhart, Technical Advisor, Marketing Order Administration Branch, Fruit and Vegetable Programs, AMS, USDA, 1400 Independence Avenue, SW., STOP 0237, Washington, DC 20250-0237; Telephone: (202) 720-2491, or Fax: (202) 720-8938. Small businesses may request information on complying with this regulation, or obtain a guide on complying with fruit, vegetable, and specialty crop marketing agreements and orders by contacting Jay Guerber, Marketing Order Administration Branch, Fruit and Vegetable Programs, AMS, USDA, 1400 Independence Avenue, SW., STOP 0237, Washington, DC 20250-0237; Telephone: (202) 720-2491, Fax: (202) 720-8938, or e-mail: [Jay.Guerber@usda.gov](mailto:Jay.Guerber@usda.gov).

**SUPPLEMENTARY INFORMATION:** This proposed rule is issued under Marketing Agreement and Order No. 930 (7 CFR part 930), regulating the handling of tart cherries produced in the States of Michigan, New York, Pennsylvania, Oregon, Utah, Washington, and