

WORLD TRADE ORGANIZATION

G/SPS/N/USA/1307/Add.2
8 August 2007

(07-3358)

Committee on Sanitary and Phytosanitary Measures

Original: English

NOTIFICATION

Addendum

The following communication, received on 2 August 2007, is being circulated at the request of the Delegation of United States.

Final rule: Revision of Fruits and Vegetables Import Regulations

APHIS is revising and reorganizing the regulations pertaining to the importation of fruits and vegetables to consolidate requirements of general applicability and eliminate redundant requirements, update terms and remove outdated requirements and references, update the regulations that apply to importations into territories under U.S. administration, and make various editorial and nonsubstantive changes to regulations to make them easier to use. APHIS is also making substantive changes to the regulations, including: establishing criteria that, if met, will allow APHIS to approve certain new fruits and vegetables for importation into the United States and to acknowledge pest-free areas in foreign countries more effectively and expeditiously and doing away with the practice of listing in the regulations specific commodities that may be imported subject to certain types of phytosanitary measures. These changes are intended to simplify and expedite APHIS processes for approving certain new imports and pest-free areas while continuing to allow for full public participation in the processes. This rule revises the structure of the fruits and vegetables import regulations and establishes a new process for approving certain new commodities for importation into the United States. It does not, however, allow the importation of any specific new fruits or vegetables, nor does it alter the conditions for importing currently approved fruits or vegetables except as specifically described in this document. To the extent that APHIS's trading partners consider the length of time it takes to conduct the rulemaking process a trade barrier, these changes may facilitate the export of US agricultural commodities by reducing that time for fruits and vegetables that meet this rule's criteria. The changes do not alter the manner in which the risk associated with a commodity import request is evaluated, nor do they alter the manner in which those risks are ultimately mitigated.

This regulation is effective 17 August 2007.

The full text of this addendum (final rule) can be found at the address below.

Federal Register: 18 July 2007 (Volume 72, Number 137, Pages 39482-39528
(available in English))

Available at Federal Register on-line via GPO Access website:
<http://www.gpoaccess.gov/fr/index.html>
Enter page 39482 under "Quick Search" and link to relevant document.

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In the Federal Register of 27 April 2006 (71 FR 25010-25057, Docket No. APHIS-2005-0106), APHIS solicited comments on the proposal for 60 days ending on July 26, 2006. On August 1, 2006, APHIS published a document in the Federal Register (71 FR 43385, Docket No. APHIS-2005-0106) reopening the comment period for our proposed rule until 25 August 2006. APHIS received 49 comments by the close of the extended comment period.

APHIS has changed the proposed rule. They have: established a notice-based approach for pest-free areas, added "commercial consignments only" as one of the measures eligible for the notice-based approach, removed proposed requirements that would have provided for the issuance of special use permits, and made several other nonsubstantive editorial and technical changes to the proposed rule.

United States SPS National Notification Authority, USDA Foreign Agricultural Service, International Regulations and Standards Division (IRSD), Stop 1027, Washington D.C. 20250; Tel: +(1 202) 720-1301; Fax: +(1 202) 690-0677; E-mail: us.spsenquiry@fas.usda.gov
