pests no doubt exist, and could be associated with some of the articles proposed for importation, the growing requirements and safeguards are deliberately broad. The safeguards address fundamental modes of pest access to hosts and survivability of pests on hosts. The safeguards that control known pests should also be widely effective in controlling unknown pests, and pests that are not known to be associated with the particular articles covered by the regulations.

Several commenters stated that the plant industry has a right to expect that the United States government will obtain sufficient information on potential problems and establish adequate safeguards before allowing entry of foreign plant material. They stated that it is not acceptable to remove existing safeguards in order to facilitate trade simply because "no information is available" in the database searches employed by APHIS. These commenters felt that whenever there are risks associated with importing a plant article, importation should be prohibited in accordance with the Plant Quarantine Act, unless definitive scientific evidence exists that the article may be safely imported under safeguards.

Response: The Plant Quarantine Act does not prohibit the importation of any plants. However, it authorizes the Secretary of Agriculture to determine that it is necessary to forbid the importation of plants in order to prevent the introduction of plant diseases and injurious insects from infested countries.

Many years ago, a general prohibition was promulgated against the importation of plants in growing media, with certain exceptions. It appears this prohibition was based on the idea that growing media in general may contain many kinds of plant pests, and that elimination of those pests by inspection or treatment was not feasible.

The exceptions were made because APHIS found that certain plants in growing media could be safely imported into the United States. The exceptions that existed before 1980 included, for example, plants from most of Canada, and orchid plants on fern bark slabs. These exceptions were made using the best information available to APHIS, and we have no information that the plants present any significant risk of introducing exotic plant pests. In 1980, we added five kinds of plants in growing media that could be imported, provided that strict quarantine conditions were observed. The plants were requested by various European countries and some U.S. importers. The

proposal to allow importation of these plants in growing media was based on the best information available to us at that time, which indicated the plants could be safely imported. The validity of allowing these plants in media to be imported is supported by the fact that many such plants have been imported without any evidence of introducing exotic plant pests.

Now we have proposed to add five new kinds of plants established in growing media. This final rule allows importation of four of the proposed genera. Again, we have used the best information available, which includes nearly 20 years of experience with potted plants from The Netherlands to determine that the genera of plants may be imported without significant pest risk, if the proposed conditions are observed.

Several commenters stated that since many fungi and other pests are not well known, it is impossible to determine when a new strain of a pest is being introduced with a newly allowed host. These commenters opposed increasing the variety of plants imported in growing media for this reason.

Response: The commenters should note that the plants we are allowing to be imported may already be imported bare-rooted, and therefore do not represent new types of host material. Certainly, allowing the host material to be imported associated with growing media presents some risks not presented by bare-rooted plants. However, the risk analyses acknowledged the existence of unknown fungi and other pests, and evaluated the likely scope of the risk they present by using risks of known fungi and other pests as benchmarks.

Several commenters suggested that the pest risk analysis was weak because the outside scientists who assisted in studying the risks were not in a position to review recommended safeguards and analyze their efficacy.

Response: We deliberately asked the researchers to evaluate the pest risks without regard to particular potential inspections, treatments, or other safeguards that might be imposed by APHIS. We did this to obtain an unbiased baseline of pest risk potential, and because we were employing the researchers to evaluate pest risks, not the efficacy of a variety of treatments and safeguards. The selection of particular treatment or safeguard requirements is a regulatory decision, not a scientific one.

Several commenters felt that the proposed rule shows that APHIS apparently ignored the findings of its own scientists and team of outside experts, who in the Kahn report identified major risks for importation of *Rhododendron* and significant risks for other genera.

Response: The Kahn report identified risks, but did not address whether some feasible combination of safeguards could control those risks. APHIS has extensive program operations experience and methods development data that document which safeguards can be used to control particular types of risks. APHIS evaluated the risks identified in the Kahn report and concluded that import requirements and safeguards of proven effectiveness could be employed to reduce those risks to a safe level.

The statement that APHIS ignored the results of its own scientists is misleading. There were two groups. One group was charged with pest risk analysis to determine the potential risk of each organisms assuming the only safeguard in place was inspection of a sample at a port of entry. The reason for this specification was to allow outside scientists to make biological assessments without being encumbered with quarantine procedures. The thrust was toward determining the potential risk based on life cycles-a biological assessment where the true or projected risk may be determined.

Under those circumstances, it is not surprising that based on the life cycles of the most important exotic pests, that the recommendation was to prohibit *Rhododendron.* The scientist believed that inspection at a port of entry, as a sole safeguard, is not an adequate safeguard to prevent the entry of *Rhododendron* pests.

However, the commenter did not consider the actions of the second group, which was charged with risk management. The second group considered all the hazardous and high risk plant pests listed by the scientists in the first group and set up a system of independent safeguards listed in the proposed rule. The whole proposed rule is equal to the sum of its parts—risk assessment and risk management.

Other Pest Risk Analysis Methodology Concerns

Commenters made the following suggestions: Pest risk analyses done by APHIS should consider fewer plants at a time. APHIS should expand the coverage of the analyses to ensure including the pests that pose the greatest risk. APHIS should add an additional criterion to its risk assessment standards to measure quality, depth, and coverage of available information on a given genus.

Response: We conducted a pest risk analysis for each of five genera of plants.