

of this rule in the **Federal Register**. After the comment period closes, we will publish another document in the **Federal Register**. It will include a discussion of any comments we receive and any amendments we are making to the rule as a result of the comments.

#### **Executive Order 12866 and Regulatory Flexibility Act**

This rule has been reviewed under Executive Order 12866. For this action, the Office of Management and Budget has waived its review process required by Executive Order 12866.

Witchweed (*Striga* spp.) is a parasitic plant that feeds off the roots of its host, causing degeneration of corn, sorghum, and other grassy crops. Witchweed is found only in the United States, in parts of North Carolina and South Carolina.

The witchweed regulations quarantine the States of North Carolina and South Carolina and restrict the interstate movement of certain witchweed hosts in the quarantined States for the purpose of preventing the spread of witchweed into noninfested areas of the United States. We are amending the regulations by adding and removing regulated areas in North Carolina and South Carolina.

This interim rule affects the interstate movement of regulated articles from specified areas in North Carolina and South Carolina. We have determined that approximately 280,900 small entities move regulated articles interstate from North Carolina and South Carolina. This rule affects only 51 of these entities, however, by removing 41 entities from regulation and by adding 10 new entities to the list of suppressive areas.

We have determined that the 41 deregulated entities will each realize an annual savings of \$60 to \$70 in regulatory and control costs. We estimate that the rule will cost each of the 10 newly-regulated entities about \$60 annually.

In the instances where this interim rule removes specified areas from the list of suppressive areas, this rule will enable freer movement of goods and services across State lines. Consumers will benefit from lower prices and better access to products from the list of suppressive areas that we removed. Overall, we expect that this rule will enhance the ability of small entities to market products interstate.

Under these circumstances, the Administrator of the Animal and Plant Health Inspection Service has determined that this action will not have a significant economic impact on a substantial number of small entities.

#### **Executive Order 12372**

This program/activity is listed in the Catalog of Federal Domestic Assistance under No. 10.025 and is subject to Executive Order 12372, which requires intergovernmental consultation with State and local officials. (See 7 CFR part 3015, subpart V.)

#### **Executive Order 12778**

This rule has been reviewed under Executive Order 12778, Civil Justice Reform. This rule: (1) Preempts all State and local laws and regulations that are inconsistent with this rule; (2) has no retroactive effect; and (3) does not require administrative proceedings before parties may file suit in court challenging this rule.

#### **Paperwork Reduction Act**

This document contains no information collection or recordkeeping requirements under the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*).

#### **List of Subjects in 7 CFR Part 301**

Agricultural commodities, Plant diseases and pests, Quarantine, Reporting and recordkeeping requirements, Transportation.

Accordingly, 7 CFR part 301 is amended as follows:

#### **PART 301—DOMESTIC QUARANTINE NOTICES**

1. The authority citation for part 301 continues to read as follows:

**Authority:** 7 U.S.C. 150bb, 150dd, 150ee, 150ff, 161, 162, and 164–167; 7 CFR 2.17, 2.51, and 371.2(c).

##### **§ 301.80–2a [Amended]**

2. In § 301.80–2a, the list of suppressive areas is amended by removing the following areas in Cumberland, Duplin, Greene, Harnett, Pender, and Wayne Counties, North Carolina.

a. In Cumberland County, North Carolina, The Elliott, W.H., farm; The Gerald, Rufus, farm; The Jackson, J.T., farm; The Lockamy, Earl, farm; The McLaurin, Greg, farm; The McMillan, Vander, farm; The Melvin, Edith, farm; The Pruitt, K.D., farm; The Roberts, Christine Dawson, farm; The Smith, Larry Don, farm; and The Vann, W.E., farm.

b. In Duplin County, North Carolina, The Hamilton, John, farm.

c. In Greene County, North Carolina, The Carmon, James E., farm; The Edwards, Joe E., farm; The Nethercutt, Lawrence, farm; and The Wilson, Sudie, farm.

d. Harnett County, North Carolina, the entire county.

e. In Pender County, North Carolina, The Flynn, B.S., farm; The Henry, Mary E., farm; The Malloy, Pete, No. 1 farm; The Malloy, Pete, No. 2 farm; The Marshall, Milvin, farm; The Salomon, Gwendolyn S., farm; The Taylor, Bill, farm.

f. In Wayne County, North Carolina, The Sasser, Rosa, farm.

3. In § 301.80–2a, the list of suppressive areas is amended by removing the following areas in Berkeley and Dillon Counties, South Carolina.

a. Berkeley County, South Carolina, the entire county.

b. In Dillon County, South Carolina, The Church, Emerson, farm; The Elvington, James C., farm; The Fore, Ernest, farm; The Fore, John, farm; and The Smith, A.C., farm.

4. In § 301.80–2a, the list of suppressive areas in Horry County, South Carolina, is amended as follows:

a. By revising the second undesignated paragraph of the current description of Horry County, South Carolina, to read as set forth below.

b. By removing the following areas: The Cox, Velma, farm; The Holmes, Marie T., farm; The Inman, Rosetta, farm; The Royals, Lathan, farm; The Stevens, Cora G., farm; The Thomas, James D., farm; The Todd, Mack, farm; and The Vaughn, Ruth, farm.

#### **§ 301.80–2a Regulated areas; generally infested and suppressive areas.**

\* \* \* \* \*

#### **SOUTH CAROLINA**

(1) \* \* \*

(2) *Suppressive areas.*

\* \* \* \* \*

*Horry County.*

\* \* \* \* \*

That area bounded by a line beginning at the junction of U.S. Highway 19, State Primary Highway 91, and State Primary Highway 90, then east along highway 90 to its junction with State Secondary Highway 1029, then south along highway 1029 to its junction with a dirt road known as the Telephone Road, then extending northwest along a line to the beginning of the south branch of Jones Big Swamp, then northerly along Jones Big Swamp to its junction with State Primary Highway 90, then east along highway 90 to the south branch of Mills Swamp.

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5. In § 301.80–2a, the list of suppressive areas is amended as follows:

a. By adding, in alphabetical order, areas in Greene, Pender, Pitt, Sampson, and Wayne Counties, North Carolina,