Although the lists are different, we believe that the safeguards are sufficient to exclude the pests that could ordinarily move with the fruit.

Comment: The pest risk assessment for Ya pears from China indicates that *Alternaria alternata,* brown rot, and pear scab are present in China and could be introduced into the United States through the importation of Ya pears. Therefore, APHIS should not allow the importation of Ya pears from China until a detailed plan to prevent the introduction and dissemination of these diseases has been developed and reviewed.

Response: Alternaria alternata is considered a cosmopolitan organism and is widespread within the United States. As such, it falls outside of the scope of the regulatory authority of APHIS. Alternaria gaisen, considered by some mycologists to be part of the Alternaria alternata species complex, does infect sandpear fruits; however, bagging of the fruits, which will be required for Ya pears imported into the United States from China, prevents infection. In addition, studies in Japan and the United States have shown that the fungus only sporulates in cracked fruits; therefore, we expect it to sporulate only in cracked fruits in China also. Cracked fruits are clearly visible and will be excluded from shipping during packing house operations.

Brown rot and pear scab are reported in China. The bagging of the fruits prevents infection, and the culling and inspections of the fruit in the packing house will exclude from shipping fruits that show signs of rot or scabbing.

Grapes From India

We received one comment concerning the pest risk assessment for grapes from India. In addition, since the publication of the proposed rule, new information has become available that indicates that grapes from India are attacked by a fruit fly, Bactrocera correcta, which is not found in the United States. At present, there is no acceptable quarantine treatment for this fruit fly. Therefore, we are taking no action at this time to allow grapes from India to be imported into the United States, and the provisions found in the proposed rule concerning grapes from India are not included in this final rule.

Litchi From Peoples Republic of China

Comment: The litchi proposed for importation into the United States from China presents a risk of introducing *Peronophythora litchii*, which is difficult to detect visually and would present a pest risk to the domestic tomato industry. APHIS should review this pest risk more thoroughly before allowing the importation of litchi. Also, there are no cold treatment facilities on the west coast of the United States authorized to perform the cold treatment designated in the proposed rule for litchi. Where will APHIS require that the cold treatment be performed? Will irradiation be allowed?

Response: Peronophythora litchii causes a white cottony mold to appear on infected fruit. As this mold is quite evident, inspectors can easily identify infected fruit and exclude them from shipping during the packing process. Although this fungus has caused serious losses in Taiwan and China during favorable years for the disease, no field infections on other crops have been reported.

We anticipate that litchi from China and from India will undergo cold treatment en route to the United States aboard ships with cold treatment facilities approved by APHIS. APHIS continues to encourage the development of alternative treatments and will consider irradiation treatment for litchi when procedures and schedules are presented for study.

Lettuce From Israel

Comment: APHIS has not indicated how it will ensure that all of the provisions included in the proposal concerning the importation of lettuce from Israel into the United States are carried out. Also, in the event that the proposed procedures are not followed, APHIS has not indicated the level of resources necessary and available to inspect the product for pests prior to importation into the United States.

Response: The Israeli Ministry of Agriculture will certify on a phytosanitary certificate that the specified conditions have been met. Inspection at the port of entry will also serve to determine whether the conditions were carried out. If pests are found, actions will be taken on the affected shipment, and additional actions can be taken to correct, adjust, or modify the safeguards used to prevent pest infestation.

Many variables can affect the level of resources APHIS can apply to any given program at any given time. APHIS intends to allocate the number of staff hours necessary to inspect Israeli lettuce to provide the level of inspection and enforcement required to protect U.S. agriculture. Apricots, Peaches, Plums, and Nectarines from Zimbabwe

Comment: The proposed conditions for the importation of fruit from Zimbabwe do not adequately address the risk presented by pathogens reported to occur on peaches and nectarines in Zimbabwe. Additionally, there is a risk that *Taphrina mume* could be introduced into the United States on fruit imported from Zimbabwe.

Response: No quarantine-significant pathogens that would move with the fruits from Zimbabwe were identified in the pest risk assessment. *Taphrina mume* has not been reported to occur in Zimbabwe or to infect peaches or nectarines.

Root Crops

Comment: Because low-level nematode infestation cannot be readily detected by visual inspection, APHIS should more adequately address the potential for nematode introduction presented by imported root crops that could be planted or otherwise propagated.

Response: We have long recognized that some products imported for consumption are capable of being propagated and that occasionally individuals, out of curiosity, may plant them. While we do not believe that the extent of this practice makes it a significant pest risk, we have in the past explored three ways of preventing this practice: (a) prohibit the importation of all commodities that could potentially be propagated, (b) treat all commodities capable of propagation with sprout inhibitor, or (c) devitalize the products prior to export. We believe that the first option, prohibition, should be applied only to products that pose pest risks that cannot be mitigated in other ways. We have experimented with the second option, using sprout inhibitors, but they do not offer sufficient quarantine security for high-risk products and are not registered for most products. The third option, devitalization, in most cases renders a product unacceptable for the fresh fruit and vegetable market.

Countries are becoming more and more sophisticated in their production and phytosanitary practices; therefore, the quality of fruits and vegetables in general is increasing. Products are graded and inspected during packing and prior to export, and the products are inspected again upon arrival in the United States. All of this reduces the likelihood of a pest entering the United States. If a person chooses to try to propagate a commodity that has been imported into the United States, that person would likely choose the healthiest-looking material, thus further reducing the probability that a plant pest would be spread. We believe this limited degree of risk is insignificant.