

**Plan de Trabajo
para el programa
de Certificación
de las
Exportaciones de
Capsicum spp a
los Estados
Unidos**

**Work Plan for the
Capsicum spp
Export
Certification
program to the
United States**

Tabla de Contenidos

Tabla de Contenidos 1

Plan de Trabajo para el programa de
Certificación de las Exportaciones de *Capsicum*
spp a los Estados Unidos 2

1. Productos incluidos en el programa 3
2. Certificado Fitosanitario de Exportación 3
3. Organizaciones Participantes 3
4. Acuerdos 3
5. Responsabilidades de los participantes 4
6. Políticas y regulaciones de APHIS 7
7. Certificación Fitosanitaria para
Exportación 9
8. Sitios de producción en invernaderos 9
9. Planta empacadora 9
10. Procedimientos para la cosecha 11
11. Programa de Trampeo 12
12. Procedimientos de Inspección 13
13. Acciones Correctivas 15
14. Revisión y Evaluación del Programa 16
15. Anexos 18

Table of Contents

Table of Contents 1

Work Plan for the *Capsicum spp* Export
Certification program to the United States 2

1. Products included in the program 3
2. Phytosanitary Certificate of Exportation 3
3. Participating Organizations 3
4. Agreements 3
5. Participant responsibilities 4
6. Aphis policies and regulations 7
7. Phytosanitary Export Certification 9
8. Greenhouse production sites 9
9. Packinghouse 9
10. Harvesting procedures 11
11. Trapping Program 12
12. Inspection Procedures 13
13. Corrective Actions 15
14. Program Review and Evaluation 16
15. Annexes 18

Plan de Trabajo para el programa de Certificación de las Exportaciones de *Capsicum spp* a los Estados Unidos

El presente Plan de Trabajo fue elaborado conjuntamente por la Dirección de Sanidad Vegetal y Semillas del Ministerio Agropecuario y Forestal del Gobierno de Nicaragua y el Servicio de Inspección Agropecuario, Servicios Internacionales, del Departamento de Agricultura de los Estados Unidos. Será utilizado como una guía para la certificación y exportación de *Capsicum spp.* a los Estados Unidos de América. No se autorizan cambios en estos lineamientos sin previa autorización por parte de APHIS. Cualquier cambio será documentado por escrito.

Los idiomas oficiales de este Plan de Trabajo serán el inglés y el español.

Por Nicaragua:



Julio Hernández Romero
Director de Sanidad Vegetal

Nicaragua, Octubre de 2006

Work Plan for the *Capsicum spp* Export Certification program to the United States

This Work Plan was developed jointly by National Service of Plant Health of the Secretariat of Agriculture and Animal Husbandry of the Government of Nicaragua and the United States Department of Agriculture, Animal and Plant Health Inspection Service, International Services. It will be used as a guide for the certification and exportation of *Capsicum spp.* to the United States of America. Deviation from these guidelines is not authorized unless previous approval is given by APHIS. All deviations will be documented in writing.

English and Spanish are the official languages of this Work Plan.

For the United States of America:



Mr. John Stewart
APHIS Attaché

Nicaragua, October 2006

1. Productos incluidos en el programa

Chiles frescos de las especies *Capsicum annuum*, *Capsicum frutescens*, *Capsicum baccatum*, *Capsicum chinense* and *Capsicum pubescens*

2. Certificado Fitosanitario de Exportación

El Certificado Fitosanitario para los Chiles será otorgado con apego a la norma 7 CFR 319 [Docket No. 05-003-3] de APHIS y condicionado a la ausencia de plagas cuarentenarias.

3. Organizaciones Participantes

La Dirección de Sanidad Vegetal y Semillas del Ministerio Agropecuario y Forestal del Gobierno de Nicaragua, en adelante MAG-FOR.

El Servicio de Inspección Agrícola, Servicios Internacionales del Departamento de Agricultura de los Estados Unidos, en adelante APHIS-IS.

Productores y Exportadores de Chiles registrados como tales a través del Departamento de Sanidad Vegetal, en adelante Productores y Exportadores.

4. Acuerdos

El Acuerdo de Cumplimiento entre MAG-FOR y los productores/exportadores rige las responsabilidades técnicas y operacionales del programa de exportación de Chiles en Nicaragua. (Anexo 1).

1. Products included in the program

Fresh peppers of the species *Capsicum annuum*, *Capsicum frutescens*, *Capsicum baccatum*, *Capsicum chinense* and *Capsicum pubescens*

2. Phytosanitary Certificate of Exportation

The Phytosanitary Certificate for peppers will be issued based on the adherence to APHIS regulation 7 CFR 319 [Docket No. 05-003-3] and the absence of quarantine pests.

3. Participating Organizations

The National Service of Plant Health of the Secretariat of Agriculture and Animal Husbandry of the Government of Nicaragua hereafter referred to as MAG-FOR.

The Animal and Plant Health Inspection Service, International Services of the United States Department of Agriculture, hereafter referred to as APHIS-IS.

Producers and Exporters of peppers registered as such through the Plant Health Department hereafter referred to as Producers and Exporters.

4. Agreements

The Compliance Agreement between MAG-FOR and producers/exporters governs the technical and operational responsibilities of the pepper export program in Nicaragua (Annex 1).

5. Responsabilidades de los participantes

5.1. Es responsabilidad de los productores y exportadores:

5.1.1. Cumplir con los requerimientos establecidos en este Plan de Trabajo y con cualquier otra regulación aplicable, de acuerdo con lo establecido en el Acuerdo de Cumplimiento entre MAG-FOR y los Exportadores (Anexo 1).

5.1.2. Informar inmediatamente a MAG-FOR sobre irregularidades en la ejecución de los requerimientos del programa y ejecutar oportunamente cualesquiera acciones correctivas.

5.1.3. Informar a MAG-FOR y APHIS al menos tres meses antes del inicio de la temporada de exportación.

5.1.4. Llevar a cabo las acciones necesarias para mantener los invernaderos libres de las siguientes plagas cuarentenarias de importancia para los Estados Unidos: *Faustinus ovatipennis*, *Liriomyza huidobrensis* (Minador de hojas de la arveja), *Neoleucinodes elegantalis* (perforador del tomate), *Opogona sacchari* (palomilla del banano), *Phenacoccus parvus* (cochinilla harinosa de la lantana), *Planococcus minor* (cochinilla harinosa de la vid), *Thrips palmi* (Trips del melón), *Puccinia pampeana*, **Virus andino del moteado de la papa, y el virus del mosaico amarillo del tomate.** Estas medidas incluyen, sin limitarse a ellas: buenas prácticas agrícolas para el control de plagas en los viveros, eliminación de plantas infectadas, sobre-maduras o no aceptables para la exportación.

5.1.5. Se requiere que los exportadores entreguen a MAG-FOR el programa semanal de empaque de manera que los inspectores puedan hacer los arreglos necesarios para las inspecciones.

5. Participant responsibilities

5.1. It is the responsibility of the producers and exporters:

5.1.1. To abide all the requirements established in this Work Plan and any other applicable regulations, as contained in the Compliance Agreement between MAG-FOR and the Exporters (Annex 1).

5.1.2. To report immediately to MAG-FOR any irregularities in the execution of program requirements and to execute any necessary corrective actions on a timely basis.

5.1.3. To inform MAG-FOR and APHIS at least three months in advance the beginning of the export season.

5.1.4. To take the necessary actions to keep the greenhouses free of the following pest of quarantine importance to the United States: *Faustinus ovatipennis*, *Liriomyza huidobrensis* (Pea leafminer), *Neoleucinodes elegantalis* (tomato fruit borer), *Opogona sacchari* (banana moth), *Phenacoccus parvus* (Lantana mealybug), *Planococcus minor* (grape mealybug), *Thrips palmi* (Melon thrips), *Puccinia pampeana*, **potato andean mottle virus and the Tomato yellow mosaic virus.** These measures include but are not limited to: good agricultural practices for the pest control in the nurseries, culling of infested vegetables, over-ripen or not acceptable for exportation.

5.1.5. Exporters are required to provide MAG-FOR with the weekly schedule of packing so that MAG-FOR inspectors may arrange for inspections.

<p>5.1.6. Se requiere que los productores/exportadores mantengan un mapa con la localización de los invernaderos y la localización de las trampas para las visitas oficiales.</p> <p>5.1.7. Suministrar los fondos necesarios mediante el Acuerdo de Cumplimiento para el personal de supervisión de MAG-FOR y la infraestructura de apoyo que incluye, pero no está limitada a: suministros, equipo, transporte y espacio de oficina si es necesario para la supervisión del programa.</p> <p>5.1.8. Mantener un programa de entrenamiento de personal en las políticas de exportación de APHIS que se lleve a cabo como mínimo una vez durante la temporada de exportación</p>	<p>5.1.6. Producers/Exporters are required maintain a map with greenhouse and trap location for visual reference for officials visiting.</p> <p>5.1.7. To provide the necessary funds through the Compliance Agreement for the service of MAG-FOR supervisory personnel and support infrastructure included but not limited to: supplies, equipment, transportation and office space if necessary for supervising the program.</p> <p>5.1.8. To keep a personnel training program on APHIS exportation policies that it's carried out at least once during the export season.</p>
<p>5.2. Es responsabilidad de MAG-FOR</p>	<p>5.2. It is the responsibility of MAG-FOR</p>
<p>5.2.1. En conjunto con APHIS, aprobar los sitios de producción que estarán enviando <i>Capsicum spp</i> a los Estados Unidos. (Anexo 2)</p>	<p>5.2.1. Jointly approve with APHIS the production sites that will be shipping <i>Capsicum spp</i> to the United States. (Annex 2)</p>
<p>5.2.2. Registrar los sitios de producción aprobados antes de que se inicie la exportación.</p>	<p>5.2.2. To register the approved production sites before the initiating exports</p>
<p>5.2.3. Visitar e inspeccionar los sitios de producción mensualmente, iniciando dos meses antes de la cosecha y continuando hasta el final de la temporada de envíos</p>	<p>5.2.3. Visit and Inspect the production sites monthly, starting two months before harvest and continuing through until the end of the shipping season</p>
<p>5.2.4. Certificar todos los cargamentos de Chile a los Estados Unidos durante la cosecha y hasta que finalice la temporada de envíos, aportando como parte del Acuerdo Cooperativo, un oficial del MAG-FOR que supervise y ejecute las acciones requeridas en este Plan de Trabajo y cualquier otra regulación aplicable.</p>	<p>5.2.4. During harvest and upon completion of the shipping season certify all the shipments of peppers to the United States by providing, under the Cooperative Agreement, a MAG-FOR officer to supervise and execute the required actions in this Work Plan and any other applicable regulations.</p>
<p>5.2.5. Mantener registros de la localización de trampas, revisiones de las mismas y de cualquier captura de MoscaMed y MoscaMex. (Anexo 4)</p>	<p>5.2.5. Maintain records of trap placement, checking of traps and any Medfly and Mexfly captures. (Annex 4)</p>
<p>5.2.6. Mantener un programa de control de calidad aprobado por APHIS para supervisar o auditar el programa de trapeo.</p>	<p>5.2.6. Maintain an APHIS approved quality control program to monitor or audit the trapping program.</p>

<p>5.2.7. Asegurar que las responsabilidades de todos los productores/exportadores sean realizadas adecuadamente de acuerdo con este Plan de Trabajo y tomar las acciones apropiadas según se requiera.</p> <p>5.2.8. Brindar supervisión general y dirección al programa.</p> <p>5.2.9. Suministrar los recursos humanos necesarios para realizar la inspección y certificación de los embarques en las plantas empacadoras, las medidas fitosanitarias en el campo y el control de la mosca de la fruta. Un inspector de MAG-FOR debe estar presente durante todo el proceso de cosecha, empaque y certificación de los cargamentos</p> <p>5.2.10. Servir como contacto oficial de APHIS.</p> <p>5.2.11. Mantener un plan de trabajo actualizado para el programa en cooperación con APHIS.</p> <p>5.2.12. Suministrar reportes semanales de trampeo, inspección y exportaciones (Anexo 5)</p> <p>5.3. Es responsabilidad de APHIS:</p> <p>5.3.1. En conjunto con MAG-FOR, llevar acabo la inspección certificación inicial de los sitios de producción aceptados para la exportación de <i>Capsicum spp</i> a los Estados Unidos. (Anexo 2)</p> <p>5.3.2. Controlar los sitios de producción en cualquier momento durante la temporada de envíos.</p> <p>5.3.3. Aprobar un programa de control de calidad para monitorear o auditar el programa de trampeo.</p> <p>5.3.4. Revisar los datos del programa de trampeo en cualquier momento durante la temporada de envíos.</p> <p>5.3.5. Mantener un plan de trabajo actualizado para el programa en cooperación con MAG-</p>	<p>5.2.7. To ensure that responsibilities of all of the producers/exporters are properly carried out according to this Work Plan and take the appropriate actions as required.</p> <p>5.2.8. To provide general supervision and direction of the program</p> <p>5.2.9. To provide the necessary human resources to conduct shipment inspection and certification at the packing plant, field phytosanitary measures and fruit-fly control. An inspector from MAG-FOR should be present at all times during the process of recollection of the fruit, packing and shipment certification.</p> <p>5.2.10. To serve as the official contact with APHIS.</p> <p>5.2.11. To maintain an up-to-date work plan for the program in joint cooperation with APHIS.</p> <p>5.2.12. To provide weekly reports on trapping, inspection and company exports. (Annex 5)</p> <p>5.3. It is the responsibility of APHIS:</p> <p>5.3.1. To jointly inspect and certify with MAG-FOR, initial approval of the production sites approved for exporting <i>Capsicum spp</i> to the United States. (Annex 2)</p> <p>5.3.2. To monitor the production sites at any time during the shipping season</p> <p>5.3.3. To approve a quality control program to monitor or audit the trapping program.</p> <p>5.3.4. To review the trapping program data at any time during the shipping season.</p> <p>5.3.5. To maintain an up-to-date work plan for the program in joint cooperation with MAG-</p>
---	--

FOR.

5.3.6. Entrenar en conjunto con MAG-FOR al personal de la compañía previo al inicio de la temporada de exportación.

6. Políticas y regulaciones de APHIS

6.1. La importación de *Capsicum spp* en los EUA está regulada por Cuarentena de Frutas y Vegetales (Fruits and Vegetables Quarantine), 7 CFR 319 [Docket No. 05-003-3]. (Anexo 6)

6.2. La aprobación inicial de los sitios de producción sería llevada a cabo en conjunto por el país exportador, MAG-FOR y el Servicio de Inspección Agropecuario.

6.3. Representantes del país exportador, MAG-FOR, visitarían los sitios de producción al menos una vez al mes, iniciando dos meses antes de la cosecha y continuarían haciéndolo hasta el final de la temporada de envíos.

6.4. APHIS puede supervisar los sitios de producción en cualquier momento durante este periodo.

6.5. Los sitios de producción de Chile tendrán que ser invernaderos que no permitan el ingreso de plagas.

6.6. Los sitios registrados tendrán un programa de trampeo dentro del invernadero y dentro de un área de 500 metros de ancho alrededor del mismo con el fin de detectar la mosca de la fruta.

6.7. El sitio de producción deberá ser inspeccionado antes de la cosecha para la detección de las siguientes plagas cuarentenarias:

- *Faustinus ovatipennis*
- *Liriomyza huidobrensis*

FOR.

5.3.6. To jointly train with MAG-FOR company personnel prior to the beginning of the export season.

6. Aphis policies and regulations

6.1. The importation of *Capsicum spp* to the U.S. is regulated under the Fruits and Vegetables Quarantine, 7 CFR 319 [Docket No. 05-003-1]. (Annex 6)

6.2. Initial approval of the production sites would be completed jointly by the exporting country MAG-FOR and the Animal Plant Health Inspection Service.

6.3. Representatives of the exporting country MAG-FOR would have to visit the production sites at least once a month, starting 2 months before harvest and continuing through until the end of the shipping season.

6.4. APHIS could monitor the production sites at any time during this period.

6.5. Pepper production sites would have to consist of pest exclusionary green houses.

6.6. Registered sites would have a trapping program inside the greenhouse and within 500 meters wide around the registered production site for fruit fly detection.

6.7. The production site will have to be inspected before harvest for the following quarantine pests:

- *Faustinus ovatipennis*
- *Liriomyza huidobrensis*

<ul style="list-style-type: none"> • <i>Neoleucinodes elegantalis</i> • <i>Opogona sacchari</i> • <i>Phenacoccus parvus</i> • <i>Planococcus minor</i> • <i>Thrips palmi</i> • <i>Puccinia pampeana</i>, • Virus Andino del Moteado de la Papa • Virus del Mosaico Amarillo del <p>Tomate</p> <p>6.8. MAG-FOR deberá mantener registros de la localización de trampas, mantenimiento de las mismas y de cualquier captura de moscas de la fruta.</p> <p>6.9. MAG-FOR deberá mantener un programa de control de calidad aprobado por APHIS para supervisar o auditar el programa. Los registros de trampeo deben ser conservados para su análisis por parte de APHIS.</p> <p>6.10. Los Chiles deben ser empacados dentro de las 24 horas después de la cosecha en una planta de empaque libre de plagas.</p> <p>6.11. Los Chiles deben ser resguardados por una malla a prueba de insectos o por un plástico alquitranado mientras son transportados desde el sitio de producción hacia la empacadora y mientras esperan ser empacados.</p> <p>6.12. Los Chiles deben ser empacados en cartones a prueba de insectos o contenedores o cubiertos por malla anti-insectos, o toldo de lona para su transporte a los Estados Unidos.</p> <p>6.13. Durante el tiempo en que la empacadora se esté utilizando para la exportación de Chiles a los Estados Unidos, la misma sólo debe aceptar Chiles provenientes de sitios de producción aprobados y registrados.</p> <p>6.14. La caja de envío tendrá una etiqueta con la identidad del sitio de producción.</p>	<ul style="list-style-type: none"> • <i>Neoleucinodes elegantalis</i> • <i>Opogona sacchari</i> • <i>Phenacoccus parvus</i> • <i>Planococcus minor</i> • <i>Thrips palmi</i> • <i>Puccinia pampeana</i>, • Andean potato mottle virus • Tomato yellow mosaic virus. <p>6.8. MAG-FOR would have to maintain records of trap placement, checking of traps and any fruitfly captures.</p> <p>6.9. MAG-FOR will have to maintain an APHIS-approved quality control program to monitor or audit the program. Trapping records should be kept for APHIS review.</p> <p>6.10. The peppers must be packed within 24 hours of harvest in a pest exclusionary packinghouse.</p> <p>6.11. The peppers must be safeguarded by and insect proof mesh screen or plastic tarpaulin while in transit from the production site to the packing house and while awaiting packing.</p> <p>6.12. The peppers would have to be packed in insect-proof cartons or containers for transit to the United States.</p> <p>6.13. During the time the packing house is in use for exporting peppers to the United States, the packinghouse could only accept peppers only from registered approved production sites.</p> <p>6.14. The shipping box would have to be labeled with the identity of the production site.</p>
--	--

7. Certificación Fitosanitaria para Exportación

MAG-FOR será responsable de la certificación de la exportación, inspección y emisión de los certificados fitosanitarios. Cada envío de Chile deberá ser acompañado de un certificado fitosanitario emitido por MAG-FOR que llevará la siguiente declaración adicional:

Estos Chiles fueron producidos en un sitio de producción aprobado y el envío ha sido inspeccionado y encontrado libre de las plagas en la lista de requerimientos. (esta leyenda debe de escribirse en inglés)

La identificación del sitio de producción debe incluirse en el certificado fitosanitario.

8. Sitios de producción en invernaderos

8.1. Los sitios de producción de Chile deberán consistir en invernaderos que no permitan el ingreso de plagas con puertas dobles auto-cerrables.

8.2. Las puertas dobles deberán poderse cerrar con llave cuando la planta de empaque no esté operando.

8.3. Las aberturas adicionales deben ser cubiertas con una malla de 1.6 mm (o menos).

9. Planta empacadora

9.1. Los cargamentos de Chile deben ser empacados en una empacadora que no permita el ingreso de plagas.

9.2. Se deben instalar barreras físicas (tales

7. Phytosanitary Certification

Export

MAG-FOR would be responsible for the export certification, inspection and issuance of phytosanitary certificates. Each shipment of peppers would have to be accompanied by a phytosanitary certificate issued by MAG-FOR and bearing the following additional declaration in the certificate:

These peppers were grown in an approved production site and the shipment has been inspected and found free of the pests listed in the requirements.

Production site ID must be placed in the phytosanitary certificate.

8. Greenhouse production sites

8.1. Pepper production sites would have to consist of pest exclusionary green houses with self closing double doors.

8.2. Double doors must be lockable when the packinghouse is not in operation.

8.3. All additional openings would be required to be covered with 1.6 (or less) millimeter screening.

9. Packinghouse

9.1. The shipments of peppers must be packed in a pest exclusionary packinghouse.

9.2. Physical barriers must be installed (such

<p>como un sistema de puertas dobles, cortinas de aire y/o fajas plásticas transparentes que cuelguen verticalmente en las puertas) para evitar la posible entrada de moscas de la fruta u otros insectos polizontes al recinto a prueba de insectos.</p> <p>9.3. Las puertas deben contar con cerraduras, incluyendo la puerta de área de cargado, cuando la empacadora no esté en uso.</p> <p>9.4. El área de cargado deberá ser diseñada de manera que el contenedor se mantenga completamente sellado a las puertas de cargado mientras el contenedor/camión esté siendo cargado. No debe colocarse ninguna luz alrededor de esta área.</p> <p>9.5. Las instalaciones de la empacadora deben contar con un área adecuada de manera que el personal de MAG-FOR pueda recoger muestras para la inspección/examen de las cajas de Chiles empacados.</p> <p>9.6. En la medida de lo posible se debe evitar el empacar o cargar los contenedores por la noche para prevenir la entrada de insectos polizontes en los contenedores/cajas.</p> <p>9.7. La planta empacadora debe cumplir con todos los requerimientos de seguridad y salud, tales como barandas en las escaleras y pasadizos, luz suficiente, extintores de incendios y botiquines de primeros auxilios, así como recipientes adecuados para desperdicios.</p> <p>9.8. Se prohibirá la entrada de niños o personas no autorizadas a las áreas de tratamiento y empacado.</p> <p>9.9. Si se encuentran insectos vivos durante la operación de la planta empacadora, se debe detener el proceso hasta que se implemente una medida fitosanitaria correctiva que garantice el control de la plaga.(registro de medida fitosanitaria)</p>	<p>as a double door system air curtains and/or vertically hanging clear plastic flaps at doors) to exclude the possible entry of fruit flies and hitchhiking insects into the insect-free enclosure.</p> <p>9.3. Doors must have locks placed, including the door in the loading area, when the packinghouse is not in use.</p> <p>9.4. The loading area must be designed so that the container remains completely sealed to the loading doors as the container/truck is being loaded. No lightning should be placed around this area.</p> <p>9.5. Packing house facilities must have an adequate area so that MAG-FOR personnel are able to draw samples for inspection/examination of the pepper packed boxes.</p> <p>9.6. Packing or loading at night should try to be avoided as to prevent hitchhiker from getting into the containers/boxes.</p> <p>9.7. The packing plant must comply with all safety and health requirements such as safety ladders and walkways, sufficient lighting, fire extinguishers and first aid kit, as well as adequate containers for waste.</p> <p>9.8. The admission of children or unauthorized persons into the treatment and packing areas shall be prohibited.</p> <p>9.9. If life insects are found during packing plant operation, the process should be halted until a phytosanitary measure is applied and it is guaranteed its control.</p>
--	--

10. Procedimientos para la cosecha

10.1. Se requiere que todos los exportadores sigan los siguientes procedimientos que están sujetos a la verificación por parte de MAG-FOR. Se debe mantener un registro de todos estos procedimientos.

10.2. Sanidad en el campo

10.2.1. Al menos dos meses antes de la cosecha y a través de toda la cosecha los invernaderos de producción deberán estar bajo un programa de control para las siguientes plagas y enfermedades:

- *Faustinus ovatipennis*
- *Liriomyza huidobrensis*
- *Neoleucinodes elegantalis*
- *Opogona sacchari*
- *Phenacoccus parvus*
- *Planococcus minor*
- *Thrips palmi*
- *Puccinia pampeana*,
- Virus Andino del Moteado de la Papa
- Virus del Mosaico Amarillo del Tomate.

10.2.2. La sanidad en el campo debe mantenerse estrictamente de manera que las plantas caídas, de descarte o enfermas sean enterradas, destruidas o removidas del campo al menos dos veces por semana.

10.2.3. Todos los Chiles rechazados deben ser alejados y eliminados de manera apropiada fuera de los invernaderos de producción. Las plantas descartadas deben ser cubiertas con tierra a una profundidad no menor a 10 pulgadas o convertidas en compost para reducir la actividad de los insectos y para acelerar la degradación de los Chiles.

10.2.4. El área de desechos debe ser revisada para detectar cualquier incremento en la actividad de la mosca de la fruta. Esta área debe ser tratada con un insecticida eficaz

10. Harvesting procedures

10.1. All exporters are required to meet the following procedures that are subject to verification by MAG-FOR. Records of all these procedures must be maintained.

10.2. Field sanitation

10.2.1. Beginning at least two months before harvest and continuing through the completion of harvest greenhouse production sites must be under pest control program following pests and diseases:

- *Faustinus ovatipennis*
- *Liriomyza huidobrensis*
- *Neoleucinodes elegantalis*
- *Opogona sacchari*
- *Phenacoccus parvus*
- *Planococcus minor*
- *Thrips palmi*
- *Puccinia pampeana*,
- Andean potato mottle virus
- Tomato yellow mosaic virus.

10.2.2. Field sanitation is to be strictly maintained so that fallen, culled and diseased vegetables are buried, destroyed or removed from the field at least twice per week.

10.2.3. All removed peppers must be taken away and properly disposed outside the greenhouse production sites. The discarded vegetables should be covered with soil at a minimum depth of 10 inches and/or composted to reduce insect activity and to speed degradation of the peppers.

10.2.4. The disposal area should be monitored to detect any increase in fruit fly activity. This area should be treated with an approved

<p>aprobado, de ser necesario.</p> <p>10.3. Cosecha</p> <p>10.3.1. En el momento de la cosecha, se deben seleccionar los Chiles en el sitio de producción con el fin de reducir la cantidad de material vegetal descartado en la planta de empaque.</p> <p>10.3.2. El material vegetal de descarte será eliminado de inmediato después de la cosecha.</p> <p>10.3.3. Los Chiles deben ser resguardados por una malla a prueba de insectos o por un plástico alquitranado mientras son transportados desde el sitio de producción hacia la empacadora y mientras esperan ser empacados.</p> <p>10.3.4. Todos los recipientes de campo deben codificarse para su adecuada identificación según invernadero y/o productor. Esto mantiene los Chiles separados de acuerdo al invernadero y/o productor desde la cosecha hasta el empacado.</p>	<p>effective insecticide if necessary.</p> <p>10.3. Harvest</p> <p>10.3.1. At time of harvest, peppers will be selected in the production site field to reduce amount of discarded vegetables at the packing plant.</p> <p>10.3.2. Culled vegetables will be disposed immediately after harvesting.</p> <p>10.3.3. The peppers would have to be safeguarded by an insect-proof mesh screen or plastic tarpaulin while in transit from the production site to the packinghouse and while awaiting packing.</p> <p>10.3.4. All field bins are coded for proper identification by greenhouse and/or grower. This keeps peppers separate according to greenhouse and/or grower from harvest through packing.</p>
<p>11. Programa de Trampeo</p> <p>11.1. Los sitios de producción registrados deberán contar con trampas con una proteína cebo aprobada para la detección de moscas de la fruta dentro de los invernaderos a una densidad de cuatro trampas por hectárea, con un mínimo de dos trampas por invernadero.</p> <p>11.2. Las trampas deberán recibir mantenimiento semanal.</p> <p>11.3. Deberán colocarse trampas de moscamed con atrayente aprobado dentro de un área de amortiguamiento de 500 metros de ancho alrededor del sitio de producción, a una densidad de 1 trampa por cada 10 hectáreas. Estas trampas deberán ser revisadas al menos una vez cada 7 días. Al menos una trampa deberá estar cerca del invernadero.</p>	<p>11. Trapping Program</p> <p>11.1. Registered production sites would have to contain traps with an approved protein bait for the detection of fruit flies within the greenhouses at a density of four traps per hectare, with a minimum of two traps per greenhouse.</p> <p>11.2. Traps would have to be serviced on a weekly basis.</p> <p>11.3. Medfly traps with approved lure would have to be placed inside a buffer area 500 meters wide around the registered production site, at a density of 1 trap per 10 hectares. These traps would have to be checked at least once every 7 days. At least one trap would have to be near the greenhouse.</p>

11.4. Las trampas deberán ser dispuestas al menos dos meses antes de la exportación y el trampeo deberá continuar hasta el final de la cosecha.

11.5.

11.6. La captura de 0.7 o más moscamed o moscamex por trampa por semana dentro de la zona de amortiguamiento sería causa de suspensión o retraso de la cosecha.

11.7. Si se detecta una sola moscamed o moscamex dentro de un sitio de producción o en un envío las instalaciones perderían su facultad para exportar Chiles a los EUA hasta que MAG-FOR y APHIS investiguen el incidente.

11.8. MAG-FOR tendrá que mantener registros del despliegue de las trampas, mantenimiento de las mismas y de cualquier captura de moscamed y moscamex. Además, MAG-FOR mantendrá un programa de control de calidad aprobado por APHIS con el fin de monitorear o auditar el programa de trampeo.

12. Procedimientos de Inspección

12.1. Antes de la inspección, los Chiles se identificarán por invernadero y/o productor. Cualquier medida que se tome como resultado de hallazgos durante la inspección se aplicará automáticamente en la empacadora a todos los Chiles de los respectivos invernaderos y/o productores.

12.2. Los invernaderos serán inspeccionados en búsqueda de plagas cuarentenarias listadas en la sección de Políticas y Regulaciones de APHIS. (Anexo 6)

12.3. Las inspecciones serán realizadas por MAG-FOR a lo largo de la temporada de envíos. El propósito de esta inspección es detectar cualquier productor que no se apegue a este Plan de Trabajo.

11.4. Traps would have to be set for at least two months prior to export and trapping would continue to the end of harvest.

11.5. Capture of 0.7 or more med flies or mexflies per trap per week within the buffer zone would suspend or delay the harvest.

11.6. If a single Medfly or mexfly is detected in side a registered production site or in a consignment the facility would lose its ability to export peppers to the US until MAG-FOR and APHIS investigate the incident.

11.7. MAG-FOR will have to maintain records of trap placement, checking of traps and any medfly and mexfly captures. In addition MAG-FOR will have to maintain an APHIS-approved quality control program to monitor or audit the trapping program.

12. Inspection Procedures

12.1. Prior to inspection, the peppers will be identified by greenhouse and/or producers. Any action taken as a result of findings of the inspection will automatically apply to all the peppers in the packinghouse of the greenhouse and/or producers.

12.2. Greenhouses should be inspected for the quarantine pests listed in the APHIS policies and regulations sections as well as for holes in the mesh that can lead to the entrance of quarantine pests. (Annex 6)

12.3. Inspections will be carried out by MAG-FOR throughout the shipping season. The purpose of this inspection is to detect any procedures not following this work plan.

<p>12.4. MAG-FOR inspeccionará los invernaderos al menos una vez por semana durante la temporada de envíos con el fin de detectar plagas y enfermedades cuarentenarias.</p> <p>12.5. Las observaciones de la inspección deben registrarse en el formulario: "Formulario Diario de Inspección de la Planta Empacadora", (Anexo 3)</p> <p>12.6. El inspector debe seleccionar al azar un 2% de los Chiles y examinarlos en busca de plagas cuarentenarias significativas. Cualquier organismo que se encuentre del cual se desconozca su importancia cuarentenaria, será considerado de significancia cuarentenaria. La inspección consistirá en un examen visual, haciendo uso de una lupa si es necesario. Se hará corte de material vegetal en caso de que haya indicaciones de organismos internos. Se deben llevar registros de todos los organismos encontrados y los especímenes deben conservarse.</p> <p>12.7. Si se encuentran insectos durante la inspección, todas las cajas de ese cargamento, de ese lote deben ser re-inspeccionadas por el personal de la compañía. MAG-FOR llevará a cabo una segunda inspección después de que las cajas hayan sido chequeadas por el personal. El inspector de MAG-FOR también notificará al Gerente de planta de lo que se encontró durante la inspección y este a su vez transmitirá ese mensaje a los empacadores para que chequeen mejor los chiles que están siendo empacados de ese lote.</p> <p>12.8. Los insectos que se encuentren durante la inspección serán llevados para identificación en un laboratorio autorizado por MAG-FOR. Los resultados de esta identificación deben anotarse en el reporte semanal a APHIS</p> <p>12.9 Todos los cargamentos de Chiles hacia los Estados Unidos debe ser inspeccionados y certificados por oficiales de MAG-FOR.</p>	<p>12.4. MAG-FOR will inspect the greenhouses at least once a week during the shipping season for the detection of quarantine pests and diseases.</p> <p>12.5. Observations from inspection must be recorded on the form: "Daily Facility Inspection Form" (Annex 3)</p> <p>12.6. The inspector should randomly select 2% of the peppers and examine for the presence of quarantine significant pests. Any organism found for which quarantine significance is not known will be considered to be quarantine significant. Inspection will consist of visual examination, with use of a hand lens, if necessary. Vegetable cutting will be carried out if there are any indications of internal organisms. Records must be kept of all organism encountered, and specimens must be retained.</p> <p>12.7. If insects are found during the inspection all boxes from that batch, from that lot should be re-inspected by company personnel. MAG-FOR will conduct a second inspection after the boxes are checked by the personnel will also notify the Plant Manager of the findings who will then transmit that message to the packers as to better scrutinize peppers that are being packed from that lot.</p> <p>12.8. The insects that are found during the inspection will be taken for identification to a laboratory authorized by MAG-FOR. The results of this identification should be written in the weekly report to APHIS.</p> <p>12.9. All shipments of peppers to the United States must be inspected and certified by MAG-FOR officials.</p>
--	---

13. Acciones Correctivas

13.1. En el caso de *Faustinus ovatipennis*, *Liriomyza huidobrensis* (Minador de hojas de la arveja), *Neoleucinodes elegantalis* (perforador del tomate), *Opogona sacchari* (palomilla del banano), *Phenacoccus parvus* (cochinilla harinosa de la lantana), *Planococcus minor* (cochinilla harinosa de la vid), *Thrips palmi* (Trips del melón), *Puccinia pampeana*, **Virus andino del moteado de la papa, y el virus del mosaico amarillo del tomate**, el sitio de producción debe ser inspeccionado antes de la cosecha, y en caso de que se encuentre que alguna de estas plagas o cualquier otra plaga cuarentenaria que infecta de manera general el sitio de producción, MAG-FOR no permitiría la exportación desde tal sitio hasta que se haya logrado la mitigación del riesgo y la empresa reciba aprobación para re-iniciar operaciones por APHIS.

13.2. Si MAG-FOR detecta cualquier plaga cuarentenaria en el envío, el cargamento será considerado no elegible para exportación a los Estados Unidos.

13.3. La captura de 0.7 o más moscamed o moscamex por trampa por semana dentro de la zona de amortiguamiento suspendería o retrasaría la cosecha, dependiendo de si ésta se había iniciado, para envíos de Chiles desde ese sitio de producción, hasta que APHIS y MAG-FOR determinen que el riesgo de plaga ha sido mitigado.

13.4. Si se detecta una sola moscamed o moscamex en un sitio de producción registrado o como parte de un envío, el sitio de producción perdería su facultad para exportar Chiles a los Estados Unidos hasta que APHIS y MAG-FOR mutuamente determinen que la mitigación del riesgo se ha logrado.

13.5. Las acciones que no se apeguen a este Plan de Trabajo u otros requerimientos que apliquen serán manejados de forma consistente con la naturaleza de la acción, según

13. Corrective Actions

13.1. For the *Faustinus ovatipennis*, *Liriomyza huidobrensis* (Pea leafminer), *Neoleucinodes elegantalis* (tomato fruit borer), *Opogona sacchari* (banana moth), *Phenacoccus parvus* (Lantana mealybug), *Planococcus minor* (grape mealybug), *Thrips palmi* (Melon thrips), *Puccinia pampeana*, **potato andean mottle virus and the Tomato yellow mosaic virus**, the production site would have to be inspected prior to harvest, and if any of these pests or any other quarantine pests are found to be generally infesting the production site, MAG-FOR would not allow export from that production site until risk mitigation has been achieved and the facility receives approval to resume operations by APHIS

13.2. If MAG-FOR detects any quarantine pests in the consignment, the shipment would be deemed ineligible for export to the United States.

13.3. Capture of 0.7 or more Med flies or mexflies per trap per week within the buffer zone would suspend or delay the harvest, depending on whether the harvest had begun, for consignments of peppers from that production site until APHIS and MAG-FOR determine that the pest risk has been mitigated.

13.4. If a single Medfly or mexfly is detected inside a registered production site or in a consignment, the registered production site would lose its ability to export peppers to the United States until APHIS and MAG-FOR mutually determine that risk mitigation has been achieved.

13.5. Actions not in compliance with this work plan or other applicable requirements will be dealt in a manner consistent with the nature of the action, as determined by MAG-FOR and

<p>determinen MAG-FOR y APHIS.</p> <p>13.6. Le será negada inmediatamente la certificación a aquel exportador que no cumpla con las medidas fitosanitarias requeridas en el campo o en la planta empacadora. Dependiendo de la intención o seriedad del incidente, el Acuerdo de Cumplimiento será cancelado o suspendido.</p> <p>13.7. La detección de una plaga cuarentenaria significativa será causa de rechazo del invernadero en que fue encontrada. Si se detecta cualquier plaga interna, incluyendo moscas de la fruta, la planta empacadora será suspendida de inmediato a la espera de la revisión y aprobación por parte de MAG-FOR/APHIS.</p> <p>13.8. Cualquier emisión de un Certificado Fitosanitario para Chile, que no satisfaga totalmente los requerimientos fitosanitarios en el sitio de producción o en la planta empacadora, será causa de inmediata suspensión del Acuerdo de Cumplimiento, a la espera de la revisión y aprobación por parte de MAG-FOR y/o APHIS.</p> <p>13.9. MAG-FOR no permitirá los envíos de Chile que provienen de sitios de producción que no estén registrados dentro del programa.</p>	<p>APHIS.</p> <p>13.6. Any Exporter not in compliance with any required field or packing plant phytosanitary measures will immediately be denied certification. Depending on the intent or seriousness of the incident will have their Compliance Agreement canceled or suspended.</p> <p>13.7. The detection of a quarantine significant pest will be cause for rejection of the greenhouse in which it was found. If any internal pests are detected, including fruit flies, the packing plant ^{greenhouse} will be immediately suspended pending evaluation by MAG-FOR/APHIS. <i>The pallet that was being packed is rejected. 10.2.1.</i></p> <p>13.8. Any issuance of a Phytosanitary Certificate for peppers, which does not totally satisfy required fields and packing plant phytosanitary requirement, will be cause for immediate suspension of the Compliance Agreement, pending review and approval by MAG-FOR and/or APHIS.</p> <p>13.9. MAG-FOR will not allow the shipments of peppers that come from production sites that are not registered within the program.</p>
<p>14. Revisión y Evaluación del Programa</p> <p>14.1. Las actividades de certificación del Chile serán revisadas y evaluadas al menos una vez al año por parte de MAG-FOR y APHIS, o antes, si la condiciones fitosanitarias cambian, para asegurar que todos los aspectos de la operación y las actividades relacionadas sean conducidas con eficiencia de acuerdo con los procedimientos y las normas que apliquen.</p>	<p>14. Program Review and Evaluation</p> <p>14.1. Pepper certification activities will be reviewed and evaluated at least once a year or sooner by MAG-FOR and APHIS, if phytosanitary conditions change, to ensure that all aspects of the operation and related activities are conducted effectively in accordance with applicable procedures and standards.</p>

14.2. En caso de que surjan eventos no previstos, MAG-FOR y APHIS coordinarán las acciones apropiadas y las propondrán como revisiones al Plan de Trabajo.

14.2. If any unforeseen event arises, MAG-FOR and APHIS will coordinate appropriate actions and propose them as revisions of the Work Plan.

15. Anexos

1. Acuerdo de Cumplimiento de MAG-FOR.
2. Formulario de Certificación de Compañías Exportadoras de Chile.
3. Formulario de Inspección Diaria de la Planta Empacadora
4. Reporte de Trampeo
5. Reporte Semanal
6. Formulario de Inspección de los Viveros
7. Regulación Final para la Importación de Chile a los Estados Unidos.

15. Annexes

1. MAG-FOR Compliance Agreement
2. Pepper Export Companies Certification Form
3. Daily Facility Inspection Form
4. Trapping Report
5. Weekly Report
6. Greenhouse Weekly Inspection Form
7. Final Rule for the Importation of Peppers to the United States

**ACUERDO DE CUMPLIMIENTO
ENTRE MAG-FOR Y LOS
PRODUCTORES/ EXPORTADORES DE
CHILES**

Yo _____ (Nombre del exportador), como exportador, acuerdo regirme por todas las especificaciones y regulaciones establecidas en este Plan de Trabajo. Acepto las consecuencias que puedan derivarse del incumplimiento de cualquiera de o todos los aspectos incluidos en este Plan de Trabajo.

He recibido una copia del Plan de Trabajo y me aseguraré que esté disponible a todos los empleados de tiempo completo y que dichos empleados estarán completamente familiarizados y se registrarán por el Plan.

Firma del Exportador

Fecha

Firma de MAG-FOR

Fecha

Firma APHIS

Fecha

**COMPLIANCE AGREEMENT BETWEEN
MAG-FOR AND THE
PEPPER PRODUCERS/EXPORTERS**

I _____ (name of exporter), as an exporter agree to abide by all specifications and regulations established in this Work Plan. I accept the consequences that may derive from non-compliance with any or all aspects included in this Work Plan.

I have received a copy of the Work Plan and will ensure that it is available to all full-time employees and that such employees will be thoroughly familiar with and abide by the Plan.

Exporter Signature

Date

MAG-FOR Signature

Date

APHIS Signature

Date



Pepper Facility Certification Form



Exporter Information		
1. Company:	2. Manager:	3. Date:
4. Location:	5. No. of Greenhouses	
	6. Greenhouse Area	
	7. Total Area	
8. Are Plants Currently Exported	9. If yes to what Country	10. U.S. Importer
Trapping Information		
11. No. Traps per greenhouse	12. No. Traps in the Field	
13. Records Kept <input type="checkbox"/> Yes <input type="checkbox"/> No	14. Types of traps used Greenhouses _____ Field _____	
15. Quality Control Program in Place <input type="checkbox"/> Yes <input type="checkbox"/> No		
Greenhouse Facility Sanitation		
16. Debris Free	<input type="checkbox"/> Yes	<input type="checkbox"/> No
17. Weed Free	<input type="checkbox"/> Yes	<input type="checkbox"/> No
18. Pest Free	<input type="checkbox"/> Yes	<input type="checkbox"/> No
19. Footbath in place	<input type="checkbox"/> Yes	<input type="checkbox"/> No
20. Sink in place	<input type="checkbox"/> Yes	<input type="checkbox"/> No
21. Water Source _____		
Packinghouse Facility Sanitation		
22. Double doors systems in place	<input type="checkbox"/> Yes	<input type="checkbox"/> No
23. Facility and containers for packing fruit –clean and orderly	<input type="checkbox"/> Yes	<input type="checkbox"/> No
24. Fruit waste removed daily	<input type="checkbox"/> Yes	<input type="checkbox"/> No
25. Locks/seals maintained overnight in post-treatment area	<input type="checkbox"/> Yes	<input type="checkbox"/> No
26. Screens around post-treatment area	<input type="checkbox"/> Yes	<input type="checkbox"/> No



Pepper Facility Certification Form



intact (less than 1.6 mm)

27. No live insects are found within this area Yes No

28. Use of labeling on pepper boxes, appropriate marking and sealing of fruit boxes, pallets and container. Yes No

29. Adequate Area for MAG-FOR Inspections Yes No

Disposal Area

30. Vegetable Disposable Area in Accordance to the Work Plan Yes No

31. Check for the presence of the Following Pests:

- *Faustinus ovatipennis* Yes No
- Pea leafminer Yes No
- Tomato fruit borer Yes No
- Banana moth Yes No
- Passionvine mealybug Yes No
- Melon thrips Yes No
- *Puccinia pampeana* Yes No
- Andean potato mottle virus Yes No
- Tomato yellow mosaic virus. Yes No
- Latana mealybug Yes No

32. Facility Approved

Yes No

Comments:

APHIS Inspector

MAG-FOR Inspector

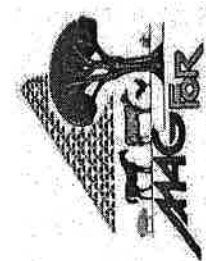
Date



Daily Facility Inspection Form



Packing Plant	Date
1. Check for Garbage/Weeds/Fruit waste around the packing facility Area	<input type="checkbox"/>
2. Double Door System/Air curtains Operational	<input type="checkbox"/>
3. Safeguarding maintained overnight (locks in place)	<input type="checkbox"/>
4. Quarantine Area Clean / NO Insects found upon inspection	<input type="checkbox"/>
5. Docking area permits proper container sealing	<input type="checkbox"/>
6. Pallets comply with ISPM 15 Regulation (Wood Packing Material)	<input type="checkbox"/>
7. Boxes Properly Labeled	<input type="checkbox"/>
8. Proper area for Conducting Inspections	<input type="checkbox"/>
Inspection	
9. Record here number of Boxes Inspected	
10. Record here number of Boxes Packed (Check cold room the following day for boxes packed)	<input type="checkbox"/>
11. Record here number of fruits dissected for fruit flies	
12. If insects are found during inspections (either at the packing facility or upon box inspection) record on phytosanitary action taken (fumigation, recondition of boxes, rejection):	
13. Inspector	14. Signature



Trapping Report*



Fecha	Inspector	ID Trampa	Tipo de Trampa	UTM	No. Dias desde la ultima Inspeccion	Actividad	Ceratitis Capitata		Anastrepha Obliqua		Anastrepha Siriata		Anastrepha Ludens		Anastrepha Serpentina		Anastrepha fraterculus		Anastrepha spp.		Otra			
							♂	♀	♂	♀	♂	♀	♂	♀	♂	♀	♂	♀	♂	♀	♂	♀	♂	♀

* Please send this report by e-mail or fax to Marco González Vargas, APHIS Ag. Specialist
E-mail: Marco.V.Gonzalez@aphis.usda.gov
Fax: (506) 296-3556



Weekly Summary Report*



1. Week No.		2. Date.	
3. No. of Boxes Packed (total)			
4. No. of Boxes Inspected (total)			
5. Container ID	6. No of Boxes	7. Port of Entry in the US	8. Date Shipped
9. Fruit flies found in Trapping Program (attach fruit fly report) <input type="checkbox"/> YES <input type="checkbox"/> NO			
10. Greenhouses maintained in accordance to the work plan <input type="checkbox"/> YES <input type="checkbox"/> NO			
11. Packing Facility maintained in accordance to the workplan <input type="checkbox"/> YES <input type="checkbox"/> NO			
12. Comments			
13. Inspector (name)		14. Signature	

* Please send this report by e-mail or fax to Marco González Vargas APHIS Ag. Specialist
E-mail: Marco.V.Gonzalez@aphis.usda.gov
Fax: (506) 290-4548



Greenhouse Weekly Inspection Form



Greenhouse No.	Week	Date
1. Check greenhouse surroundings for weeds, waste, etc.		<input type="checkbox"/>
2. Check for condition of double door system		<input type="checkbox"/>
3. Check for lock system in greenhouses		<input type="checkbox"/>
4. Check for screening condition around the greenhouse area		<input type="checkbox"/>
5. Check for sanitation inside the greenhouse (no over-ripen fruit, no weeds, no fruit waste, etc.)		<input type="checkbox"/>
6. Check for symptoms of quarantine diseases and insects		<input type="checkbox"/>
7. If symptoms of quarantine diseases and/or insects are spotted then send samples for further analysis. No. of samples submitted		—
Comments.		
Inspector	Signature	

be considered to be enrolled in the standard option of the Blue Cross and Blue Shield Service Benefit Plan. The effective date of enrollment changes under this provision will be set by OPM when it makes the announcement allowing such changes.

* * * * *

■ 4. In § 890.806 add new paragraph (j)(4)(iv) to read as follows:

§ 890.806 When can former spouses change enrollment or reenroll and what are the effective dates?

* * * * *

(j) * * *

(4) * * *

(iv) If the discontinuance of the plan, whether permanent or temporary, is due to a disaster, the former spouse must change the enrollment within 60 days of the disaster, as announced by OPM. If the former spouse does not change the enrollment within the time frame announced by OPM, the former spouse will be considered to be enrolled in the standard option of the Blue Cross and Blue Shield Service Benefit Plan. The effective date of enrollment changes under this provision will be set by OPM when it makes the announcement allowing such changes.

* * * * *

■ 5. In § 890.1108 add new paragraph (h)(4)(iv) to read as follows:

§ 890.1108 Opportunities to change enrollment; effective dates.

* * * * *

(h) * * *

(4) * * *

(iv) If the discontinuance of the plan, whether permanent or temporary, is due to a disaster, the enrollee must change the enrollment within 60 days of the disaster, as announced by OPM. If the enrollee does not change the enrollment within the time frame announced by OPM, the enrollee will be considered to be enrolled in the standard option of the Blue Cross and Blue Shield Service Benefit Plan. The effective date of enrollment changes under this provision will be set by OPM when it makes the announcement allowing such changes.

* * * * *

[FR Doc. 06-2081 Filed 3-6-06; 8:45 am]

BILLING CODE 6325-39-P

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

7 CFR Part 301

[Docket No. 05-078-2]

Karnal Bunt; Addition and Removal of Regulated Areas in Arizona

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Affirmation of interim rule as final rule.

SUMMARY: We are adopting as a final rule, without change, an interim rule that amended the Karnal bunt regulations by adding certain areas in Maricopa and Pinal Counties, AZ, to the list of regulated areas and by removing certain areas or fields in Maricopa County, AZ, from the list of regulated areas. Those actions were necessary to prevent the spread of Karnal bunt into noninfected areas of the United States and to relieve restrictions on certain areas that were no longer necessary. **DATES:** Effective on March 7, 2006, we are adopting as a final rule the interim rule that became effective on December 7, 2005.

FOR FURTHER INFORMATION CONTACT: Dr. Vedpal Malik, Karnal Bunt Program Manager, Pest Detection and Management Programs, PPQ, APHIS, 4700 River Road Unit 134, Riverdale, MD 20737-1236; (301) 734-3769.

SUPPLEMENTARY INFORMATION:

Background

In an interim rule effective December 7, 2005, and published in the *Federal Register* on December 13, 2005 (70 FR 73553-73556, Docket No. 05-078-1), we amended the regulations in "Subpart—Karnal Bunt" (7 CFR 301.89-1 through 301.89-16) by adding certain areas in Maricopa and Pinal Counties, AZ, to the list of regulated areas in § 301.89-3(g), either because they were found during surveys to contain a bunted wheat kernel, or because they are within the 3-mile-wide buffer zone around fields or areas affected with Karnal bunt. In the same interim rule, we also amended the regulations by removing certain areas or fields in Maricopa County, AZ, from the list of regulated areas based on our determination that those fields or areas had met our criteria for release from regulation.

We solicited comments concerning the interim rule for 60 days ending February 13, 2006. We did not receive any comments. Therefore, for the reasons given in the interim rule, we are adopting the interim rule as a final rule.

This final rule also affirms the information contained in the interim rule concerning Executive Order 12866 and the Regulatory Flexibility Act, Executive Orders 12372 and 12988, and the Paperwork Reduction Act.

Further, for this action, the Office of Management and Budget has waived its review under Executive Order 12866.

List of Subjects in 7 CFR Part 301

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

PART 301—DOMESTIC QUARANTINE NOTICES

■ Accordingly, we are adopting as a final rule, without change, the interim rule that amended 7 CFR part 301 and that was published at 70 FR 73553-73556 on December 13, 2005.

Done in Washington, DC, this 28th day of February 2006.

Kevin Shea,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 06-2073 Filed 3-6-06; 8:45 am]

BILLING CODE 3410-34-P

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

7 CFR Part 319

[Docket No. 05-003-3]

Importation of Peppers From Certain Central American Countries

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Final rule.

SUMMARY: We are amending the regulations governing the importation of fruits and vegetables in order to allow certain types of peppers grown in approved registered production sites in Costa Rica, El Salvador, Guatemala, Honduras, and Nicaragua to be imported, under certain conditions, into the United States without treatment. The conditions to which the importation of peppers will be subject, including trapping, pre-harvest inspection, and shipping procedures, are designed to prevent the introduction of quarantine pests into the United States. This action will allow for the importation of peppers from those countries in Central America while continuing to provide protection against the introduction of quarantine pests into the United States.

DATES: *Effective Date:* March 7, 2006.

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:

Background

The regulations in "Subpart—Fruits and Vegetables" (7 CFR 319.56 through 319.56-8, referred to below as the regulations) prohibit or restrict the importation of fruits and vegetables into the United States from certain parts of the world to prevent the introduction and dissemination of plant pests that are new to or not widely distributed within the United States.

On October 12, 2005, we published in the *Federal Register* (70 FR 59283-59290, Docket No. 05-003-1) a proposed rule to amend the 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 under specified conditions.

On November 7, 2005, we published a document in the *Federal Register* (70 FR 67375, Docket No. 05-003-2) in which we corrected the Supplementary Information section of the proposed rule to state that Guatemala was the only Central American country covered by our proposal that currently contains areas free of the Mediterranean fruit fly (Medfly). In addition, we corrected the figure given in the proposed rule's "Paperwork Reduction Act" section for the estimated annual total burden on respondents.

We solicited comments on the proposed rule for 60 days ending on December 12, 2005. We received 32 comments by that date. They were from representatives of State and foreign governments, importers and exporters, industry organizations, producers, scientists, and private citizens. Of those commenters, 31 fully supported the proposed changes, although one of those commenters posed a question, which is addressed below. The remaining commenter was opposed to the proposed rule. The issues raised by that commenter are also addressed below.

One commenter asked if the recognition and approval of fruit fly free areas in the Central American countries covered by the rule will be performed by Animal and Plant Health Inspection Service (APHIS) personnel coming from the United States or by APHIS personnel already on duty in the region.

The recognition and approval of free areas will be conducted in accordance

with the procedures described in paragraph (f) of § 319.56-2 of the regulations. The APHIS personnel involved in the approval and auditing activities called for by that paragraph may be already stationed in the region or may be drawn from APHIS offices in the United States.

The commenter who opposed the proposed rule stated that from 1999 to 2005, there were 794 interceptions in Florida of the pests of concern identified in the pest risk assessment and the proposed rule. The commenter stated that allowing the importation of hosts of these pests would add to the likelihood of pest introduction.

We are not making any changes to our proposal in response to this comment. We suspect the commenter's figure includes pest interceptions on other fruits and vegetables, not only peppers, and that the majority of these interceptions were in passenger baggage, not commercial cargo. An examination of our interception records from the port of Miami, FL, from 1999 to 2005 revealed that there were only two interceptions of any of the quarantine pests identified in the proposed rule; these interceptions were made in commercial shipments of processed peppers. It is unlikely that those processed peppers were subjected to any of the phytosanitary measures described in the proposed rule and required by this final rule. For the reasons detailed in the proposed rule, we are confident that the risks associated with commercial shipments of peppers imported into the United States from Central America will be effectively mitigated through the application of the phytosanitary measures required by this final rule.

The same commenter agreed that the proposed phytosanitary measures were conceptually well-grounded, but expressed doubt as to whether the national plant protection organizations (NPPOs) of the individual countries would be able to provide sufficient oversight of those measures to prevent the movement of pests into Florida.

The commenter provided no evidence to support his contention regarding the inability of the Central American NPPOs to oversee the prescribed phytosanitary measures. The continued ability of producers in those countries to export peppers to markets such as the United States is dependent on their ability to meet our phytosanitary standards. We are confident that the NPPOs in Central America are fully capable of overseeing the application of the measures required by this rule. Further, this rule provides that APHIS will maintain oversight by participating in the approval and

monitoring of production sites and by reviewing the trapping records that must be maintained for each site. If, through trapping records, site visits, or port of entry inspections, we find that any of the required mitigation measures are not being properly administered, we will suspend shipments from the offending sites.

Miscellaneous Change

In our proposed provisions concerning the placement of Medfly traps in the buffer area surrounding each production site, we referred to Medfly traps with an approved protein bait. In this final rule, those provisions (§ 319.56-200(b)(3)(iii)) refer Medfly traps with an approved lure, as it will be parapheromone lures, rather than protein baits, that will be used outside of the greenhouses.

Therefore, for the reasons given in the proposed rule and in this document, we are adopting the proposed rule as a final rule, with the change discussed in the previous paragraph.

Note: In our October 2005 proposed rule, we proposed to add the conditions governing the importation of peppers from Central America as § 319.56-2nn. In this final rule, those conditions are added as § 319.56-200.

Effective Date

This is a substantive rule that relieves restrictions and, pursuant to the provisions of 5 U.S.C. 553, may be made effective less than 30 days after publication in the *Federal Register*.

This rule relieves restrictions on the importation of peppers from certain countries while continuing to protect against the introduction of plant pests into the United States. Immediate implementation of this rule is necessary to provide relief to those persons who are adversely affected by restrictions we no longer find warranted. The shipping season for peppers from eligible Central American countries is in progress. Making this rule effective immediately will allow interested producers and others in the marketing chain to benefit during this year's shipping season. Therefore, the Administrator of the Animal and Plant Health Inspection Service has determined that this rule should be effective upon publication in the *Federal Register*.

Executive Order 12866 and Regulatory Flexibility Act

This rule has been reviewed under Executive Order 12866. The rule has been determined to be not significant for the purposes of Executive Order 12866 and, therefore, has not been reviewed by the Office of Management and Budget.

We are amending the regulations governing the importation of fruits and vegetables in order to allow certain types of peppers grown in approved registered production sites in Costa Rica, El Salvador, Guatemala, Honduras, and Nicaragua to be imported, under certain conditions, into the United States without treatment. The conditions to which the importation of peppers will be subject, including trapping, pre-harvest inspection, and shipping procedures, are designed to prevent the introduction of quarantine pests into the United States. This action will allow for the importation of peppers from those countries in Central America while continuing to provide protection against the introduction of quarantine pests into the United States.

The Regulatory Flexibility Act (RFA) requires that agencies consider the economic impact of their rules on small businesses, organizations, and governmental jurisdictions. In accordance with section 604 of the RFA, we have prepared a final regulatory flexibility analysis describing the expected impact of the changes in this rule on small entities. During the comment period for our proposed rule, we did not receive any comments pertaining to the initial regulatory flexibility analysis presented in that document.

Central American Production and Exports

While agriculture is an important industry in the countries that will be affected by this rule, it does not account for the largest share of gross domestic product in any of the countries. Peppers do not appear to be a major crop in those Central American countries. However, production and exports of peppers are following upward trends.

Over the past four decades, pepper production in Central America has been on the rise. For the last 11 years, exports of peppers from this region have also increased. However, much of the increase in exports is a reflection of increased trade among the countries in this region. During this time period, an average of 62.23 percent of exports were intra-regional. Although this percentage has fluctuated substantially, the percentage of peppers exported from Central American countries to other Central American countries has been generally above 70 percent since 1997 with the exception of 2002. In 2003, approximately 96 percent of all Central American pepper exports were sent to other countries within the region.

It is estimated that about 31,040 metric tons of peppers may be imported into the United States each year from Costa Rica, El Salvador, Guatemala,

Hondur
this rule

U.S. Pro

In 200
totaled
While c
fluctuat
decline
there h
domest
last 9 ye
the rise
at a rap
consum
remain
years, w
peppers
pace sir
Althoug
imports
reporte
informa
consum
varietie
case of
table 2.
product
with ap
to expo
above, F
peppers
overall :

TABLE 1.—U.S. PRODUCTION, IMPORTS, AND PER CAPITA CONSUMPTION OF ALL

Year	Production and imports (metric tons)		Bell peppe
	Production	Imports	
1996	752,976	277,334	
1997	680,400	290,557	
1998	662,256	329,336	
1999	707,616	342,128	
2000	911,736	346,660	
2001	857,304	366,514	
2002	843,696	408,499	
2003	843,696	426,197	
2004	843,696	445,982	

Source: USDA/ERS, "Vegetables and Melons Yearbook," <http://usda.mannlib.comell.edu/data-sets/specie>

TABLE 2.—U.S. SUPPLY AND UTILIZATION OF FRESH BELL PEPPERS, -

Year	Supply			Exports*
	Production*	Imports*	Total*	
1996	754,745	171,143	925,888	60,€
1997	678,540	179,217	857,758	60,€
1998	660,260	199,085	859,345	57,€
1999	705,892	206,524	912,416	66,€
2000	765,631	198,190	963,822	71,€
2001	748,168	215,596	963,764	73,€
2002	710,700	249,979	960,679	73,-

* These estimates were provided by the exporting countries and have been aggregated for the purpose of this analysis.

TABLE 2.—U.S. SUPPLY AND UTILIZATION OF FRESH BELL PEPPERS, 1996–2004—Continued

Year	Supply			Utilization		
	Production*	Imports*	Total*	Exports*	Domestic*	Per capita use (pounds)
2003	731,112	245,715	976,828	72,077	904,751	6.9
2004	762,184	258,053	1,020,237	73,438	946,799	7.1

Source: USDA/ERS, "Vegetables and Melons Yearbook," <http://usda.mannlib.cornell.edu/data-sets/specialty/89011/>.

* Amounts shown are in metric tons.

From 1995 to 2003, most of the peppers imported into the United States came from Mexico, Canada, and the Netherlands, with the majority supplied by Mexico. Given the close ties created by the North American Free Trade Agreement, these trading patterns are not surprising.

It is unlikely that this rule will lead to dramatic increases in U.S. import levels of peppers. The amount of peppers expected to be imported from the countries covered by this rule (31,040 metric tons) represents approximately 6.95 percent of the 2004 import level (445,982 metric tons). Thus, Central American imports are not expected to command a large portion of the U.S. imported pepper market.

Effects on Small Entities

This rule will affect domestic producers of peppers as well as importers that deal with these commodities. It is likely that the entities affected will be small according to Small Business Administration (SBA) guidelines. As detailed below, information available to APHIS indicates that the effects on these small entities will not be significant.

Two alternatives to this rule are as follows: (1) Maintaining the regulations as they are currently written regarding the importation of peppers from these Central American countries or (2) allowing importation of the peppers under phytosanitary requirements less stringent than those described in this rule.

The first alternative would maintain current safeguards against the entry of quarantine pests, *i.e.*, continue the current prohibition on the importation of fresh peppers from the countries covered by this rule. However, given our determination that the application of the phytosanitary measures described in this rule will effectively mitigate the risks associated with the importation of commercial shipments of peppers from the specified Central American countries, we do not believe a continued prohibition on those imports would be appropriate or justifiable. Further, this option would also mean that those specified Central American countries, as

well as the United States, would forgo the economic benefits expected to be afforded by the trade of Central American peppers.

The second alternative—allowing importation of fresh peppers from certain Central American countries under phytosanitary requirements less restrictive than those in this rule—could potentially lead to the introduction of pests not currently found in the United States. This option could result in significant damage and costs to domestic production and is not desirable for those reasons.

Affected U.S. pepper producers are expected to be small based on 2002 Census of Agriculture data and SBA guidelines for entities in two farm categories: Other Vegetable (except Potato) and Melon Farming (North American Industry Classification System [NAICS] number 111219) and Other Food Crops Grown Under Cover (NAICS number 111419). The SBA classifies producers in these farm categories as small entities if their total annual sales are no more than \$750,000. APHIS does not have information on the size distribution of domestic pepper producers, but according to 2002 Census data, there were a total of 2,128,892 farms in the United States.² Of this number, approximately 97 percent had total annual sales of less than \$500,000 in 2002, which is well below the SBA's small entity threshold for commodity farms.³ This indicates that the majority of farms are considered small by SBA standards, and it is reasonable to assume that most of the 4,748 pepper farms that could be affected by this rule would also qualify as small. In the case of fruit and vegetable wholesalers (NAICS number 422480),⁴ those entities with fewer than 100 employees are considered small by SBA standards.⁵ In

² This number represents the total number of farms in the United States, thus including barley, buckwheat, corn, millet, oats, rice, soybean, and sugarcane farms.

³ Source: SBA and 2002 Census of Agriculture.

⁴ Note that this NAICS code relates to the 1997 Economic Census. The 2002 NAICS code for this group is 424480.

⁵ For NAICS 424480, SBA guidelines state that an entity with not more than 100 employees should be

1997, there were a total of 4,811 fruit and vegetable wholesale trade firms in the United States.⁶ Of these firms, 4,610 or 95.8 percent employed fewer than 100 employees and were considered small by SBA standards. Between 1997 and 2002 there is not likely to have been substantial changes in the industry. Therefore, domestic producers and importers that may be affected by this rule are predominantly small entities.

Economic analysis of the expected increase in imports of peppers from Central America shows that the importation of these commodities will lead to negligible changes in domestic prices. Based on historical consumption data, an increase in imports of this magnitude would lead to a decrease in price of approximately \$0.01 to \$0.02 per pound at the retail level, based on an average price of \$1.15 per pound over the last 25 years.

Although domestic producers may face slightly lower prices as a result of the increase in the pepper supply, these price changes are expected to be negligible. Changes of the magnitude presented here should not have large repercussions for either domestic producers or importers of peppers.

This rule contains information collection or recordkeeping requirements (see "Paperwork Reduction Act" below).

Executive Order 12988

This final rule allows peppers to be imported into the United States from Costa Rica, El Salvador, Guatemala, Honduras, and Nicaragua. State and local laws and regulations regarding peppers imported under this rule will be preempted while the fruit is in foreign commerce. Fresh peppers are generally imported for immediate distribution and sale to the consuming public, and remain in foreign commerce

considered small unless that entity is a government contractor. In this case, the size standard increases to 500 employees. However, in this instance, it is fair to assume that fruit and vegetable importers will not be under government contract since it is against regulations for imports to be used in relevant government programs (*e.g.*, school lunch programs).

⁶ Source: SBA and 1997 Economic Census.

until sold to the ultimate consumer. The question of when foreign commerce ceases in other cases must be addressed on a case-by-case basis. No retroactive effect will be given to this rule, and this rule will not require administrative proceedings before parties may file suit in court challenging this rule.

National Environmental Policy Act

An environmental assessment and finding of no significant impact have been prepared for this final rule. The environmental assessment provides a basis for the conclusion that the importation of peppers under the conditions specified in this rule will not have a significant impact on the quality of the human environment. Based on the finding of no significant impact, the Administrator of the Animal and Plant Health Inspection Service has determined that an environmental impact statement need not be prepared.

The environmental assessment and finding of no significant impact were prepared in accordance with: (1) The National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C. 4321 *et seq.*), (2) regulations of the Council on Environmental Quality for implementing the procedural provisions of NEPA (40 CFR parts 1500–1508), (3) USDA regulations implementing NEPA (7 CFR part 1b), and (4) APHIS' NEPA Implementing Procedures (7 CFR part 372).

The environmental assessment and finding of no significant impact may be viewed on the Regulations.gov Web site.⁷ Copies of the environmental assessment and finding of no significant impact are also available for public inspection at USDA, room 1141, South Building, 14th Street and Independence Avenue, SW., Washington, DC, between 8 a.m. and 4:30 p.m., Monday through Friday, except holidays. Persons wishing to inspect copies are requested to call ahead on (202) 690–2817 to facilitate entry into the reading room. In addition, copies may be obtained by writing to the individual listed under **FOR FURTHER INFORMATION CONTACT.**

Paperwork Reduction Act

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the information collection or recordkeeping requirements included in this rule have been approved by the Office of Management and Budget

(OMB) under OMB control number 0579–0274.

Government Paperwork Elimination Act Compliance

The Animal and Plant Health Inspection Service is committed to compliance with the Government Paperwork Elimination Act (GPEA), which requires Government agencies in general to provide the public the option of submitting information or transacting business electronically to the maximum extent possible. For information pertinent to GPEA compliance related to this rule, please contact Mrs. Celeste Sickles, APHIS' Information Collection Coordinator, at (301) 734–7477.

List of Subjects in 7 CFR Part 319

Coffee, Cotton, Fruits, Imports, Logs, Nursery stock, Plant diseases and pests, Quarantine, Reporting and recordkeeping requirements, Rice, Vegetables.

■ Accordingly, we are amending 7 CFR part 319 as follows:

PART 319—FOREIGN QUARANTINE NOTICES

■ 1. The authority citation for part 319 continues to read as follows:

Authority: 7 U.S.C. 450, 7701–7772, and 7781–7786; 21 U.S.C. 136 and 136a; 7 CFR 2.22, 2.80, and 371.3.

■ 2. A new § 319.56–200 is added to read as follows:

§ 319.56–200 Administrative Instructions: Conditions governing the entry of peppers from certain Central American countries.

Fresh peppers (*Capsicum* spp.) may be imported into the United States from Costa Rica, El Salvador, Guatemala, Honduras, and Nicaragua only under the following conditions:

(a) For peppers of the species *Capsicum annuum*, *Capsicum frutescens*, *Capsicum baccatum*, and *Capsicum chinense* from areas free of Mediterranean fruit fly (Medfly), terms of entry are as follows:

(1) The peppers must be grown and packed in an area that has been determined by APHIS to be free of Mediterranean fruit fly (Medfly) in accordance with the procedures described in § 319.56–2(f) of this subpart.

(2) A pre-harvest inspection of the growing site must be conducted by the national plant protection organization (NPPO) of the exporting country for the weevil *Faustinus ovatipennis*, pea leafminer, tomato fruit borer, banana moth, lantana mealybug, passionvine mealybug, melon thrips, the rust fungus *Puccinia pampeana*, Andean potato

mottle virus, and tomato yellow mosaic virus, and if these pests are found to be generally infesting the growing site, the NPPO may not allow export from that production site until the NPPO has determined that risk mitigation has been achieved.

(3) The peppers must be packed in insect-proof cartons or containers or covered with insect-proof mesh or plastic tarpaulin at the packinghouse for transit to the United States. These safeguards must remain intact until arrival in the United States.

(4) The exporting country's NPPO is responsible for export certification, inspection, and issuance of phytosanitary certificates. Each shipment of peppers must be accompanied by a phytosanitary certificate issued by the NPPO and bearing the declaration, "These peppers were grown in an area recognized to be free of Medfly and the shipment has been inspected and found free of the pests listed in the requirements."

(b) For peppers of the species *Capsicum annuum*, *Capsicum frutescens*, *Capsicum baccatum*, *Capsicum chinense*, and *Capsicum pubescens* from areas in which Medfly is considered to exist:

(1) The peppers must be grown in approved production sites registered with the NPPO of the exporting country. Initial approval of the production sites will be completed jointly by the exporting country's NPPO and APHIS. The exporting country's NPPO will visit and inspect the production sites monthly, starting 2 months before harvest and continuing through until the end of the shipping season. APHIS may monitor the production sites at any time during this period.

(2) Pepper production sites must consist of pest-exclusionary greenhouses, which must have self-closing double doors and have all other openings and vents covered with 1.6 (or less) mm screening.

(3) Registered sites must contain traps for the detection of Medfly both within and around the production site.

(i) Traps with an approved protein bait must be placed inside the greenhouses at a density of four traps per hectare, with a minimum of two traps per greenhouse. Traps must be serviced on a weekly basis.

(ii) If a single Medfly is detected inside a registered production site or in a consignment, the registered production site will lose its ability to export peppers to the United States until APHIS and the exporting country's NPPO mutually determine that risk mitigation is achieved.

⁷ Go to <http://www.regulations.gov>, click on the "Advanced Search" tab and select "Docket Search." In the Docket ID field, enter APHIS–2005–0095 then click on "Submit." The environmental assessment and finding of no significant impact will appear in the resulting list of documents.

(iii) Medfly traps with an approved lure must be placed inside a buffer area 500 meters wide around the registered production site, at a density of 1 trap per 10 hectares and a minimum of 10 traps. These traps must be checked at least every 7 days. At least one of these traps must be near the greenhouse. Traps must be set for at least 2 months before export and trapping must continue to the end of the harvest.

(iv) Capture of 0.7 or more Medflies per trap per week will delay or suspend the harvest, depending on whether harvest has begun, for consignments of peppers from that production site until APHIS and the exporting country's NPPO can agree that the pest risk has been mitigated.

(v) The greenhouse must be inspected prior to harvest for the weevil *Faustinus ovatipennis*, pea leafminer, tomato fruit borer, banana moth, lantana mealybug, passionvine mealybug, melon thrips, the rust fungus *Puccinia pampeana*, Andean potato mottle virus, and tomato yellow mosaic virus. If any of these pests, or other quarantine pests, are found to be generally infesting the greenhouse, export from that production site will be halted until the exporting country's NPPO determines that the pest risk has been mitigated.

(4) The exporting country's NPPO must maintain records of trap placement, checking of traps, and any Medfly captures. The exporting country's NPPO must maintain an APHIS-approved quality control program to monitor or audit the trapping program. The trapping records must be maintained for APHIS' review.

(5) The peppers must be packed within 24 hours of harvest in a pest-exclusionary packinghouse. The peppers must be safeguarded by an insect-proof mesh screen or plastic tarpaulin while in transit to the packinghouse and while awaiting packing. Peppers must be packed in insect-proof cartons or containers, or covered with insect-proof mesh or plastic tarpaulin, for transit to the United States. These safeguards must remain intact until arrival in the United States or the consignment will be denied entry into the United States.

(6) During the time the packinghouse is in use for exporting peppers to the United States, the packinghouse may accept peppers only from registered approved production sites.

(7) The exporting country's NPPO is responsible for export certification, inspection, and issuance of phytosanitary certificates. Each shipment of peppers must be accompanied by a phytosanitary certificate issued by the NPPO and

bearing the declaration, "These peppers were grown in an approved production site and the shipment has been inspected and found free of the pests listed in the requirements." The shipping box must be labeled with the identity of the production site.

(c) For peppers of the species *Capsicum pubescens* from areas in which Mexican fruit fly (Mexfly) is considered to exist:

(1) The peppers must be grown in approved production sites registered with the NPPO of the exporting country. Initial approval of the production sites will be completed jointly by the exporting country's NPPO and APHIS. The exporting country's NPPO must visit and inspect the production sites monthly, starting 2 months before harvest and continuing through until the end of the shipping season. APHIS may monitor the production sites at any time during this period.

(2) Pepper production sites must consist of pest-exclusionary greenhouses, which must have self-closing double doors and have all other openings and vents covered with 1.6 (or less) mm screening.

(3) Registered sites must contain traps for the detection of Mexfly both within and around the production site.

(i) Traps with an approved protein bait must be placed inside the greenhouses at a density of four traps per hectare, with a minimum of two traps per greenhouse. Traps must be serviced on a weekly basis.

(ii) If a single Mexfly is detected inside a registered production site or in a consignment, the registered production site will lose its ability to ship under the systems approach until APHIS and the exporting country's NPPO mutually determine that risk mitigation is achieved.

(iii) Mexfly traps with an approved protein bait must be placed inside a buffer area 500 meters wide around the registered production site, at a density of 1 trap per 10 hectares and a minimum of 10 traps. These traps must be checked at least every 7 days. At least one of these traps must be near the greenhouse. Traps must be set for at least 2 months before export, and trapping must continue to the end of the harvest.

(iv) Capture of 0.7 or more Mexflies per trap per week will delay or suspend the harvest, depending on whether harvest has begun, for consignments of peppers from that production site until APHIS and the exporting country's NPPO can agree that the pest risk has been mitigated.

(v) The greenhouse must be inspected prior to harvest for the weevil *Faustinus ovatipennis*, pea leafminer, tomato fruit

borer, banana moth, lantana mealybug, passionvine mealybug, melon thrips, the rust fungus *Puccinia pampeana*, Andean potato mottle virus, and tomato yellow mosaic virus. If any of these pests, or other quarantine pests, are found to be generally infesting the greenhouse, export from that production site will be halted until the exporting country's NPPO determines that the pest risk has been mitigated.

(4) The exporting country's NPPO must maintain records of trap placement, checking of traps, and any Mexfly captures. The exporting country's NPPO must maintain an APHIS-approved quality control program to monitor or audit the trapping program. The trapping records must be maintained for APHIS's review.

(5) The peppers must be packed within 24 hours of harvest in a pest-exclusionary packinghouse. The peppers must be safeguarded by an insect-proof mesh screen or plastic tarpaulin while in transit to the packinghouse and while awaiting packing. Peppers must be packed in insect-proof cartons or containers, or covered with insect-proof mesh or plastic tarpaulin, for transit to the United States. These safeguards must remain intact until arrival in the United States or the consignment will be denied entry into the United States.

(6) During the time the packinghouse is in use for exporting peppers to the United States, the packinghouse may accept peppers only from registered approved production sites.

(7) The exporting country's NPPO is responsible for export certification, inspection, and issuance of phytosanitary certificates. Each shipment of peppers must be accompanied by a phytosanitary certificate issued by the NPPO and bearing the declaration, "These peppers were grown in an approved production site and the shipment has been inspected and found free of the pests listed in the requirements." The shipping box must be labeled with the identity of the production site.

(Approved by the Office of Management and Budget under control number 0579-0274)

Done in Washington, DC, this 1st day of March 2006.

Kevin Shea,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 06-2127 Filed 3-6-06; 8:45 am]

BILLING CODE 3410-34-P

