

# WORLD TRADE ORGANIZATION

G/SPS/N/USA/121

8 May 1998

(98-1837)

## Committee on Sanitary and Phytosanitary Measures

### NOTIFICATION

1.	<b>Member to Agreement notifying:</b> <u>UNITED STATES</u> <b>If applicable, name of local government involved:</b>
2.	<b>Agency responsible:</b> Department of Agriculture, Animal and Plant Health Inspection Service.
3.	<b>Products covered (tariff item number(s) as specified in national schedules deposited with the WTO. ICS numbers may be provided in addition, where applicable):</b> Rhododendron from Europe.
4.	<b>Title and number of pages of the notified document:</b> Importation of Rhododendron Established in Growing Media.
5.	<b>Description of content:</b> The Animal and Plant Health Inspection Service (APHIS) is reopening and extending the comment period on a proposal to allow the importation of Rhododendron established in growing media, originally published in the Federal Register 7 September 1993. Final action on that proposal had been deferred to allow consultation regarding the action with the United States Fish and Wildlife Service, in accordance with the Endangered Wildlife Service, in accordance with the Endangered Species Act. That consultation has been completed, and, as a result, the proposed action has been limited to Rhododendron imported from Europe. The original publication in 1993 proposed to allow the importation of five genera of plants established in growing media. In a final rule published in the Federal register on 13 January 1995, APHIS finalized provisions for importation of <i>Alstroemeris</i> , <i>Ananas</i> , <i>Anthurium</i> , and <i>Nidularium</i> . The final rule postponed action on Rhododendron established in growing media. The consultations on <i>Rhododendron</i> are now completed, in compliance with Section 7 of the Endangered Species Act. That consultation revealed that if <i>Rhododendron</i> in growing media is imported from Europe in accordance with the requirements proposed by APHIS, such importation is not likely to adversely affect endangered or threatened species or their habitats. However the consultation also revealed that insufficient data has been assembled to conclusively demonstrate that importing <i>Rhododendron</i> in growing media from areas other than Europe would not adversely affect endangered or threatened species or their habitats. Therefore, we are modifying the provisions of the proposed rule that apply to <i>Rhododendron</i> , to apply only to <i>Rhododendron</i> from Europe. This reopening of the comment period will allow interested parties an opportunity to comment on this change to the original proposal.
6.	<b>Objective and rationale:</b> Plant health.

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<b>7.</b>	<b>An international standard, guideline or recommendation does not exist [ X ].</b> <b>If an international standard, guideline or recommendation exists, whenever possible, identify deviations:</b>
<b>8.</b>	<b>Relevant documents and language(s) in which these are available:</b> 63 FR 23683, 30 April 1998 (Available in English, 3 pages); 7 CFR Part 319.
<b>9.</b>	<b>Proposed date of adoption:</b> To be determined.
<b>10.</b>	<b>Proposed date of entry into force:</b> The effective date will be given upon publication of the Final Rule in the Federal Register.
<b>11.</b>	<b>Final date for comments:</b> 1 June 1998.  <b>Agency or authority designated to handle comments:</b> Animal and Plant Health Inspection Service, USDA
<b>12.</b>	<b>Texts available from: National enquiry point [ X ] or address, telefax number and E-mail address (if available) of other body:</b>  USDA/FAS/FSTSD ATTN: Carolyn F. Wilson Room 5545 South Agriculture Building Stop 1027 1400 Independence Avenue, S.W. Washington, D.C. 20250 Phone (202) 720-2239 Fax (202) 690-0677 E-mail Address: ofsts@fas.usda.gov