IN WITNESS WHEREOF, I have hereunto set my hand this 31st day of January, in the year of our Lord nineteen hundred and eighty-five, and of the Independence of the United States of America the two hundred and ninth.

Ronald Reagan

[FR Doc. 85-2927
Filed 2-1-85; 11:02 am]
Billing code 3195-01-M

Presidential Documents

Executive Order 12504 of January 31, 1985

Protection of Semiconductor Chip Products

By the authority vested in me as President by the Constitution and laws of the United States of America, including the Semiconductor Chip Protection Act of 1984 (17 U.S.C. 901 *et seq.*) and in order to provide for the orderly implementation of that Act, it is hereby ordered that, subject to the authority of the Director of the Office of Management and Budget under Executive Order No. 11030, as amended, requests for issuance by the President of a proclamation extending the protection of Chapter 9 of title 17 of the United States Code against unauthorized duplication of semiconductor chip products to foreign nationals, domiciliaries, and sovereign authorities shall be presented to the President through the Secretary of Commerce in accordance with such regulations as the Secretary may, after consultation with the Secretary of State, prescribe and cause to be published in the **Federal Register.**

Ronald Reagan

THE WHITE HOUSE,
January 31, 1985.

[FR Doc. 85-2928
Filed 2-1-85; 11:03 am]
Billing code 3195-01-M

Rules and Regulations

Federal Register
Vol. 50, No. 23
Monday, February 4, 1985

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.
The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each week.

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

7 CFR Part 301

[Docket No. 84-339]

Honey Bee Tracheal Mite; Addition to List of Regulated Areas

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Interim rule.

SUMMARY: This document amends regulations in Subpart 92 of the Domestic Quarantine Notices by retitling the quarantine and regulations as "Subpart-Honey Bee Tracheal Mite"; by adding the States of Florida and Louisiana to the list of States quarantined because of the honey bee tracheal mite, *Acarapis woodi;* by adding the State of Florida, portions of four parishes in Louisiana, and one county in Texas to the list of regulated areas; and by redescribing previously designated regulated areas in two counties in Texas. This action is necessary on an emergency basis to prevent the artificial spread of the honey bee tracheal mite from infested areas in Florida, Louisiana, and Texas to noninfested areas of the United States.

DATES: Effective date of amendment January 28, 1985. Written comments concerning this final rule must be received on or before April 5, 1985.

ADDRESS: Written comments concerning this rulemaking should be submitted to Thomas O. Gessel, Director, Regulatory Coordination Staff, Animal and Plant Health Inspection Service, Room 728, Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782. Written comments received may be inspected at Room 728 of the Federal Building between 8:00 a.m. and 4:30 p.m., Monday through Friday, except holidays.

FOR FURTHER INFORMATION CONTACT: B. Glen Lee, Emergency Programs Coordinator, Plant Protection and Quarantine, APHIS, USDA, Federal Building, 6505 Belcrest Road, Room 611, Hyattsville, MD 20782, (301) 436-6365.

SUPPLEMENTARY INFORMATION:

Emergency Action

Harvey L. Ford, Deputy Administrator of the Animal and Plant Health Inspection Service for Plant Protection and Quarantine, has determined that an emergency situation exists which warrants publication without prior opportunity for a public comment period on this final action. Due to the possibility that the honey bee tracheal mite could be spread artificially to noninfested areas of the United States, a situation exists requiring immediate action to better control the spread of this pest.

Further, pursuant to the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that prior notice and other public procedure with respect to this emergency final action are impracticable and contrary to the public interest; and good cause is found for making this emergency final action effective less than 30 days after publication of this document in the **Federal Register.** Comments will be solicited for 60 days after publication of this document, and a final document discussing comments received and any amendments required will be published in the **Federal Register** as soon as possible.

Background

This document amends §§ 301.92(a) and 301.92-3(c) of "Subpart-Honey Bee Tracheal Mite" quarantine and regulations (7 CFR 301.92 *et seq.;* previously captioned "Subpart-Acarine Mite" and referred to below as the "regulations") by adding the States of Florida and Louisiana to the list of States quarantined for honey bee tracheal mite; by adding the State of Florida, portions of Iberia, Lafayette, St. Martin, and Vermilion Parishes in Louisiana, and a portion of Nueces County in Texas to the list of regulated areas; and by redescribing previously designated regulated areas in Bee and Live Oak Counties in Texas. Prior to the effective date of this amendment, the regulations quarantined only the State of Texas, and restricted the interstate movement of regulated articles from regulated areas in Bee, Cameron, Chambers, Floyd, Hale, Harris, Hidalgo, Live Oak and Motley Counties in Texas in order to prevent the artificial spread of the honey bee tracheal mite. This document also changes the previously used common name of the mite, *Acarapis woodi,* from "Acarine mite" to "honey bee tracheal mite".

Quarantined States and Regulated Areas

The honey bee tracheal mite, *Acarapis woodi,* is an internal parasitic mite of honey bees (bees of the genus *Apis*). The mite reduces the ability of the bees to fly and thereby causes scarcity of food in bee colonies. Consequently, the mite contributes to a loss of field bees which results in substantial reductions in pollination. An infestation of honey bee tracheal mite disease in honey bee colonies can severely damage important agricultural commodities that depend upon pollination by the bees for production. These agricultural commodities include forage crops, fruits, vegetables, and oil crops.

Under the regulations, States where honey bee tracheal mite is found are quarantined, and areas in the quarantined State are designated as regulated areas under criteria described below in order to prevent the movement of regulated articles interstate from regulated areas. An area in a quarantined State is designated as a regulated area if it is an area where the honey bee tracheal mite has been found or an area in which the Deputy Administrator has reason to believe the honey bee tracheal mite is present, or each portion of a quarantined State which the Deputy Administrator deems necessary to regulate because of its proximity to the honey bee tracheal mite, or its inseparability for quarantine enforcement purposes from localities in which the honey bee tracheal mite occurs. Less than an entire quarantined State is designated as a regulated area if the Deputy Administrator determines that:

(1) The State has adopted and is enforcing a quarantine and regulations which imposes restrictions on the intrastate movement of the regulated articles which are substantially the same as those imposed with respect to

the interstate movement of such articles; and

(2) The designation of less than the entire State as a regulated area will otherwise be adequate to prevent the artificial interstate spread of the honey bee tracheal mite.

Recent surveys conducted by inspectors of the Plant Protection and Quarantine (PPQ), a unit within the Animal Plant Health Inspection Service, U.S. Department of Agriculture (USDA), and officials of State agencies of Florida, Louisiana, and Texas have established that a honey bee tracheal mite infestation is widespread throughout the State of Florida, in the parishes of Iberia, Lafayette, St. Martin, and Vermilion in Louisiana, and in the county of Nuecesin, Texas, respectively. These areas remain infested at this time.

Officials of USDA and the State agencies of Louisiana and Texas have begun eradication programs in the infested areas in Louisiana and Texas and are continuing to intensively survey areas in Louisiana and Texas for the honey bee tracheal mite. Further, Louisiana and Texas have taken action to impose restrictions on the intrastate movement of regulated articles from infested areas in order to prevent the artificial spread of the honey bee tracheal mite within Louisiana and Texas. The State of Florida, however, has removed restrictions previously imposed on the intrastate movement of regulated articles within Florida because of a determination that the honey bee tracheal mite is widespread throughout the State. Currently, Florida is not regulating the movement of articles within Florida to prevent the artificial spread of the honey bee tracheal mite.

Therefore, because of the existence of these honey bee tracheal mite infestations and in accordance with the criteria discussed above for designating and entire State or a portion of a State as regulated area, it is necessary to impose restrictions of the interstate movement of regulated articles from anywhere in the State of Florida, and from certain areas in Louisiana and Texas in order to prevent the artificial spread interstate of honey bee tracheal mite. Also, in accordance with the criteria discussed above, it is necessary to add the States of Florida and Louisiana to the list of quarantined States in § 301.92(a) (the State of Texas was previously quarantined).

This document designates the following areas as regulated areas in § 301.92–3(c):

Florida

The entire State.

Louisiana

Iberia Parish: That portion of the parish lying west of the west shoreline of Lake Fausse Pointe except Marsh Island.

Lafayette Parish: Those portions of T. 11 and 12 S., R. 5 E., and the E. ⅓ of T. 11 S., R. 4 E. lying in the parish.

St. Martin Parish: That portion of the parish lying south of the north line of T. 11 S. and west of Highway 31.

Vermilion Parish: T. 13 S., R. 4 E.; those portions of T. 11, 12, and 13 S., R. 5 E. lying in the parish; E. ½ of T. 12 S., R. 4 E.; and that portion of the E. ⅓ of T. 11 S., R. 4 E. lying in the parish.

Texas

Nueces County: That portion of the county within the city limits of Corpus Christi bounded by a line beginning at a point where State Highway 357 (Saratoga Blvd.) intersects Staples Road; then northerly along Staples Road to its intersection with State Highway 358 (Padre Island Drive); then easterly along State Highway 358 to its intersection with Airline Road; then northerly along Airline Road to its intersection with Ocean Drive; then northwesterly along Ocean Drive to its intersection with Morgan Avenue; then westerly along Morgan Avenue to its intersection with Old Brownsville Road; then southwesterly along Old Brownsville Road to its intersection with State Highway 357; then easterly along State Highway 357 to the point of beginning.

This document also amends the regulations by redescribing previously designated regulated areas in Bee and Live Oak Counties, Texas as follows:

(1) The regulated area in Bee County, Texas, previously described as "The portion of Bee County within the area bounded by a line beginning at the intersection of the Bee County line and Farm Road 623; then easterly on Farm Road 623 to the intersection of U.S. Highway 59; then westerly on U.S. Highway 59 to the intersection of the Bee County line; then northerly along Bee County line to the point of beginning." Is redescribed as "That portion of the county bounded by a line beginning at a point where Live Oak-Bee County line intersects Farm to Market Road 799; then north 4.25 miles along said county line to its intersection with an unnumbered road; then east 4.75 miles along the unnumbered road to an imaginary point; then south 8.25 miles from said imaginary point along an imaginary line parallel to the Live Oak-Bee County line to its intersection with an unnumbered road; then west along the unnumbered road to its intersection with the Live Oak-Bee County line; then north 3.3 miles along said county line to the point of beginning."

(2) The regulated area in Live Oak County, Texas, previously described as "The portion of Live Oak County within the area bounded by a line beginning at the intersection of the Live Oak County line and U.S. Highway 59; then westerly on U.S. Highway 59 to the intersection of Interstate Highway 37; then northwesterly along Interstate Highway 37 to the intersection with State Highway 72; then easterly along State Highway 72 to its intersection with Farm Road 1358; then easterly on Farm Road 1358 to its intersection with Farm Road 623; then easterly on Farm Road 623 to the Live Oak County line; then southerly along the Live Oak County line to the point of beginning." Is redescribed as "That portion of the county bounded by a line beginning at a point where Interstate Highway 37 intersects Farm to Market Road (FM) 1358; then east 6.75 miles along FM 1358 to its intersection with an unnumbered road in the settlement of Karon; the east 1.25 miles along the unnumbered road to the Live Oak-Bee County line; then south 7.75 miles along said county line to its intersection with an unnumbered road; then west 2.25 miles along the unnumbered road to its intersection with FM 1596; then northwesterly 5 miles along FM 1596 to its intersection with an unnumbered road; then southwest 3 miles along the unnumbered road to its intersection with Interstate Highway 37; then north along said highway to the point of beginning."

The areas in Bee and Live Oak Counties in Texas has been redesignated as regulated areas in § 301.92–3(c) in accordance with the criteria for designating regulated areas discussed elsewhere in the document. These areas have been redescribed from the previous designation in order to conform more precisely the description of the boundaries in the regulated areas with names of roads commonly used and easily identifiable. Although, the effect of redescribing these boundaries is to slightly reduce the size of the regulated area, the redesignation meets the regulatory criteria used in designating an area as regulated areas in § 301.92–3(c).

Miscellaneous

This document retitles Subpart 92 from "Subpart-Acarine Mite" to "Subpart Honey Bee Tracheal Mite." and changes the name of "Acarine Mite" whenever previously used in Subpart 92 to "honey bee tracheal mite" in order to use the correct common name for mite, *Acarapis woodi*, in the Subpart.

Executive Order 12291 and Regulatory Flexibility Act

The emergency nature of this action makes it impracticable for the Agency to follow the procedures of Executive Order 12291 with respect to this interim rule. In order to help prevent the spread of honey bee tracheal mite, immediate action is warranted to regulate the movement of regulated articles.

This emergency situation also makes compliance with section 603 and timely compliance with section 604 of the Regulatory Flexibility Act impracticable. Since this action may have a significant economic impact on a substantial number of small entities, the final Regulatory Impact Analysis, if required,

will address the issues required in sections 603 and 604.

List of Subjects in 7 CFR Part 301

Agricultural commodities, Plant diseases, Plant pests, Plants (Agriculture), Quarantine, Transportation, Honey bee tracheal mite.

PART 301—DOMESTIC QUARANTINE NOTICES

Under the circumstances referred to above, newly captioned "Subpart—Honey Bee Tracheal Mite" quarantine and regulations (7 CFR 301.92 through 301.92–9) are amended as follows:

§ 301.92—301.92–9 [Amended]

1. In Part 301, the title "Subpart—Acarine Mite" is recaptioned as "Subpart—Honey Bee Tracheal Mite", and any references in §§ 301.92—301.92–9 to "Acarine mite" are changed to "honey bee tracheal mite."

§ 301.92 [Amended]

2. In § 301.92(a) the States of "Florida" and "Louisiana" are added in alphabetical order to the list of quarantined States.

§ 301.92–3 [Amended]

3. In § 301.92–3(c), previously designated regulated areas in Bee and Live Oak Counties in Texas are redescribed, and the following areas in Florida, Louisiana, and Texas are added in alphabetical order to the list of regulated areas as follows:

* * * * *

(c) The areas described below are designated as regulated areas:

Florida

The entire State.

Louisiana

Iberia Parish: That portion of the parish lying west of the west shoreline of Lake Fausse Pointe except Marsh Island.

Lafayette Parish: Those portions of T. 11 and 12 S., R. 5 E., and the E. ½ of T. 11 S., R. 4 E. lying in the parish.

St. Martin Parish: That portion of the parish lying south of the north line of T. 11 S. and west of Highway 31.

Vermilion Parish: T. 13 S., R. 4 E.; those portions of T. 11, 12, and 13 S., R. 5 E. lying in the parish; E. ½ of T. 12 S., R. 4 E.; and that portion of the E. ½ of T. 11 S., R. 4 E. lying in the parish.

Texas

Bee County: That portion of the county bounded by a line beginning at a point where Live Oak-Bee County line intersects Farm to Market Road 799; then north 4.25 miles along said county line to its intersection with an unnumbered road; then east 4.75 miles along the unnumbered road to an imaginary point; then south 8.25 miles from said imaginary point along an imaginary line parallel to the Live Oak-Bee County line to its intersection with an unnumbered road; then west along the unnumbered road to its intersection with the Live Oak-Bee County line; then north 3.3 miles along said county line to the point of beginning.

* * * * *

Live Oak County: That portion of the county bounded by a line beginning at a point where Interstate Highway 37 intersects Farm to Market Road (FM) 1358; then east 6.75 miles along FM 1358 to its intersection with an unnumbered road in the settlement of Karon; then east 1.25 miles along the unnumbered road to the Live Oak-Bee County line; then south 7.75 miles along said county line to its intersection with an unnumbered road; then west 2.25 miles along the unnumbered road to its intersection with FM 1596; then northwesterly 5 miles along FM 1596 to its intersection with an unnumbered road; then southwest 3 miles along the unnumbered road to its intersection with Interstate Highway 37; then north along said highway to the point of beginning.

* * * * *

Nueces County: That portion of the county within the city limits of Corpus Christi bounded by a line beginning at a point where State Highway 357 (Saratoga Blvd.) intersects Staples Road; then northerly along Staples Road to its intersection with State Highway 358 (Padre Island Drive); then easterly along State Highway 358 to its intersection with Airline Road; then northerly along Airline Road to its intersection with Ocean Drive; then northwesterly along Ocean Drive to its intersection with Morgan Avenue; then westerly along Morgan Avenue to its intersection with Old Brownsville Road; then southwesterly along Old Brownsville Road to its intersection with State Highway 357; then easterly along State Highway 357 to the point of beginning.

* * * * *

Authority: Secs. 105 and 106, 71 Stat. 32 and 33 (7 U.S.C. 150dd, 150ee); 7 CFR 2.17, 2.51, and 371.2(c).

Done at Washington, D.C., this 28th day of January 1985.

William F. Helms,

Acting Deputy Administrator, Plant Protection and Quarantine, Animal and Plant Health Inspection Service.

[FR Doc. 85–2702 Filed 2–1–85; 8:45 am]

BILLING CODE 3410–34–M

Agricultural Marketing Service

7 CFR Part 907

[Navel Orange Reg. 613, Amdt. 2]

Navel Oranges Grown in Arizona and Designated Part of California; Limitation of Handling

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: Regulation 613, Amendment 2, increases the quantity of fresh oranges that may be shipped during the period January 25–31, 1985. Such action is needed to provide for orderly marketing of fresh navel oranges for the period specified due to the marketing situation confronting the orange industry. The Navel Orange Administrative Committee, at a meeting on January 22, 1985, recommended a quantity of oranges that may be shipped during the period February 1–7, 1985. At a meeting on January 29, the committee recommended an amendment to increase the quantity previously recommended for the February 1–7, 1985, period. Based on available supply and demand information and a USDA estimate that the 1984–85 season average fresh equivalent on-tree returns to producers for such oranges will be substantially above parity, it is the decision of the Agricultural Marketing Service not to approve any prorate regulation for the week ending February 7, 1985, nor thereafter until further notice.

DATES: Amended Regulation 613 (§ 907.913) is effective for the period January 25–31, 1985.

FOR FURTHER INFORMATION CONTACT: William J. Doyle, 202–447–5975.

SUPPLEMENTARY INFORMATION:

Findings

This rule has been reviewed under USDA procedures and Executive Order 12291 and has been designated a "non-major" rule. William T. Manley, Deputy Administrator, Agricultural Marketing Service, has certified that this action will not have a significant economic impact on a substantial number of small entities.

This amendment is issued under the Order No. 907, as amended (7 CFR Part 907), regulating the handling of navel oranges grown in Arizona and designated part of California. The order is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674). This action is based upon the recommendation and