

Warped

By Scott McCullar

# Judge halts fruit quarantine plan

**DALLAS** — An effort to keep the Mediterranean fruit fly out of Texas by placing a quarantine on California produce has been halted by a federal judge.

The blockade, which began shortly before noon Monday, was ordered stopped by U.S. District Judge Patrick Higginbotham after a lawsuit was filed by a California growers association.

Texas agriculture officials, fearful of the devastating fly, briefly detained three California produce trucks during the short-lived blockade, then allowed them to continue because their cargo was from an unaffected area of the western state.

The suit alleges that the Texas quarantine against California fruits and produce violates the U.S. Constitution and federal regulations by attempting to regulate interstate commerce.

The roadblocks were aimed at stopping certain produce from an area of California that is infested with the fruit fly from entering Texas.

Attorneys for the California Grape and Fruit Tree League filed the suit in Dallas against Agriculture Commissioner Reagan Brown in hopes of stopping the blockades.

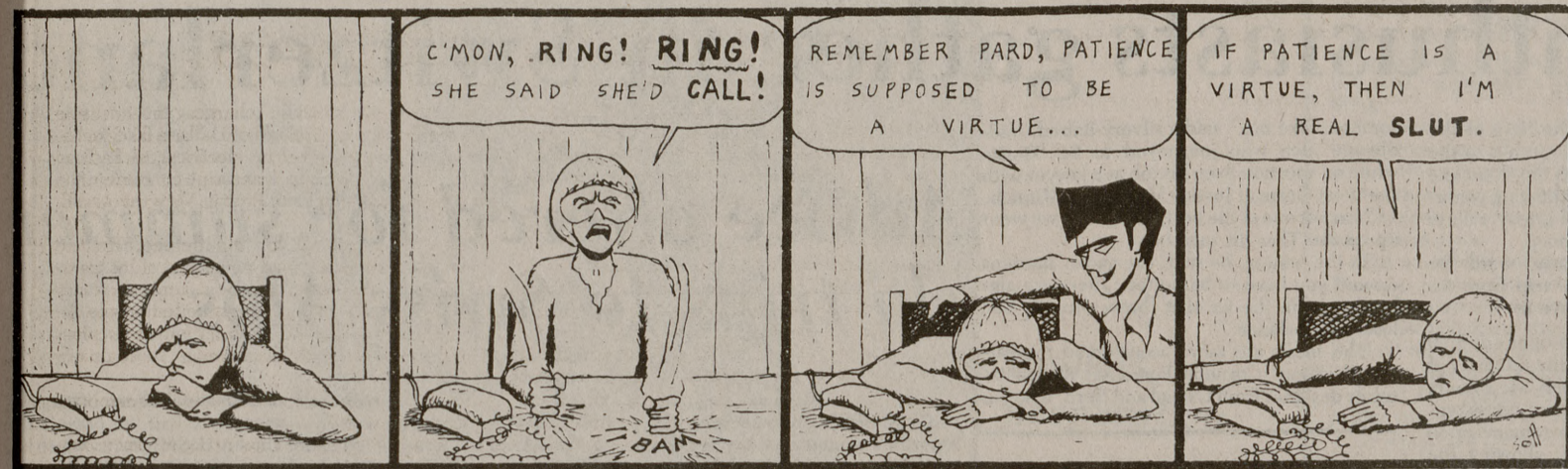
Agriculture officials at the El Paso blockade on Interstate 10 Monday stopped at least three trucks of California produce, all of which were certified as not being from the infested area.

Agriculture Department employees, assisted by officers from the Department of Public Safety, manned the blockades on at least a half dozen highways that enter the state's western border.

One observer at the El Paso blockade said the situation "looked like a circus" because of all the television cameras and photographers in the area.

Under the terms of the quarantine, California fruit or produce that is certified as not coming from the three quarantined counties in California would have been allowed to enter.

However, fruits and produce originated inside the quarantined area would have been admitted only if it was fumigated or cold treated before leaving California.



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## Test rocket may be OK with FAA

**FORT WORTH** — A government spokesman Monday said the Federal Aviation Administration will probably grant Space Services Inc.'s waiver request to fire a sub-orbital test rocket off Matagorda Island into controlled airspace July 29.

SSI officials were concerned enough about the first governmental challenge to their private project, however, they interrupted work at the rocket site and planned to travel to Fort Worth for a scheduled meeting with FAA administrators Tuesday.

There, SSI President David Hannah Jr., two engineers and an attorney were to meet with the heads of the FAA Southwest Regional Office.

The decision will determine whether the first commercial rocket launch in this country is a full test of 50 miles high or a "chip shot" of less than 10 miles, SSI spokesman Walter Pennino said.

The meeting has been rescheduled three times.

George Burlage in the FAA Public Affairs Office said, "They (SSI) must satisfy certain requirements. It probably won't be denied. But they haven't filed anything yet. They probably didn't think of it."

He said the FAA doesn't like the idea of unannounced objects in controlled airspace, where "you might have a Braniff with 110 people up there at the same time."

A successful firing of the 55-foot Percheron rocket would pave the way for SSI and GCH Inc., of Sunnysvale, Calif., to begin constructing Percherons for carrying commercial communication and weather satellites into orbit.

Hannah, in Houston, said the companies are trying to satisfy the FAA even though they don't have to by law.

"I'm told there's no law that would keep us from firing anyway (without FAA permission), but we certainly want to work with them," he said.

There was disagreement between the parties as to what is controlled airspace. The FAA says it's above 8,000 feet, but Hannah said it was higher.

"They (the FAA) could deny us entry into the space above 20,000 feet, but they've never denied anybody else entry above there," he said.

He said the meeting was really perfunctory.

"I think they want us to act responsibly and they don't want us to be a threat to anybody. And we don't want that either," he said.

and a little bit more!

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