Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

Department of Transportation

Section 213.3394 is amended to show that the position of Director, Office of Public Affairs, Office of the Secretary, is excepted under Schedule C.

Effective on publication in the FEDERAL REGISTER (5–4–72), subparagraph (29) is added to paragraph (a) of § 213.3394 as set out below.

§ 213.3394 Department of Transportation.

(a) *Office of the Secretary.* * * *

(29) Director, Office of Public Affairs.

* * * * *

(5 U.S.C. 3301, 3302, E.O. 10577; 3 CFR 1954–58 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.72–6794 Filed 5–3–72;8:49 am]

Title 7—AGRICULTURE

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture

[Navel Orange Reg. 267]

PART 907—NAVEL ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

§ 907.567 Navel Orange Regulation 267.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 907, as amended (7 CFR Part 907), regulating the handling of Navel oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations and information submitted by the Navel Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Navel oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Navel oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Navel oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on May 2, 1972.

(b) *Order.* (1) The respective quantities of Navel oranges grown in Arizona and designated part of California which may be handled during the period May 5, 1972, through May 11, 1972, are hereby fixed as follows:

(i) District 1: 840,000 cartons;

(ii) District 2: 160,000 cartons;

(iii) District 3: Unlimited.

(2) As used in this section, "handled," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in said amended marketing agreement and order.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: May 3, 1972.

PAUL A. NICHOLSON,
Acting Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc.72–6937 Filed 5–3–72;11:37 am]

[Valencia Orange Reg. 390]

PART 908—VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

§ 908.690 Valencia Orange Regulation 390.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 908, as amended (7 CFR Part 908), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations and information submitted by the Valencia Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, is hereby found that the limitation of handling of such Valencia oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Valencia oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section

will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on May 2, 1972.

(b) *Order.* (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period May 5, 1972, through May 11, 1972, are hereby fixed as follows:

(i) District 1: 37,274 cartons;

(ii) District 2: 96,304 cartons;

(iii) District 3: 250,000 cartons.

(2) As used in this section, "handler," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in said amended marketing agreement and order.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: May 3, 1972.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc.72-6936 Filed 5-3-72;11:37 am]

Chapter XI—Agricultural Marketing Service (Marketing Agreements and Orders; Miscellaneous Commodities), Department of Agriculture

PART 1205—COTTON RESEARCH AND PROMOTION

Subpart—Fiscal Period

On March 17, 1972 a notice of proposed rule making was published in the FEDERAL REGISTER (37 (F.R. 5634) regarding a proposal to change the fiscal period in § 1205.305 of the Cotton Research and Promotion Order, effective under the Cotton Research and Promotion Act (7 U.S.C. 2101 et seq.).

Interested parties were afforded 10 days in which to submit data, views, or arguments with respect to the proposed change in the fiscal period. Comments favoring the change were received from Cotton, Inc., and no comments opposing the change were submitted.

The notice proposed changing the fiscal period from the calendar year to a 12-month budgetary period beginning July 1 and ending June 30 of the following year. The initial period under such proposal would begin July 1, 1972, and the current fiscal period would be terminated on June 30, 1972.

Section 1205.305 of the order authorizes the Cotton Board, with the approval of the Secretary, to select a fiscal period other than the calendar year as a 12-month budgetary period. The new fiscal period was proposed by the Cotton Board as a more suitable period for budget planning and program operations than the calendar year. Also, fiscal period beginning July 1 would conform more closely with the cotton marketing year which begins August 1 each year, during which $1 per bale assessments are collected pursuant to the order. Such change in fiscal period would also have the desirable effect of better coordinating other research and promotion activities with respect to cotton which are currently operative under other government programs.

After consideration of all relevant matter presented, including that in the notice, the recommendations of the Cotton Board and the comments by Cotton, Inc. favoring the change, and other available information, it is found that the change proposed in the notice is in accordance with the order and will tend to effectuate the declared policy of the Act and, for reasons hereinafter set forth, should become effective at the time provided herein.

Therefore, it is hereby ordered, That a new subpart is established in 7 CFR Part 1205—Cotton Research and Promotion—to reflect the change in the fiscal period to read as follows:

§ 1205.600 Establishment of new fiscal period.

In accordance with 7 CFR 1205.305, the 12-month budgetary period selected to constitute the fiscal period shall begin July 1 and end June 30 of the following year. The initial fiscal period pursuant to this subpart shall begin July 1, 1972, and the current fiscal period which began January 1, 1972, shall terminate June 30, 1972.

It is further found that good cause exists for not postponing the effective time of this action until 30 days after publication and for making it effective upon publication in the FEDERAL REGISTER (5 U.S.C. 553) in that: This action should become effective promptly in order to achieve maximum benefits by affording as much time as practicable for the initiation of appropriate and timely action with respect to cotton research and promotion planning and programming, and budgeting therefor, in conformity with the new 12-month fiscal period which will commence July 1, 1972, and the shortening of the current fiscal period which will end June 30, 1972.

(Sec. 15, 80 Stat. 285; 7 U.S.C. 2114)

Effective date. This revision shall become effective upon publication in the FEDERAL REGISTER (5-4-72).

Dated: May 1, 1972.

JOHN C. BLUM,
Deputy Administrator, Regulatory Programs.

[FR Doc.72-6812 Filed 5-3-72;8:51 am]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[CCC Grain Price Support Regs., 1972 Crop Rye Supp.]

PART 1421—GRAINS AND SIMILARLY HANDLED COMMODITIES

Subpart—1972 Crop Rye Loan and Purchase Program

On September 11, 1971, notice of proposed rule making regarding loan and purchase rates for 1972-crop rye and detailed operating provisions to carry out the 1972 rye loan program was published in the FEDERAL REGISTER (36 F.R. 18322). No data, views, or recommendations were filed by interested persons.

The General Regulations Governing Price Support for the 1970 and Subsequent Crops (35 F.R. 7363) and the 1970 and Subsequent Crops Rye Loan and Purchase Program regulations (35 F.R. 10355), and any amendments to such regulations, are further supplemented for the 1972 crop of rye by adding §§ 1421.350–1421.354 to read as follows. The material previously appearing in these sections under centerhead "1970 Crop Rye Loan and Purchase Program and 1971 Crop Rye Loan and Purchase Program" remains in full force and effect as to the 1970 and 1971 crops to which it was applicable.

Sec.
1421.350 Purpose.
1421.351 Availability.
1421.352 Maturity of loans.
1421.353 Warehouse charges.
1421.354 Loan and purchase rates.

AUTHORITY: The provisions of the subpart issued under sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 105, 401, 63 Stat. 1051, as amended; 15 U.S.C. 714c, 7 U.S.C. 1421, 1441.

§ 1421.350 Purpose.

This supplement contains program provisions which, together with the provisions of the General Regulations Governing Price Support for the 1970 and Subsequent Crops and the 1970 and Subsequent Crops Rye Loan and Purchase Program regulations, and any amendments thereto, apply to loans and purchases with respect to the 1972 crop of rye.

§ 1421.351 Availability.

A producer desiring a 1972-crop rye loan must request such loan on his eligible rye on or before March 31, 1973. To sell eligible rye to CCC, a producer must execute and deliver to the appropriate county ASCS office, on or before April 30, 1973, a Purchase Agreement (Form CCC-614), indicating the approximate quantity of 1972 crop rye he will sell to CCC.

§ 1421.352 **Maturity of loans.**

Unless demand is made earlier, all loans on rye will mature an April 30, 1973.

§ 1421.353 **Warehouse charges.**

Subject to the provisions of § 1421.342, the schedule of deductions set forth in this section shall apply to rye stored in an approved warehouse operating under the Uniform Grain Storage Agreement.

SCHEDULE OF DEDUCTIONS FOR STORAGE CHARGES

Maturity date of Apr. 30, 1973	*Deduction (cents per bushel)*
[1]	
Prior to May 28, 1972	14
May 28–June 21	13
June 22–July 16	12
July 17–Aug. 10	11
Aug. 11–Sept. 4	10
Sept. 5–Sept. 29	9
Sept. 30–Oct. 24	8
Oct. 25–Nov. 18	7
Nov. 19–Dec. 13	6
Dec. 14, 1972–Jan. 7, 1973	5
Jan. 8–Feb. 1	4
Feb. 2–Feb. 26	3
Feb. 27–Mar. 23	2
Mar. 24–Apr. 30, 1973	1

[1] Dates storage charges start, all dates inclusive.

§ 1421.354 **Loan and purchase rates.**

(a) *Basic loan and purchase rates (counties).* Basic rates per bushel for loan and settlement purposes for rye are established for rye grading U.S. No. 2 or better, or U.S. No. 3 on the factor of test weight only and are as follows:

ALABAMA

County	*Rate per bushel*
All counties	$1.03

ARIZONA

All counties	$0.93

ARKANSAS

All counties	$0.91

Alameda	$1.10	San Francisco	$1.10
Los Angeles	1.10	San Joaquin	1.10
Sacramento	1.10	All other counties	.97
San Diego	1.10		

COLORADO

All counties	$0.78

CONNECTICUT

All counties	1.02

DELAWARE

All counties	1.02

FLORIDA

All counties	1.08

GEORGIA

All counties	1.08

IDAHO

All counties	$0.93

ILLINOIS

Cook	$1.03	All other counties	$0.97
St. Clair	1.03		

INDIANA

All counties	$0.93

IOWA

Pottawattamie	$0.95	All other counties	$0.92
Woodbury	.95		

KANSAS

County	*Rate per bushel*		
Wyandotte	$0.95	All other counties	$0.84

KENTUCKY

All counties	$1.02

LOUISIANA

East Baton Rouge	$1.12	West Baton Rouge	$1.12
Jefferson	1.12	All other counties	.93
Orleans	1.12		
St. Charles	1.12		

MAINE

All counties	$1.02

MARYLAND

Baltimore City	$1.18	All other counties	$1.02

MASSACHUSETTS

All counties	$1.02

MICHIGAN

All counties	$0.89

MINNESOTA

Aitkin	$0.96	Martin	$0.94
Anoka	.96	Meeker	.96
Becker	.90	Mille Lacs	.96
Beltrami	.92	Morrison	.95
Benton	.96	Mower	.96
Big Stone	.92	Murray	.92
Blue Earth	.96	Nicollet	.96
Brown	.96	Nobles	.91
Carlton	.96	Norman	.88
Carver	.96	Olmsted	.96
Cass	.95	Otter Tail	.92
Chippewa	.95	Pennington	.88
Chisago	.96	Pine	.96
Clay	.89	Pipestone	.91
Clearwater	.91	Polk	.88
Cottonwood	.94	Pope	.95
Crow Wing	.96	Ramsey	.96
Dakota	.96	Red Lake	.88
Dodge	.96	Redwood	.95
Douglas	.94	Renville	.96
Faribault	.95	Rice	.96
Fillmore	.93	Rock	.88
Freeborn	.96	Roseau	.84
Goodhue	.96	St. Louis	.97
Grant	.93	Scott	.96
Hennepin	.96	Sherburne	.96
Houston	.92	Sibley	.96
Hubbard	.92	Stearns	.96
Isanti	.96	Steele	.96
Itasca	.96	Stevens	.93
Jackson	.94	Swift	.95
Kanabec	.96	Todd	.95
Kandiyohi	.96	Traverse	.91
Kittson	.83	Wabasha	.96
Koochiching	.92	Wadena	.93
Lac qui Parle	.93	Waseca	.96
Lake of the Woods	.88	Washington	.96
Le Sueur	.96	Watonwan	.95
Lincoln	.91	Wilkin	.91
Lyon	.93	Winona	.96
McLeod	.96	Wright	.96
Mahnomen	.89	Yellow Medicine	.94
Marshall	.86		

MISSISSIPPI

All counties	$1.02

MISSOURI

St. Louis	$1.03	All other counties	$0.95

MONTANA

All counties	$0.75

NEBRASKA

County	*Rate per bushel*	*County*	*Rate per bushel*
Adams	$0.91	Jefferson	$0.94
Antelope	.93	Johnson	.95
Arthur	.83	Kearney	.90
Banner	.78	Keith	.83
Blaine	.88	Keyapaha	.88
Boone	.93	Kimball	.79
Box Butte	.80	Knox	.93
Boyd	.91	Lancaster	.95
Brown	.88	Lincoln	.85
Buffalo	.90	Logan	.86
Burt	.95	Loup	.89
Butler	.95	McPherson	.85
Cass	.95	Madison	.94
Cedar	.93	Merrick	.93
Chase	.82	Morrill	.79
Cherry	.85	Nance	.93
Cheyenne	.79	Nemaha	.95
Clay	.92	Nuckolls	.91
Colfax	.95	Otoe	.95
Cuming	.95	Pawnee	.95
Custer	.88	Perkins	.82
Dakota	.94	Phelps	.89
Dawes	.79	Pierce	.94
Dawson	.88	Platte	.94
Deuel	.82	Polk	.94
Dixon	.93	Red Willow	.86
Dodge	.95	Richardson	.95
Douglas	.95	Rock	.88
Dundy	.82	Saline	.94
Fillmore	.93	Sarpy	.95
Franklin	.89	Saunders	.95
Frontier	.86	Scotts Bluff	.78
Furnas	.88	Seward	.95
Gage	.95	Sheridan	.82
Garden	.82	Sherman	.90
Garfield	.90	Sioux	.78
Gosper	.88	Stanton	.95
Grant	.83	Thayer	.93
Greeley	.92	Thomas	.86
Hall	.91	Thurston	.94
Hamilton	.93	Valley	.90
Harlan	.89	Washington	.95
Hayes	.84	Wayne	.94
Hitchcock	.84	Webster	.90
Holt	.91	Wheeler	.92
Hooker	.85	York	.94
Howard	.92		

NEVADA

All counties	$0.83

NEW HAMPSHIRE

All counties	1.02

NEW JERSEY

All counties	1.02

NEW MEXICO

All counties	.82

NEW YORK

Albany	$1.18
New York City	1.18
All other counties	$1.03

NORTH CAROLINA

All counties	1.08

NORTH DAKOTA

Adams	$0.75	Golden Valley	$0.72
Barnes	.84	Grand Forks	.85
Benson	.77	Grant	.76
Billings	.73	Griggs	.83
Bottineau	.72	Hettinger	.75
Bowman	.74	Kidder	.79
Burke	.71	La Moure	.84
Burleigh	.78	Logan	.81
Cass	.87	McHenry	.74
Cavalier	.78	McIntosh	.82
Dickey	.85	McKenzie	.70
Divide	.69	McLean	.74
Dunn	.74	Mercer	.75
Eddy	.80	Morton	.77
Emmons	.79	Mountrail	.71
Foster	.81	Nelson	.82

NORTH DAKOTA—Continued

County	Rate per bushel	County	Rate per bushel
Oliver	$0.75	Slope	$0.75
Pembina	.83	Stark	.75
Pierce	.75	Steele	.84
Ramsey	.79	Stutsman	.82
Ransom	.87	Towner	.75
Renville	.71	Traill	.85
Richland	.90	Walsh	.83
Rolette	.74	Ward	.72
Sargent	.88	Wells	.79
Sheridan	.76	Williams	.69
Sioux	.77		

OHIO

All counties	$0.93

OKLAHOMA

All counties	$0.88

OREGON

Clatsop	$1.11	All other counties	$1.02
Multonomah	1.11		

PENNSYLVANIA

Philadelphia	$1.18	All other counties	$1.02

RHODE ISLAND

All counties	$1.02

SOUTH CAROLINA

Charleston	$1.18	All other counties	$1.08

SOUTH DAKOTA

Aurora	$0.84	Jackson	$0.80
Beadle	.86	Jerauld	.84
Bennett	.80	Jones	.83
Bon Homme	.87	Kingsbury	.88
Brookings	.90	Lake	.87
Brown	.86	Lawrence	.73
Brule	.84	Lincoln	.87
Buffalo	.84	Lyman	.84
Butte	.73	McCook	.85
Campbell	.81	McPherson	.83
Charles Mix	.85	Marshall	.88
Clark	.88	Meade	.74
Clay	.88	Mellette	.83
Codington	.89	Miner	.85
Corson	.77	Minnehaha	.87
Custer	.75	Moody	.89
Davison	.84	Pennington	.76
Day	.88	Perkins	.75
Deuel	.91	Potter	.84
Dewey	.77	Roberts	.90
Douglas	.85	Sanborn	.84
Edmunds	.84	Shannon	.78
Fall River	.75	Spink	.87
Faulk	.85	Stanley	.83
Grant	.91	Sully	.84
Gregory	.85	Todd	.83
Haakon	.80	Tripp	.84
Hamlin	.89	Turner	.86
Hand	.85	Union	.89
Hanson	.84	Walworth	.82
Harding	.73	Washabaugh	.80
Hughes	.84	Yankton	.87
Hutchinson	.86	Ziebach	.76
Hyde	.84		

TENNESSEE

Shelby	$1.05	All other counties	$1.03

TEXAS

Galveston	$1.12	San Patricio	$1.12
Harris	1.12	All other counties	.93
Jefferson	1.12		
Nueces	1.12		

UTAH

All counties	$0.78

VERMONT

All counties	$1.02

VIRGINIA

Chesapeake (Norfolk)	$1.18	All other counties	$1.02

WASHINGTON

Clark	$1.11	Pierce	$1.11
Cowlitz	1.11	All other counties	1.02
King	1.11		

WEST VIRGINIA

All counties	$1.02

WISCONSIN

Milwaukee	$1.03	All other counties	$0.97

WYOMING

All counties	$0.81

(b) *Discounts.* (1) The basic rates shall be adjusted by discounts as follows: Rye containing more than three-tenths of 1 percent ergot (ergoty rye containing in excess of 1 percent is not eligible for warehouse-storage loans).

Ergot content (percent):	Discount (cents per bushel)
0.31–0.40	1
0.41–0.50	2
0.51–0.60	3
0.61–0.70	4
0.71–0.80	5
0.81–0.90	6
0.91–1.00	7

Rye grading U.S. No. 4 on the factor of test weight only:

Test weight (pounds):	Discount (cents per bushel)
51.0–51.9	5
50.0–50.9	10
49.0–49.9	15

Rye grading U.S. No. 3 on account of being "thin."

"Thin" rye (percent):	Discount (cents per bushel)
15.1–17.0	1
17.1–19.0	2
19.1–21.0	3
21.1–23.0	4
23.1–25.0	5

Rye grading U.S. No. 4 on account of being "thin."

(2) The discounts shall be 5 cents per bushel plus 1 cent for each 2 percent of "thin" rye or fraction thereof, in excess of 25 percent.

Weed control discount (where required by § 1421.25)	10

(3) Other factors: Amounts determined by CCC to represent market discounts for quality factors not specified above which affect the value of rye such as (but not limited to) moisture, weevily, ergoty, stones, musty, sour, and heating. Such discounts will be established approximately 1 month prior to the loan maturity date for rye and will thereafter be adjusted from time to time as CCC determines appropriate to reflect changes in market conditions. Producers may obtain schedules of such factors and discounts and adjustments thereof at county ASCS offices approximately 1 month prior to the loan maturity date or as soon thereafter as practicable.

Effective date: Upon publication in the FEDERAL REGISTER (5–4–72).

Signed at Washington, D.C., April 26, 1972.

CARROLL G. BRUNTHAVER,
Acting Executive Vice President, Commodity Credit Corporation.

[FR Doc.72–6709 Filed 5–3–72;8:45 am]

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Animal and Plant Health Inspection Service, Department of Agriculture

SUBCHAPTER A—ANIMAL WELFARE

PART 11—HORSE PROTECTION

Clarification of Boots

Pursuant to the provisions of the Act of December 9, 1970 (Public Law 91–540; 84 Stat. 1404; 15 U.S.C. 1821–1831), Part 11, Title 9, Code of Federal Regulations, relating to the protection of certain show horses against the practice of "soring" is hereby amended in the following respects:

Section 11.3 is amended to read:

§ 11.3 Boots.

The only boots permitted to be used under the regulations in this part on any horse shall be:

(a) Those boots known to the industry as "fixed boots." These include types such as, but not limited to, heel boots, trotting boots, skid or sliding boots, splint boots, quarter boots, and shoeguard boots.

(b) Hinged quarter boots which meet the following requirements: The lower portion of the boot shall be firmly attached by a strap and buckle or similar humane device to the foot below the hairline. The upper half of the boot shall be fastened to the lower half in such a manner that there shall be not more than a 1-inch separation between the two halves and that such connection does not cause pain or discomfort. The upper half of the boot shall be constructed in such a way that any part in contact with the skin shall be soft, smooth, and free of projections. No attachments, weights, or other devices shall be affixed to the upper half of the boot, except that a fastening device may be used if it is so designed and used as to avoid physical pain to the horse when moving and to avoid extreme physical distress and inflammation of any part of the horse.

(c) Rubber bell boots which are characterized by a bell shape and soft flexible rubber and which weigh 16 ounces or less.

(d) Leather bell boots: *Provided*, That:

(1) The inner surface of the boot must be smooth, straight and flat and free of all swellings, projections, or sharp edges, except for any unavoidable structural irregularities;

(2) The lining must be soft leather, felt or similar material;

(3) The boots shall not weigh in excess of 16 ounces each;

(4) The bell portion, exclusive of any soft roll on the top, shall completely encircle the pastern and shall be a minimum of 2½ inches in height.

(Sec. 9, 84 Stat. 1406; 15 U.S.C. 1828; 29 F.R. 16210, as amended; 37 F.R. 6327, 6505)

Effective date. The foregoing amendment shall become effective upon publication in the FEDERAL REGISTER (5–4–72).

The purpose of this amendment is to clarify the provisions of the regulations in § 11.3 which specify the kind of boots permitted to be used under the regulations in this part on any horse.

The foregoing amendment should be made effective promptly in order to effectuate the objectives of the Horse Protection Act. Accordingly, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to the amendment are impracticable and unnecessary, and good cause is found for making the amendment effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 1st day of May 1972.

F. J. MULHERN,
Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc.72-6791 Filed 5-3-72;8:49 am]

SUBCHAPTER D—EXPORTATION AND IMPORTATION OF ANIMALS (INCLUDING POULTRY) AND ANIMAL PRODUCTS

PART 92—IMPORTATION OF CERTAIN ANIMALS AND POULTRY AND CERTAIN ANIMAL AND POULTRY PRODUCTS; INSPECTION AND OTHER REQUIREMENTS FOR CERTAIN MEANS OF CONVEYANCE AND SHIPPING CONTAINERS THEREON

Restrictions on Importation of Poultry and Other Birds

Pursuant to the provisions of section 2 of the Act of February 2, 1903, as amended, and sections 2, 3, 4, and 11 of the Act of July 2, 1962 (21 U.S.C. 111, 134a, 134b, 134c, and 134f), Part 92, Title 9, Code of Federal Regulations is hereby amended in the following respects:

§ 92.1 [Amended]

1. Section 92.1(c) is amended to read: (c) Deputy Administrator, Veterinary Services. The Deputy Administrator, Veterinary Services, or any official in the Veterinary Services unit of the Animal and Plant Health Inspection Service of the Department to whom authority has heretofore been delegated or may hereafter be delegated to act in his stead.

2. In § 92.2, paragraphs (a) and (b) are amended and new paragraph (c) is added to read:

§ 92.2 General prohibitions; exceptions.

(a) No animal or product subject to the provisions of this part shall be brought into the United States except in accordance with the regulations in this part and Part 94 of this subchapter; nor shall any such animal or product be handled or moved after physical entry into the United States before final release from quarantine or any other form of governmental detention except in compliance with such regulations.

(b) The provisions in this Part 92 relating to poultry shall also apply, unless otherwise specified in this part, to all psittacine birds and Greater and Lesser Indian Hill Mynah birds of the species Gracula religiosa. Any other birds which arrive in the United States aboard a means of conveyance transporting poultry, psittacine birds, or Greater or Lesser Indian Hill Mynah birds of the species Gracula religiosa, may be subjected to the same port of entry inspection, procedures, tests, and quarantines as required by §§ 92.8 and 92.11 for poultry, psittacine birds and Greater and Lesser Indian Hill Mynah birds of the species Gracula religiosa, when the Deputy Administrator of Veterinary Services determines and notifies the importer in each specific case that such inspections, tests, and quarantines are necessary to protect the poultry population of the United States.

(c) The provisions in this Part 92 relating to poultry and psittacine and mynah birds shall not apply to healthy psittacine birds and Greater and Lesser Indian Hill Mynah birds of the species Gracula religiosa not known to be infected with or exposed within the 45 days preceeding their arrival in the United States to communicable diseases of poultry and which are maintained under continuous confinement aboard an ocean vessel or aircraft while in United States territory: *Provided*, That the captain of the vessel or aircraft, if it enters any port of the United States, executes and furnishes to the collector of customs at the port a declaration stating that the birds will be retained aboard such means of conveyance under the conditions required by this paragraph: *And provided further*, That Department inspectors may inspect psittacine and mynah birds on board such means of conveyance as provided in section 5 of the Act of July 2, 1962 (21 U.S.C. 134d) to ascertain whether such conditions are met, and dispose of such birds in accordance with section 2 of the Act of July 2, 1962 (21 U.S.C. 134a) if the conditions are not met.

§§ 92.3, 92.11, 92.19 [Amended]

3. In §§ 92.3(f), 92.11(c)(2), and 92.19 (a), the references to "Greater and Lesser Hill Mynah birds (Granula Linnaeus 1758 and Eulabes Cuvier 1817)" are deleted, and the term "Greater and Lesser Indian Hill Mynah birds of the species Gracula religiosa" is substituted therefor.

4. In § 92.4, the last sentence of paragraph (b) is amended to read:

§ 92.4 Import permits for ruminants, swine, and poultry and for animal semen.

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(b) * * * Ruminants, swine, poultry, and animal semen (and psittacine and mynah birds) for which a permit is required by these regulations will not be eligible for entry if a permit has not been issued; if unaccompanied by such a permit; if shipment is from any port other than the one designated in the permit; if arrival in the United States is at any port other than the one designated in the permit; if the animals (including poultry, psittacine and mynah birds) or semen offered for entry differ from those described in the permit; if the animals or semen are not handled as outlined in the application for the permit and as specified in the permit issued; or in the case of ruminants and swine, if ruminants or swine other than those covered by import permits are aboard the transporting carrier.

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§ 92.5 [Amended]

5. In § 92.5, in the first and third sentences in paragraph (b)(1), the phrases "except Canada and Mexico as provided in §§ 92.26 and 92.38," and ", except as provided in §§ 92.26 and 92.38" are deleted; and paragraph (b)(2) is amended to read:

(2) All species of psittacine birds and Greater and Lesser Indian Hill Mynah birds of the species Gracula religiosa offered for importation from any country of the world shall be accompanied by a certificate issued by a full-time salaried veterinary officer of the national government of the country from which the birds were shipped stating that all birds covered by the certificate had been kept under quarantine for a period of at least 45 days, under his immediate supervision in a Department-approved facility in that country in accordance with the requirements of § 92.5a; that during that quarantine period there was no evidence of Newcastle disease, ornithosis, or other communicable diseases common to poultry among the birds in quarantine and insofar as has been possible to determine, they were not exposed to such diseases; that Newcastle disease did not occur anywhere on the premises where the birds were kept or on adjoining premises during the 90 days immediately preceding the exportation of such birds and that these premises are not located in any area under quarantine during the preceding 90 days.

6. A new § 92.5a is added to read as follows:

§ 92.5a Foreign quarantine of psittacine and Greater and Lesser Indian Hill mynah birds intended for importation into the United States; requirements.

Psittacine and Greater and Lesser Indian Hill mynah birds intended for importation into the United States shall be quarantined for a minimum of 45 days, immediately preceding their exportation to the United States, at a "USDA-