

- Sec.
360.100 Definitions.
360.200 Designation of noxious weeds.
360.300 Permits for movement of noxious weeds.

AUTHORITY: Secs. 4, 10; 88 Stat. 2149, 2151; 7 U.S.C. 2803, 2809; 41 FR 4251.

§ 360.100 Definitions.

(a) As used in this part, words in the singular form shall be deemed to import the plural and vice versa, as the case may require.

(b) As used in this part, the terms as defined in section 3 of the Act (7 U.S.C. 2802) shall apply with equal force and effect. In addition and except as may be provided otherwise in this part the following words shall be construed, respectively, to mean:

Department. The United States Department of Agriculture.

Deputy Administrator. The Deputy Administrator of the Plant Protection and Quarantine Programs of the Animal and Plant Health Inspection Service of the Department, or any other officer or employee of the Plant Protection and Quarantine Programs to whom authority has heretofore been delegated or may hereafter be delegated to act in his stead.

Plant Protection and Quarantine Programs. The Plant Protection and Quarantine Programs, Animal and Plant Health Inspection Service of the Department.

§ 360.200 Designation of noxious weeds.

Pursuant to the provisions of section 10 of the Federal Noxious Weed Act of 1974 (7 U.S.C. 2809) the Secretary of Agriculture, after publication of the required notice of proposal and after public hearing on the proposal when requested by any interested person, has determined based upon the information received at any such hearing and other information available to the Secretary, that the following plants are within the definition of a "noxious weed" in section 3(c) of the Act (7 U.S.C. 2802(c)) and that their dissemination in the United States may reasonably be expected to have, to a serious degree, an effect specified in said section 3(c) of the Act:

(a) Aquatic Weeds:

Eichornia azurea (Sw.) Kunth (anchored waterhyacinth)
Hydrilla verticillata F. Muell. (hydrilla)
Monochoria hastata (L.) Solms
Monochoria vaginalis (Burm.f.) Presl
Salvinia molesta D. S. Mitchell
Sparganium erectum L.
Stratiotes aloides L.

(b) Parasitic Weeds:

Orobanchae aegyptiaca Persoon
O. cernua Loeft.
O. crenata Forsk.
O. lutea Baumg.
O. major L.
Striga spp.

(c) Terrestrial Weeds:

Avena ludoviciana Dur.
Carthamus oxyacantha M. B.
Commelina benghalensis L.
Digitaria scalarum (Schweinf.) Chiov.
Drymaria arenaroides H.B.K.
Imperata brasiliensis Trin.
Ischaemum rugosum Salisb.

Leptochloa chinensis (L.) Nees
Mikania micrantha Kunth
Oryza rufipogon Griff.
Oryza longistaminata P. Chev. & Roehr.
Oryza punctata Kotschy ex. Steud.
Rottboellia exaltata L.f. (itchgrass, raoul-grass)

§ 360.300 Permits for movement of noxious weeds.

(a) The Deputy Administrator shall issue a written permit for the movement of a noxious weed into or through the United States if application is made for such movement and if he determines that such movement under conditions specified in the permit would not involve a danger of dissemination of the noxious weed in the United States; otherwise such a permit shall not be issued. Application for such movement shall be made by filing a completed form of application with Permit Unit, Plant Protection and Quarantine Programs, Animal and Plant Health Inspection Service, Room 638, Federal Building, Hyattsville Maryland 20782.¹

(b) All such permits issued shall contain in written form in the permit any conditions (other than those conditions specified in this part) under which the permit is to be granted, e.g. conditions with respect to shipment, storage, and destruction.

(c) If the permit is denied, the applicant shall be furnished the reasons therefor.

(d) The Deputy Administrator may revoke any outstanding permit issued under this section if he determines that there has been a failure to comply with any provision of the Act or this section, including conditions written on the permit. Upon request, any permit holder will be afforded an opportunity for a hearing with respect to the merits or validity of any such revocation involving his permit.

[FR Doc.76-33239 Filed 11-11-76; 8:45 am]

CHAPTER IX—AGRICULTURAL MARKETING SERVICE (MARKETING AGREEMENTS AND ORDERS; FRUITS, VEGETABLES, NUTS), DEPARTMENT OF AGRICULTURE

[Lemon Regulation 66]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

This regulation fixes the quantity of California-Arizona lemons that may be shipped to fresh market during the weekly regulation period Nov. 14-20, 1976. It is issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and Marketing Order No. 910. The quantity of lemons so fixed was arrived at after consideration of the total available supply of lemons, the

¹ Such forms of application are available without charge from the Permit Unit, Plant Protection and Quarantine Programs (PPQ), Animal and Plant Health Inspection Service, Room 638, Federal Building, Hyattsville, Maryland 20782, or local PPQ offices which are listed in telephone directories.

quantity of lemons currently available for market, the fresh market demand for lemons, lemon prices, and the relationship of season average returns to the parity price for lemons.

§ 910.366 Lemon Regulation 66.

(a) **Findings.** (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona, 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 Lemon 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 lemons, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) The need for this regulation to limit the quantity of lemons that may be marketed during the ensuing week stems from the production and marketing situation confronting the lemon industry.

(i) The committee has submitted its recommendation with respect to the quantity of lemons it deems advisable to be handled during the ensuing week. Such recommendation resulted from consideration of the factors enumerated in the order. The committee further reports the demand for lemons is steady this week.

Average f.o.b. price was \$5.15 per carton the week ended November 6, 1976, compared to \$5.46 per carton the previous week. Track and rolling supplies at 85 cars were the same as last week.

(ii) Having considered the recommendation and information submitted by the committee, and other available information, the Secretary finds that the quantity of lemons which may be handled should be fixed as hereinafter set forth.

(3) 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 regulation 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 regulation is based became available and the time when this regulation 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 lemons 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 regulation, 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 lemons; it is necessary, in order to effectuate the declared policy of the act, to make this regulation effective during the period herein specified; and compliance with this regulation 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 November 9, 1976.

(b) *Order.* (1) The quantity of lemons grown in California and Arizona which may be handled during the period November 14, 1976, through November 20, 1976, is hereby fixed at 200,000 cartons. (2) As used in this section, "handled", and "carton(s)" have the same meaning as when used in the said amended marketing agreement and order.

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

Dated: November 10, 1976.

CHARLES R. BRADER,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc. 76-33712 Filed 11-11-76; 11:48 am]

CHAPTER XIV—COMMODITY CREDIT CORPORATION, DEPARTMENT OF AGRICULTURE

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

PART 1464—TOBACCO

Subpart A—Tobacco Loan Program

1976 Crop Fire-Cured, Dark Air-Cured and Virginia Sun-Cured Tobacco, Loan Rate Schedules

On September 24, 1976 there was published in the FEDERAL REGISTER (41 FR 41920) a notice of proposed rule making and a subsequent correction on October 4, 1976 (41 FR 43729), setting forth the proposed price support grade loan rates for 1976 fire-cured, dark air-cured and Virginia sun-cured tobacco. Interested persons were given the opportunity to submit, not later than October 26, 1976, data, views and recommendations pertaining to the proposed grade loan rates.

No unfavorable comments have been received. Accordingly, the revision of 7 CFR 1464.17 through 1464.20 containing the proposed loan rates is hereby adopted without change as set forth below. The material previously appearing under §§ 1464.17 through 1464.20 remains applicable to the crop to which each refers.

(Secs. 4 and 5, 62 Stat. 1070, as amended (15 U.S.C. 714b, 714c), secs. 101, 106, 401, 403, 63 Stat. 1051, as amended (7 U.S.C. 1441, 1445, 1421, 1423).)

Effective date: November 12, 1976.

Signed at Washington, D.C. on November 5, 1976.

KENNETH E. FRICK,
Executive Vice President,
Commodity Credit Corporation

§ 1464.17 1976 Crop—Virginia Fire-Cured Tobacco, Type 21—Grade Loan Schedule.¹

Loan Rate

[Dollars per hundred pounds, farm sales weight]

Grade	Length				
	47	48	45	44	43
A1F	98	98	98		
A2F	95	95	95		
A1D	98	98	98		
A2D	95	95	95		
B1F	96	96	97		
B2F	93	93	94	89	
B3F	87	87	88	86	77
B4F	81	81	82	79	72
B5F	69	69	71	69	64
B1D	95	95	95		
B2D	89	89	90	85	
B3D	81	81	81	80	75
B4D	76	76	77	76	71
B5D	66	66	67	66	63
B3M	76	76	78	74	72
B4M	73	73	76	73	70
B5M	63	63	65	63	60
B3G	74	74	76	74	70
B4G	72	72	75	73	69
B5G	63	63	65	63	60
C1L	102	102	102		
C2L	98	98	98	90	
C3L	89	89	89	87	
C4L	81	81	81	80	
C5L	71	71	72	69	
C1F	102	102	102		
C2F	98	98	98	90	
C3F	89	89	89	83	
C4F	82	82	82	81	
C5F	72	72	74	71	
C2D	69	69	70	68	
C3D	67	67	68	66	
C4D	64	64	65	64	
C5D	58	58	59	57	
C3M	75	75	76	75	
C4M	73	73	75	74	
C5M	62	62	63	62	
C3G	65	65	66	62	
C4G	60	60	62	61	
C5G	59	59	60	58	

Grade		Grade	
X1L	82	X3M 45	70
X2L	81	X4M	70
X3L	80	X4M 45	67
X4L	77	X5M	65
X5L	73	X5M 45	64
X1F	82	X3G	72
X2F	81	X3G 45	69
X3F	80	X4G	68
X4F	76	X4G 45	66
X5F	73	X5G	63
X1D	78	X5G 45	62
X2D	76	N1L	56
X3D	75	N1D	53
X4D	72	N1G	57
X5D	66	N2	37
X3M	72		

¹ Only the original producer is eligible to receive advances. Tobacco graded "W" (doubtful keeping order), "No-G" (no grade), "U" (unsound), or scrap will not be accepted. The Association is authorized to deduct \$1 per hundred pounds to apply against overhead cost.

§ 1464.18 1976-Crop — Kentucky-Tennessee Fire-Cured Tobacco, Types 22 and 23—Grade Loan Schedule.¹

Loan Rate

[Dollars per hundred pounds, farm sales weight]

Grade	Length				
	47	48	45	44	43
A1F	107	107	107		
A2F	102	102	102		
A3F	94	94	94		
A1D	107	107	107		
A2D	102	102	102		
A3D	94	94	94		
B1F	92	92	92	87	
B2F	88	88	88	84	
B3F	84	84	84	81	75
B4F	77	77	77	74	67
B5F	73	73	73	70	64
B1D	91	91	91	86	
B2D	87	87	87	83	
B3D	84	84	84	80	74
B4D	76	76	76	73	66
B5D	71	71	71	67	61
B3M	76	76	76	72	67
B4M	71	71	71	67	60
B5M	66	66	66	61	56
B3VF	76	76	76	72	65
B4VF	74	74	74	71	64
B5VF	70	70	70	67	60
B3G	76	76	76	72	64
B4G	71	71	71	67	59
B5G	66	66	66	61	56
C1L	93	93	93	89	
C2L	90	90	90	87	
C3L	86	86	86	82	76
C4L	82	82	82	79	73
C5L	79	79	79	77	70
C1F	91	91	91	87	
C2F	88	88	88	85	
C3F	85	85	85	82	75
C4F	80	80	80	77	70
C5F	78	78	78	74	67
C1D	94	94	94	89	
C2D	84	84	84	81	
C3D	79	79	79	76	70
C4D	72	72	72	70	64
C5D	69	69	69	67	60
C3M	77	77	77	74	68
C4M	72	72	72	71	65
C5M	70	70	70	68	59
C3VF	77	77	77	74	68
C4VF	74	74	74	72	66
C5VF	72	72	72	70	61
C3G	72	72	72	69	64
C4G	68	68	68	64	59
C5G	63	63	63	60	57

[Dollars per hundred pounds, farm sales weight]

Grade	Advance rate	Grade	Advance rate
X1L	79	X5D	64
X2L	77	X3M	68
X3L	75	X4M	65
X4L	70	X5M	62
X5L	68	X3VF	70
X1F	78	X4VF	67
X2F	76	X5VF	63
X3F	74	X3G	66
X4F	70	X4G	60
X5F	68	X5G	57
X1D	76	N1L	60
X2D	73	N1D	54
X3D	69	N1G	52
X4D	67	N2	46

¹ Only the original producer is eligible to receive advances. Tobacco graded "No-G" (no grade), "U" (unsound), or scrap will not be accepted. Tobacco graded "W" (doubtful keeping order) will be accepted at advance rates 20 percent below the advance rates otherwise applicable.

§ 1464.19 1976-Crop—Dark Air-Cured Tobacco, Types 35 and 36—Grade Loan Schedule.³

Loan Rate

[Dollars per hundred pounds, farm sales weight]

Grade	Length		
	46	45	44
A1F	95	95	
A2F	91	91	
A3F	85	85	
A1R	95	95	
A2R	91	91	
A3R	85	85	
B1F	88	88	85
B2F	83	83	82
B3F	79	79	77
B4F	73	73	72
B5F	67	67	66
B1R	87	87	85
B2R	82	82	81
B3R	77	77	76
B4R	72	72	71
B5R	67	67	66
B1D	87	87	85
B2D	82	82	81
B3D	77	77	76
B4D	72	72	71
B5D	67	67	66
B3M	73	73	72
B4M	68	68	67
B5M	61	61	60
B3G	72	72	71
B4G	68	68	67
B5G	61	61	60
C1L	88	88	87
C2L	86	86	85
C3L	82	82	81
C4L	75	75	74
C5L	65	65	63
C1F	88	88	87
C2F	84	84	83
C3F	80	80	78
C4F	75	75	74
C5F	66	66	64
C1R	86	86	85
C2R	83	83	82
C3R	77	77	75
C4R	69	69	68
C5R	61	61	60
C3M	73	73	72
C4M	65	65	64
C5M	60	60	59
C3G	74	74	72
C4G	66	66	65
C5G	59	59	58

Grade		Grade	
T3F	66	X4F	72
T4F	61	X5F	66
T5F	52	X1R	79
T3R	66	X2R	76
T4R	61	X3R	70
T5R	53	X4R	65
T3D	66	X5R	60
T4D	61	X3D	71
T5D	53	X4D	65
T3M	64	X5D	60
T4M	58	X3M	68
T5M	51	X4M	64
T3G	64	X5M	58
T4G	59	X3G	66
T5G	51	X4G	61
X1L	79	X5G	52
X2L	77	N1L	59
X3L	75	N2L	51
X4L	73	N1R	51
X5L	66	N2R	47
X1F	79	N1G	48
X2F	77	N2G	45
X3F	73		

³ Only the original producer is eligible to receive advances. Tobacco graded "No-G" (no grade), "U" (unsound), or scrap will not be accepted. Tobacco graded "W" (doubtful keeping order) will be accepted at advance rates 20 percent below the advance rates otherwise applicable. Grades marked with the special factor "BH" shall have an advance rate 20 percent below the advance rate otherwise applicable without such special factor. Type 35 grades marked with the special factor "BL" shall have an advance rate 20 percent below the advance rate otherwise applicable without such special factor. The advance rates for grades in "47 length" shall be

§ 1464.20 1976-Crop—Virginia Sun-Cured Tobacco, Type 37—Grade Loan Schedule.⁴

Loan Rate

[Dollars per hundred pounds, farm sales weight]

Grade	Length		
	46	45	44
A1F	92	92	90
A2F	88	88	85
A3F	85	85	82
A1R	92	92	89
A2R	88	88	85
A3R	85	85	82
B1F	89	90	83
B2F	86	88	84
B3F	78	81	79
B4F	72	76	74
B5F	63	63	63
B1R	89	90	84
B2R	86	88	84
B3R	78	81	79
B4R	70	73	70
B5R	63	64	61
B1D	88	88	83
B2D	87	87	82
B3D	77	77	76
B4D	67	68	67
B5D	61	63	60
B3M	71	73	70
B4M	66	69	66
B5M	59	61	60
B3G	70	74	71
B4G	64	67	63
B5G	60	60	58
C1L	87	88	80
C2L	81	82	77
C3L	79	80	77
C4L	71	74	70
C5L	62	64	60
C1F	88	88	81
C2F	82	83	80
C3F	80	82	79
C4F	73	76	73
C5F	65	68	67
C1R	85	85	79
C2R	79	79	75
C3R	69	70	67
C4R	64	66	63
C5R	57	58	57
C3M	66	69	68
C4M	60	64	61
C5M	55	59	57
C3G	57	59	57
C4G	54	57	56
C5G	49	51	49

Grade	Advance rate	Grade	Advance rate
T3F	62	X4F	67
T4F	60	X5F	58
T5F	54	X1R	74
T3R	62	X2R	73
T4R	60	X3R	66
T5R	55	X4R	63
T3D	60	X5R	55
T4D	58	X3D	61
T5D	52	X4D	55
T3M	59	X5D	49
T4M	57	X3M	70
T5M	51	X4M	66
T3G	62	X5M	64
T4G	60	X3G	66
T5G	54	X4G	61
X1L	73	X5G	57
X2L	72	N1R	45
X3L	69	N2R	37
X4L	65	N1G	45
X5L	58	N2G	32
X1F	74	N1L	43
X2F	73	N2L	36
X3F	70		

the same as those for such grades in "46 length".

⁴ Only the original producer is eligible to receive advances. Tobacco graded "W" (doubtful keeping order), "No-G" (no grade), "U" (unsound), or scrap will not be accepted. The association is authorized to deduct \$1 per hundred pounds to apply against overhead cost.

[FR Doc. 76-33293 Filed 11-11-76; 8:45 am]

CHAPTER XVIII—FARMERS HOME ADMINISTRATION, DEPARTMENT OF AGRICULTURE

SUBCHAPTER A—GENERAL REGULATIONS

[FmHA Instruction 426.1]

PART 1806—INSURANCE

Subpart A—Real Property Insurance

INSURANCE REQUIREMENTS

Sections 17806.2 and 1806.4 of Subpart A of Part 1806, Title 7, Code of Federal Regulations (41) (FR) (34571) are amended. The purpose of this amendment is to clarify the insurance requirements for subsequent Farmer Program and Section 502 Rural Housing loans or subordinations to buy, build or rehabilitate essential buildings, and to revise and redesignate Exhibit B of this Subpart so that it will appear as Form FmHA 426-4, "Notice of Expiration of Insurance (For FP and Section 502 RH Borrowers)," when form is available in any FmHA Office.

These amendments are being published without notice of proposed rulemakings inasmuch as they clarify existing insurance requirements under certain circumstances and redesignates Exhibit B with minor revisions to Form FmHA 426-4 and therefore public participation requirements prescribed by 5 U.S.C. 553 are unnecessary.

Accordingly, paragraphs (b) (5) and (c) of § 1806.2 paragraph (a) (2) (ii) of § 1806.4 and Form 426-4 are amended as set forth below.

§ 1806.2 Companies and policies.

* * * * *

(b) Insurance policies. * * *

(5) Submission of policies. The original policy or declaration page must be delivered to the County Supervisor by the borrower, except that a certificate of insurance, a copy of the policy, or other evidence of insurance is acceptable for loans which are secured by other than first liens if the mortgage clauses include the names of prior mortgagees. For FP and Section 502 RH loans the County Supervisor will not retain the insurance policy or declaration page after the loan has been outstanding for one year. The County Supervisor will return the insurance policy of FP and Section 502 RH borrowers and notify each borrower by using Form FmHA 426-4, "Notice of Expiration of Insurance (For FP and Section 502 RH Borrowers)" available in any FmHA office." of his continued responsibility to provide and maintain proper insurance. The County Supervisor will not, however, be responsible for further checking or monitoring to see that a FP and Section 502 RH borrower insures security property and will process a SF 1034, "Public Voucher for Purchases and Services Other Than Personal," to pay for insurance only in strict compliance with provisions of § 1806.6.

c) Evidence of premium payment. (1) When Form FmHA 426-2 is attached to or the provisions thereof are printed in the policy, or a blanket letter from an insurance company incorporating the provisions of Form FmHA 426-2 in all

policies in which the FmHA has a mortgage interest is in effect in accordance with paragraph (b)(11) of this section, no evidence of premium or assessment payment is required except for the first year of the loan. When a subsequent FP or Section 502 RH loan is made, or a subordination is granted by FmHA for a loan to build, buy or rehabilitate essential buildings, adequate insurance coverage, including coverage for property improved or to be improved with the subsequent loan, must be in force at the time of the closing.

§ 1806.4 Examining and general servicing of insurance.

(a) ***

(2) *Expiration records and notices.*

(ii) FP and Section 502 RH borrowers will be informed, at least 30 days prior to the expiration of their initial insurance policy of their responsibility to carry insurance. Form FmHA 426-4 will be sent to these borrowers, regardless of whether there is evidence that the insurance has been renewed. Thereafter, the County Supervisor will not be required to further determine whether the borrower has adequately maintained insurance; however, if a further notice of expiration is received in the County Office, the County Supervisor will again notify the borrower by using Form FmHA 426-4 of his responsibility.

FORM FmHA 426-4—NOTICE OF EXPIRATION OF INSURANCE (FP AND SECTION 502 RH BORROWERS)

This will advise that the property insurance coverage on your dwelling and other essential buildings will lapse on _____ (date)

Although the Farmers Home Administration (FmHA) no longer requires that your original policy or other evidence of insurance be retained in your county office file, this does not in any way lessen your responsibility to the Government.

The real estate mortgage or deed of trust you signed at the time the loan was made required that you continually maintain property insurance in amounts and on terms and conditions satisfactory to the FmHA until the loan is repaid. Failure to provide accepta-

ble insurance and list FmHA on the policy as mortgagee violates a condition in the security instrument you signed when you received your loan and may result in the FmHA taking action to protect its interest in your property.

COUNTY SUPERVISOR.

(7 U.S.C. 1989; 42 U.S.C. 1480; 42 U.S.C. 2942; Sec. 10 Pub. L. 93-357, 88 Stat. 392; delegation of authority by the Sec. of Agri., 7 CFR 2.23; delegation of authority by the Asst. Sec. for Rural Development, 7 CFR 2.70; delegations of authority by Dir., OEO 29 FR 14764, 33 FR 9850.)

Effective date. This amendment is effective November 12, 1976.

Dated: November 1, 1976.

FRANK B. ELLIOTT,
Administrator,

Farmers Home Administration.

[FR Doc.76-33294 Filed 11-11-76;8:45 am]

[FmHA Instruction 452.1]

**SUBCHAPTER E—ACCOUNT SERVICING
PART 1867—REAMORTIZING AND
RENEWING OPERATING LOANS**

Account Servicing

On page 35532 of the FEDERAL REGISTER dated August 23, 1976, there was published a notice of proposed rulemaking to revise § 1867.3 (b) and 1867.9 of Part 1867 of Title 7, Code of Federal Regulations (40 FR 13203). Paragraph (b) of § 1867.3 is revised to amend the eligibility requirements for reamortizing and renewing operating loans and § 1867.9 is revised to delete the requirement that the combined operating loan and emergency loan principal balances not exceed the loan approval official's approval authority.

Interested persons were invited to submit written comments, suggestions, data or arguments. No unfavorable comments have been received and as a result § 1867.3 as proposed is hereby adopted without change. However, the amendment of § 1867.9 on September 30, 1976 (41 FR 43161), for the same purpose as stated above, supersedes the proposal, referred to above, dated August 23, 1976 (41 FR 35532). Therefore, the proposed amendment of § 1867.9 is withdrawn. As proposed, § 1867.3 (b) is hereby adopted

without change; § 1867.9 is amended by incorporating certain editorial changes. Because the changes are only editorial, publication of § 1867.9 as a proposed rule is unnecessary. § 1867.3 (b) and § 1867.9 now read as follows:

§ 1867.3 Eligibility requirements.

(b) *Other operating loans.* ***

(1) The borrower has made an extra payment from sale of basic security or refund which will result in a significantly reduced income for the remaining period of the loan; and

(2) The approving official determines that the borrower cannot reasonably be expected to meet the repayment schedule in the original note(s); and

(3) The borrower's plan for the next operating year (or typical year if the next year will not be typical) shows that he can realistically meet the terms of the proposed payment schedule on the reamortized or renewed note under the conditions which will likely prevail; and

(4) The justification for the reamortization or renewal is fully documented in the running case record.

§ 1867.9 Approval authority.

Loan approval officials are hereby authorized to approve the reamortization or renewal of Operating loans subject to the policies within this regulation, and provided the principal amount owed on the Operating loan note being reamortized or renewed plus the outstanding total principal balance owed by the borrower on the Operating loans does not exceed the loan approval official's authority shown in Subpart B of Part 1810 of this Chapter.

(7 U.S.C. 1989; delegation of authority by the Sec. of Agri., 7 CFR 2.23; delegation of authority by the Asst. Sec. for Rural Development, 7 CFR 2.70)

Effective date: This amendment is effective November 12, 1976.

Dated: November 2, 1976.

FRANK B. ELLIOTT,
Administrator, Farmers
Home Administration.

[FR Doc.76-33295 Filed 11-11-76;8:45 am]