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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

Agricultural Marketing Service

7 CFR Part 29

Permissive Tobacco Inspection; User Fees

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: The Secretary of Agriculture has revised the fees and charges assessed by the Department for the permissive inspection of tobacco, performed upon request and paid for at a prescribed hourly fee. The primary reasons for the need to increase the assessed fees are as follows: (1) Government-wide salary increases; (2) Cost of workers' compensation and unemployment compensation previously paid for from USDA appropriated budget and which must now be included as part of the administrative costs of this program; and (3) the cost of recruitment and training resulting from the large number of resignations and retirements of tobacco inspectors.

EFFECTIVE DATE: November 4, 1985.

FOR FURTHER INFORMATION CONTACT: Lionel S. Edwards, Director, Tobacco Division, Agricultural Marketing Service, U.S. Department of Agriculture, Washington, DC 20250, (202) 447-2587.

SUPPLEMENTARY INFORMATION: Notice was given (50 FR 32712, August 14, 1985) that the Department was amending the regulations, to increase charges for permissive inspection and certification of tobacco conducted upon request.

Interested parties were given an opportunity to comment upon the proposed rule (50 FR 32712, August 14, 1985).

No comments were received.

Therefore, the Department hereby adopts the regulations appearing in the

proposed rule which provided for increased charges for permissive inspection and certification. These charges, as nearly as possible, cover the costs of the services, including administrative and supervisory costs. The authority for these regulations is contained in the Tobacco Inspection Act (49 Stat. 731; 7 U.S.C. *et seq.*). The Tobacco Inspection Act requires that permissive inspections, as defined in 7 CFR 29.56, be made available to interested parties on a fee basis. The hourly fee schedule for permissive inspection had not been increased since July 1, 1982 (47 FR 27057). The Department determined that prior to the current proposal the fees for permissive inspections were insufficient to cover the Department's costs of inspection and certification.

The primary reasons for the need to increase the assessed fees are as follows: (1) Government-wide salary increases; (2) Cost of workers' compensation and unemployment compensation previously paid for from USDA appropriated budget and which must now be included as part of the administrative costs of this program; and (3) the cost of recruitment and training resulting from the large number of resignations and retirements of tobacco inspectors. Therefore, it is determined that in order to cover the Department's costs associated with the permissive inspection and certification of tobacco that the prescribed hourly rate is increased from a "basic hourly salary of \$20.45," and "overtime rate of \$24.40," and a "Sunday and holiday rate of \$30.50," to "\$22.30," and "\$26.60," and "\$33.35," per hour, respectively. This increase is based on the average grade and step-in-grade of tobacco graders performing this service. The salary of a GS-9, step 10, is \$13.58 per hour. Adding administrative and supervisory costs, the basic operating cost per hour is \$22.30.

It is anticipated that the increase in fees and charges will generate the revenue necessary to continue the current level of services provided.

This final rule has been reviewed under USDA procedures established to implement Executive Order 12291 and the Secretary's Memorandum 1512-1 and has been determined to be a "nonmajor rule" because it does not meet any of the criteria established for major rules under the Executive Order.

Additionally, in conformance with the provisions of the Regulatory Flexibility Act, Pub. L. 96-354 (5 U.S.C. 601) full consideration has been given to the potential economic impact upon small business. All tobacco warehousemen and producers fall within the confines of "small business," as defined in the Regulatory Flexibility Act. William T. Manley, Deputy Administrator, Agricultural Marketing Service, has certified that these actions will have no significant economic impact upon all entities, small or large, and will not substantially affect the normal competition in the market place. Furthermore, the Department is required by law to fix and collect fees and charges to cover the Department's cost in operating the tobacco, inspection program.

Finally, minor typographical errors and errors of form are corrected in the citations of authority.

List of Subjects in 7 CFR Part 29

Administrative practices and procedure, Agricultural Marketing Service, Tobacco.

PART 29—[AMENDED]

Accordingly, the Department hereby amends the regulations under the Tobacco Inspection Act contained in 7 CFR Part 29 as follows:

1. The authority citation for 7 CFR Part 29 is revised to read as follows:

Authority: Title II of Pub. L. 96-354, 49 Stat. 731, as amended (7 U.S.C. 511 *et seq.*), unless otherwise noted.

2. The authority citation for 7 CFR Part 29, Subpart B (7 CFR 29.12-29.500) is removed.

3. The authority citation for 7 CFR Part 29, Subpart F (29 CFR 29.9201-29.9281) is revised to read as follows:

Authority: Pub. L. 97-98; 95 Stat. 1268, as amended (7 U.S.C. 1314f).

§ 29.123 [Amended]

4. Section 29.123(b) is amended by removing the figures "\$20.45" "\$24.40" and "\$30.50" and inserting in lieu thereof "\$22.30" "\$26.60" and "\$33.35" respectively.

5. Section 29.9251 is amended by removing the figures "\$20.45" "\$24.40" and "\$30.50" and inserting in lieu thereof "\$22.30" "\$26.60" and "\$33.35" respectively.

Dated: October 29, 1985.

Alan T. Tracy,
Deputy Assistant Secretary, Marketing and
Inspection Service.

[FR Doc. 85-26146 Filed 11-1-85; 8:45 am]

BILLING CODE 3410-02-M

7 CFR Part 29

Inspection of Tobacco Under the Tobacco Inspection Act, Particularly Relating to the Flue-Cured Tobacco Advisory Committee

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Interim final rule.

SUMMARY: The regulations governing the establishment and operation of the Flue-Cured Tobacco Advisory Committee are amended to permit an additional member and alternate representing a warehouse association.

DATES: Effective November 4, 1985.

Comments are due on or before January 3, 1986.

ADDRESS: Send comments to the Director, Tobacco Division, Agricultural Marketing Service (AMS), United States Department of Agriculture, Room 502 Annex Building, Washington, DC 20250. Comments will be available for public inspection at this location during regular business hours.

FOR FURTHER INFORMATION CONTACT: Lionel S. Edwards, Director, Tobacco Division, Agricultural Marketing Service, United States Department of Agriculture, Washington, DC 20250, (202) 447-2567.

SUPPLEMENTARY INFORMATION: Pursuant to the authority contained in the Tobacco Inspection Act (49 Stat. 731; 7 U.S.C. 511 *et seq.*), notice is hereby given that the Department is amending Subpart G of 7 CFR Part 29 particularly as it relates to the Flue-Cured Tobacco Advisory Committee. The amendment changes § 29.9403 (b), (d), of Subpart G—policy statement and regulations governing the availability of tobacco inspection and price support services to flue-cured tobacco on designated markets.

Since its inception in 1974, the Flue-Cured Tobacco Advisory Committee has assisted the Secretary in making an equitable apportionment and assignment of tobacco inspectors by recommending opening dates for marketing areas within the flue-cured tobacco growing areas and recommending selling schedules for marketing areas and individual warehouses therein. All segments of the flue-cured tobacco industry—producers, warehousemen, and buyers—are

represented on the Committee, and members and alternates are appointed by the Secretary, after nomination by the individual sectors of the industry.

The Department has received a request for Committee representation from the Florida Tobacco Warehouse Association, Inc. This organization represents the interests of all tobacco auction warehouses in Florida which were formerly associated with the combined Georgia-Florida Warehouse Association. In 1976 the Florida warehouses formed their own association and now seek to obtain individual membership on the Committee. At a meeting of the Flue-Cured Tobacco Advisory Committee held in Raleigh, North Carolina, on September 20, 1985, the proposed addition to the membership met with unanimous approval by members comprising the existing Committee. The Department has approved the request of the Florida Tobacco Warehouse Association and is amending § 29.9403(b) to increase the membership on the Committee from 38 members and alternates to 39 and thereby increase the number of warehouse representatives from 9 to 10 members.

The Department is amending § 29.9403(d) of the regulations to reflect the addition of the Florida Tobacco Warehouse Association, Inc.

This interim final rule has been reviewed under USDA procedures established to implement Executive Order 12291 and Departmental Regulation 1512-1 and has been determined to be "nonmajor" because it does not meet the criteria contained therein for major regulatory actions.

The Administrator of the Agricultural Marketing Service, has determined that this action will not have a significant economic impact on a substantial number of small entities as defined in the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) because: (1) Most tobacco warehousemen and producers fall within the definition of "small business" as defined in the Regulatory Flexibility Act. (However, certain of those entities are not considered "small business" because they are dominant in their respective areas of operation.); (2) the duties of the Committee are solely advisory; and (3) this action imposes no additional duties or obligations on the business entities involved and will not affect normal competition in the marketplace.

Prior experience has shown that the process of solicitation, selection, confirmation, and appointment of members often takes in excess of six months. The newly authorized members, and other new members, must be

selected and confirmed by the expiration date of the current Committee, which is April 23, 1986. The standard procedure of proposed rulemaking providing thirty days notice for comments would not leave sufficient time to receive and process nominations for membership on the new Committee prior to the expiration date. Therefore, it is hereby found and determined that notice of proposed rulemaking, public procedure thereon, and notice of the effective date hereof are impractical, unnecessary to facilitate the operation of the Flue-Cured Tobacco Advisory Committee and thus to preserve and continue orderly marketing conditions in the flue-cured marketing area under the grower designation plan.

All persons who desire to submit written data, views, or arguments for consideration in connection with this interim final rule may file the same with the Director, Tobacco Division, AMS, Room 502 Annex Building, United States Department of Agriculture, Washington, DC 20250, no later than January 3, 1986.

List of Subjects in 7 CFR Part 29

Administrative practices and procedure, Tobacco.

PART 29—[AMENDED]

Accordingly, the regulations contained in 7 CFR Part 29 are amended as follows:

1. The authority citation for Part 29 reads as follows:

Authority: Title II of Pub. L. 98-160, 49 Stat. 731; 7 U.S.C. 511 *et seq.*

2. In § 29.9403, paragraphs (b) and (d) are revised to read as follows:

§ 29.9403 Flue-Cured Tobacco Advisory Committee.

(b) The Committee shall consist of 39 representatives and 39 alternates of the flue-cured industry—21 producers, 10 warehousemen, and 8 buyers.

(d) Recommendations of the 10 warehouse representatives shall be received from the various belt warehouse associations.

Dated: October 29, 1985.

Alan T. Tracy,
Deputy Assistant Secretary, Marketing and
Inspection Services.

[FR Doc. 85-26245 Filed 11-1-85; 8:45 am]

BILLING CODE 3410-02-M

7 CFR Part 999

Raisin Import Regulations; Grade Requirements

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: This final rule will change grade requirements for imported Thompson Seedless and Monukka raisins, and include grade requirements for Golden Seedless raisins in the import regulation. This action is pursuant to section 8e of the Agricultural Marketing Agreement Act of 1937, which requires raisins offered for importation into the United States to meet the same or comparable requirements applied to domestic raisins under a Federal marketing order. Changes in the domestic grade requirements for packed seedless raisins under the Federal marketing agreement and order program for California raisins, and other factors, necessitate changes in the requirements for imported Thompson Seedless and Monukka raisins pursuant to that act.

EFFECTIVE DATE: December 4, 1985.

FOR FURTHER INFORMATION CONTACT: Frank M. Grasberger, Acting Chief, Specialty Crops Branch, Fruit and Vegetable Division, AMS, USDA, Washington, DC 20250, Telephone: (202) 447-5053.

SUPPLEMENTARY INFORMATION: This action has been reviewed under USDA guidelines implementing Executive Order 12291 and Secretary's Memorandum No. 1512-1 and has been classified a "non-major" rule under criteria contained therein.

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.

The raisin import regulation (7 CFR 999.300) is effective pursuant to the requirements of section 8e of the Agricultural Marketing Agreement Act of 1937 (7 U.S.C. 601-674). That section requires the Secretary of Agriculture to issue, after reasonable notice, grade requirements on imported raisins which are the same as, or comparable to, those applied to domestic raisins under the marketing agreement and Order No. 989, both as amended (50 FR 1830; 40476). The marketing agreement and order regulate the handling of raisins produced from grapes grown in California and also are effective under the same act.

Notice of this action was published in the Federal Register on July 15, 1985 (50

FR 28585). Interested persons were given until August 26, 1985, to submit written comments. At the close of the comment period, the Association of Food Industries, an organization representing raisin importers, asked that the comment period be reopened because it had insufficient time to analyze the proposal and submit comments after it received notice of the proposal. In response to its request, the period for comments was reopened until September 27, 1985 (50 FR 35564). Three comments were received favoring the proposal.

Changes in the domestic requirements for packed seedless raisins under the marketing agreement and order became effective November 15, 1984 (49 FR 33992), and pertain to tolerances for maturity, pieces of stem, and substandard and undeveloped raisins prescribed in the effective U.S. Standards For Grades of Processed Raisins (7 CFR 52.1841-52.1858). At that time, the minimum percent of well-matured or reasonably well-matured raisins was increased from 55 percent to 62.5 percent. On November 15, 1985, that percentage will increase from 62.5 percent to 70 percent. The current standard for imported raisins is 55 percent, and hence, will be increased to 70 percent pursuant to section 8e of the act. Also, effective November 15, 1984, the tolerances for pieces of stem, and undeveloped and substandard raisins, in U.S. Grade B, in lieu of U.S. Grade C tolerances, became effective for select and mixed-size packed raisins. The tolerances for those factors for midget-sized raisins remained at the U.S. Grade C level, thus no change in the grade and size requirements for imported midget-sized raisins is necessary. The changes in requirements for domestic raisins were effectuated to improve the quality of those raisins and improve their competitiveness in domestic and foreign markets. Pursuant to section 8e of the act, these changes in the domestic requirements also will be applied to raisins offered for importation.

During the development of the raisin import regulation in 1972 the Department found that foreign drying and processing techniques differed from those used in California, and that the resulting foreign produced Thompson Seedless raisins were lighter in color and softer than domestically produced raisins. Because of these variations, it was determined that the application of the requirements for color, stems, and capstems under the marketing order for California Thompson Seedless raisins to foreign produced Thompson Seedless raisins was not practicable and that a comparable standard was necessary.

Therefore, a finding was made under the act that there were variations in the characteristics between the domestic and imported commodity warranting establishment of different standards for imported raisins based on comparability. The requirements on imported raisins: (1) Exempted those raisins from color requirements; (2) permitted not more than two pieces of stem per 2.2 pounds in lieu of the marketing order requirements of not more than 4 pieces of stem per 6 pounds; and (3) permitted not more than 50 capstems for 1.1 pounds in lieu of 35 capstems per pound.

The color requirements in effect under the U.S. Standards for Grades of Processed Raisins (7 CFR 52.1841-52.1858) when the import regulation was issued in 1972 were not as flexible as the color requirements currently in effect. The standards then in effect did not permit inspectors to recognize color variations in domestic and imported Thompson Seedless raisins, and in the absence of the color exemption, the lighter colored Thompson Seedless raisins offered for importation would not have met the same requirements as those imported on domestic raisins under the marketing order. The current standards for both domestic and imported raisins offer inspectors a greater degree of flexibility in recognizing color variations, and the color exemption no longer is necessary. Hence, that exemption will be deleted.

With regard to capstems and pieces of stem, very few lots of imported raisins have failed solely because of excessive pieces of stem and/or capstems. Moreover, imported raisins can be and often are processed to the same extent as California raisins against the tighter domestic tolerances for pieces of stem and capstems, and the reasons originally justifying the different tolerances for pieces of stem and capstems because of the tenderness of the imported product no longer exist. The requirements hereinafter set forth prescribed tolerances for those factors which are the same as those applied to domestic raisins under the marketing order.

The raisin import regulation currently prescribes requirements for Thompson Seedless raisins, Muscat raisins, Layer Muscat raisins, Monukka raisins, and Current raisins. In recent years, however, increasing quantities of Golden Seedless raisins similar to those produced in California have been imported. Therefore, import requirements for this varietal type of raisin will be added to the import regulations. The requirements for imported Golden Seedless raisins are

the same as those applied under the marketing order.

To recognize in-transit foreign lots and to give foreign producers and importers time to prepare to meet these requirements the current standards will continue until November 30, 1985. On December 4, 1985, the changes, hereinafter set forth, will become effective.

List of Subjects in 7 CFR Part 999

Food grades and standards, Imports, Dates, Walnuts, Prunes, Raisins, Filberts/Hazelnuts.

PART 999—[AMENDED]

1. The authority citation for 7 CFR 999.300 continues to read as follows:

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

2. Section 999.300 is amended by revising paragraph (a)(2) and paragraph (b) to read as follows:

§ 999.300 Regulation governing importation of raisins.

(a) * * *

(2) "Varietal type" means the applicable one of the following: Thompson Seedless raisins, Muscat raisins, Layer Muscat raisins, Currant raisins, Monukka raisins, and Golden Seedless raisins.

(b) *Grade and size requirements.* The importation of raisins into the United States is prohibited unless the raisins are inspected and certified as provided in this section. Except as provided in paragraph (e)(2) of this section, no person may import raisins into the United States unless such raisins have been inspected and certified by a USDA inspector as to whether or not the raisins are of a varietal type, and if a varietal type, as at least meeting the following applicable grade and size requirements, which requirements are the same as those imposed upon domestic raisins handled pursuant to Order No. 989, as amended (Part 989 of this chapter):

(1) With respect to Thompson Seedless raisins—the requirements of U.S. Grade C as defined in the effective United States Standards of Grades of Processed Raisins (§§ 52.1841–52.1858 of this title): *Provided*, That at least 70 percent, by weight, of the raisins shall be well-matured or reasonably well-matured. With respect to select-sized and mixed-sized raisin lots, the raisins shall at least meet the U.S. Grade B tolerances for pieces of stem, and undeveloped and substandard raisins, and small (midget) sized raisins shall

meet the U.S. Grade C tolerances for those factors;

(2) With respect to Muscat raisins—the requirements of U.S. Grade C as defined in said standards;

(3) With respect to Layer Muscat raisins—the requirements of U.S. Grade B as defined for "Layer or Cluster Raisins with Seeds" in said standards, except for the provisions therein relating to moisture content;

(4) With respect to Currant raisins—the requirements of U.S. Grade B as defined in said standards;

(5) With respect to Monukka raisins—the requirements for Thompson Seedless Raisins prescribed in paragraph (b)(1) of this section, except that the tolerance for moisture shall be 19 percent rather than 18 percent;

(6) With respect to Golden Seedless raisins—the requirements prescribed in paragraph (b)(1) of this section for Thompson Seedless raisins and the color requirements for "colored" as defined in said standards.

Dated: October 29, 1985.

Thomas R. Clark,

Deputy Director, Fruit and Vegetable Division.

[FR Doc. 85-26246 Filed 11-1-85; 8:45 am]

BILLING CODE 3410-02-M

Animal and Plant Health Inspection Service

9 CFR Part 78

[Docket No. 85-107]

Brucellosis in Cattle; State and Area Classifications

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Interim rule.

SUMMARY: This document amends the regulations governing the interstate movement of cattle because of brucellosis by changing the classification of the State of Mississippi from Class C to Class B. This action is necessary because it has been determined that this State meets the standards for Class B status. The effect of this action is to relieve certain restrictions on the interstate movement of cattle from the State of Mississippi.

DATES: Effective date of the interim rule is November 4, 1985. Written comments must be received on or before January 3, 1986.

ADDRESSES: Written comments should be submitted to Thomas O. Gessel, Director, Regulatory Coordination Staff, APHIS, USDA, Room 728, Federal

Building, Hyattsville, MD 20782.

Comments should state that they are in response to Docket Number 85-107. Written comments may be inspected at Room 728 of the Federal Building between 8 a.m. and 4:30 p.m., Monday through Friday, except holidays.

FOR FURTHER INFORMATION CONTACT: Dr. Granville H. Frye, Cattle Diseases Staff, VS, APHIS, USDA, Room 814, Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782, 301-436-8711.

SUPPLEMENTARY INFORMATION:

Background

The brucellosis regulations (contained in 9 CFR Part 78 and referred to below as the regulations) provide a system for classifying States or portions of States according to the rate of brucella infection present and the general effectiveness of a brucellosis control and eradication program. The classifications are Class Free, Class A, Class B, and Class C. States or Areas which do not meet the minimum standards for Class C are required to be placed under Federal quarantine. This document changes the classification of the State of Mississippi from Class C to Class B.

The brucellosis Class Free classification is based on a finding of no known brucellosis in cattle for the period of 12 months preceding classification as Class Free. The Class C classification is for States or Areas with the highest rate of brucellosis, with Classes A and B in between. Restrictions on the movement of cattle are more stringent for movements from Class A States or Areas compared to movements from Free States or Areas, and are more stringent for movements from Class B States or Areas compared to movements from Class A States or Areas, and so on. The restrictions include testing for movement of certain cattle from other than Class Free States or Areas.

The basic standards for the different classifications of States or Areas concern maintenance of: (1) A State or Area-wide accumulated 12 consecutive month herd infection rate not to exceed a stated level; (2) a Market Cattle Identification (MCI) reactor prevalence rate not to exceed a stated rate (this concerns the testing of cattle at auction markets, stockyards, and slaughtering establishments); (3) a surveillance system which includes a testing program for dairy herds and slaughtering establishments, and provisions for identifying and monitoring herds at high risk of infection, including herds adjacent to infected herds and herds

from which infected animals have been sold or received under approved action plans; and (4) minimum procedural standards for administering the program.

Prior to the effective date of this document, the State of Mississippi was classified as a Class C State. It had been necessary to classify this State as Class C rather than Class B because of the herd infection rate and the MCI reactor prevalence rate. To attain and maintain Class B status, a State or Area must, among other things, maintain an accumulated 12-month herd infection rate for brucellosis not to exceed 15 herds per 1,000 (1.5 percent) if the State has more than 1,000 herds, and the adjusted MCI reactor prevalence rate for such 12 month period must not exceed three reactors per 1,000 cattle tested (0.30 percent). A review of brucellosis program records establishes that the State of Mississippi, which has more than 1,000 herds, should be changed to Class B since this State now meets the criteria for classification as Class B.

Executive Order and Regulatory Flexibility Act

This rule is issued in conformance with Executive Order 12291 and has been determined to be not a major rule. Based on information compiled by the Department, it has been determined that this rule will not have a significant effect on the economy; will not cause a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; and will not have any significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

For this action, the Office of Management and Budget has waived its review process required by Executive Order 12291.

Cattle moved interstate are moved for slaughter, for use as breeding stock, or for feeding. Changing the status of the State of Mississippi reduces certain testing and other requirements on the interstate movement of these cattle. Testing requirements for cattle moved interstate for immediate slaughter or to quarantined feed lots are not affected by the change in status. Also, cattle from Certified Brucellosis-Free Herds moving interstate are not affected by the change in status. It has been determined that the change in brucellosis status made by this document will not affect marketing patterns and will not have a significant

economic impact on those persons affected by this document.

Under these circumstances, the Administrator of the Animal and Plant Health Inspection Service has determined that this action will not have a significant economic impact on a substantial number of small entities.

Executive Order 12372

This program/activity is listed in the Catalog of Federal Domestic Assistance under No. 10.025 and is subject to the provisions of Executive Order 12372 which requires intergovernmental consultation with State and local officials. (See 7 CFR 3015, Subpart V).

Emergency Action

Dr. John K. Atwell, Deputy Administrator of the Animal and Plant Health Inspection Service for Veterinary Services, has determined that an emergency situation exists which warrants publication of this interim rule without prior opportunity for public comment. Immediate action is warranted in order to delete unnecessary restrictions on the interstate movement of certain cattle from the State of Mississippi.

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 procedures with respect to this interim rule are impracticable and contrary to the public interest, and good cause is found for making this interim rule effective less than 30 days after publication of this document in the Federal Register.

Comments have been solicited for 60 days after publication of this document. A document discussing comments received and any amendments required will be published in the Federal Register.

List of Subjects in 9 CFR Part 78

Animal Diseases, Brucellosis, Cattle, Hogs, Quarantine, Transportation.

PART 78—BRUCELLOSIS

Accordingly, 9 CFR Part 78 is amended as follows:

1. The authority citation for Part 78 continues to read as follows:

Authority: 21 U.S.C. 111-114a-1, 114g, 115, 117, 120, 121, 123-126, 134b, 134f; 7 CFR 2.17, 2.51, and 371.2(d).

§ 78.20 [Amended]

2. Section 78.20(c) is amended by adding "Mississippi," immediately before "Missouri".

3. In § 78.20(d), "Mississippi," is removed.

Done at Washington, D.C., this 29th day of October 1985.

G.J. Fichtner,

Acting Deputy Administrator, Veterinary Services.

[FR Doc. 85-28242 Filed 11-1-85; 3:45 am]

BILLING CODE 3410-34-M

FEDERAL RESERVE SYSTEM

12 CFR Part 265

[Docket No. R-0554]

Rules Regarding Delegation of Authority: Delegation of Authority To Waive Prior Notice Period

AGENCY: Board of Governors of the Federal Reserve System.

ACTION: Final rule.

SUMMARY: The Board is amending 12 CFR Part 265, its Rules Regarding Delegation of Authority to delegate to the Director of the Division of Banking Supervision and Regulation authority to waive the prior notice period on notices by U.S. banking organizations to establish foreign branches.

EFFECTIVE DATE: October 29, 1985.

FOR FURTHER INFORMATION CONTACT: James Keller, Manager, International Banking Applications, Division of Banking Supervision and Regulation (202/452-2523); or Joy W. O'Connell, Telecommunication Device for the Deaf [TDD] (202/452-3244); Board of Governors of the Federal Reserve System, Washington, DC 20551.

SUPPLEMENTARY INFORMATION: The Board is amending its delegation rules to permit the Director of the Division of Banking Supervision and Regulation to waive the 45-day notice period for establishment of a foreign branch by a U.S. banking organization under § 211.3(a)(3) of Regulation K (12 CFR 211.3(a)(3)). This corresponds to the current delegation of authority permitting the Director to waive the 45-day prior notification period for an investment under Regulation K.

The provisions of 5 U.S.C. 553 relating to notice, public participation and deferred effective date are not followed in connection with the adoption of this amendment because the changes involved are procedural in nature and do not constitute substantive rules subject to the requirement of that section.

Pursuant to section 605(b) of the Regulatory Flexibility Act (Pub. L. 96-354; 5 U.S.C. 601 *et seq.*), the Board of Governors of the Federal Reserve System certifies that the amendment