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DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 908

[Valencia Orange Regulation 372]

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

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: Regulation 372 establishes the quantity of California-Arizona Valencia oranges that may be shipped to market during the period July 18-24, 1986. The regulation is needed to balance the supply of fresh Valencia oranges with market demand for the period specified due to the marketing situation confronting the orange industry.

EFFECTIVE DATE: Regulation 372 (§ 908.672) is effective for the period July 18-24, 1986.

FOR FURTHER INFORMATION CONTACT: James M. Scanlon, Acting Chief, Marketing Order Administration Branch, F&V, AMS, USDA, Washington, DC 20250, telephone: 202/447-5697.

SUPPLEMENTARY INFORMATION: This final rule has been reviewed under Executive Order 12291 and Departmental Regulation 1512-1 and has been determined to be a "non-major" rule under criteria contained therein.

Pursuant to requirements set forth in the Regulatory Flexibility Act (RFA), 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.

The purpose of the RFA is to fit regulatory actions to the scale of business subject to such actions in order that small businesses will not be unduly

or disproportionately burdened. Marketing orders issued pursuant to the Agricultural Marketing Agreement Act and rules issued thereunder are unique in that they are brought about through group action of essentially small entities acting on their own behalf. Thus, both statutes have small entity orientation and compatibility.

The regulation is issued under Marketing Order No. 908, as amended (7 CFR Part 908), regulating the handling of Valencia oranges grown in Arizona and designated part of California. The order is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). This action is based upon the recommendation and information submitted by the Valencia Orange Administrative Committee (VOAC) and upon other available information. It is hereby found that this action will tend to effectuate the declared policy of the act.

The regulation is consistent with the marketing policy for 1985-86. The committee met publicly on July 15, 1986, to consider the current and prospective conditions of supply and demand and recommended the quantity of Valencia oranges deemed advisable to be handled during the specified week. The committee reports that the market for Valencia oranges is slow.

It is further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rulemaking, and postpone the effective date until 30 days after publication in the Federal Register (5 U.S.C. 553), because there is insufficient time between the date when information upon which this regulation is based became available and the effective date necessary to effectuate the declared policy of the act. Interested persons were given the opportunity to submit information and views on the regulation at an open meeting. To effectuate the declared policy of the act, it is necessary to make the regulatory provisions effective as specified, and handlers have been notified of the regulation and the effective date.

List of Subjects in 7 CFR Part 908

Marketing agreements and orders, California, Arizona, Oranges, Valencias.

1. The authority citation for 7 CFR Part 908 continues to read:

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

2. Section 908.672 is added to read as follows:

§ 908.672 Valencia Orange Regulation 372.

The quantities of Valencia oranges grown in California and Arizona which may be handled during the period July 18, 1986, through July 24, 1986, are established as follows:

- (a) District 1: 345,000 cartons;
- (b) District 2: 405,000 cartons;
- (c) District 3: Unlimited cartons.

Dated: July 16, 1986.

Joseph A. Gribbin,

Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc. 86-16322 Filed 7-17-86; 8:45 am]

BILLING CODE 3410-02-M

7 CFR Parts 911, 915, 921, 922, 923, 924, 945, 947, 948, 953, 967, 984, and 985

Expenses and Assessment Rates for Specified Marketing Orders

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: This final rule authorizes expenditures and establishes assessment rates under Marketing Orders 911, 915, 921, 922, 923, 924, 945, 947, 948, 953, 967, and 985 for the respective 1986-87 fiscal year for each order. Marketing Order 984 expenses are amended for the 1985-86 fiscal year. Funds to administer these programs are derived from assessments on handlers.

EFFECTIVE DATES: April 1, 1986-March 31, 1987 (§§ 911.225, 915.225, 921.225, 922.226, 923.226, and 924.226); July 1, 1986-June 30, 1987 (§§ 947.239, 948.293); June 1, 1986-May 31, 1987 (§§ 953.223, 985.306); August 1, 1986-July 31, 1987 (§§ 945.239, 967.222); August 1, 1985-July 31, 1986 (§ 984.337).

FOR FURTHER INFORMATION CONTACT: Ronald L. Cioffi, Chief, Marketing Order Administration Branch, F&V, AMS, USDA, Washington, DC 20250, telephone (202) 447-5697.

SUPPLEMENTARY INFORMATION: This final rule has been reviewed under Executive Order 12291 and Departmental Regulation 1512-1 and has been determined to be a "non-major" rule under criteria contained therein.

Pursuant to requirements set forth in the Regulatory Flexibility Act (RFA), 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.

The purpose of the RFA is to fit regulatory actions to the scale of business subject to such actions in order that small businesses will not be unduly or disproportionately burdened. Marketing orders issued pursuant to the Agricultural Marketing Agreement Act, and rules issued thereunder, are unique in that they are brought about through group action of essentially small entities on their own behalf. Thus, both statutes have small entity orientation and compatibility.

Accordingly, the Secretary finds that upon good cause shown it is impracticable, unnecessary, and contrary to public interest to give preliminary notice, engage in other public procedures, and postpone the effective dates until 30 days after publication in the *Federal Register* (5 U.S.C. 553). Each order requires that the assessment rate for a particular fiscal year shall apply to all assessable commodities handled from the beginning of such year. To enable the committees to meet current fiscal obligations, approval of the expenses is necessary without delay. Handlers have been apprised of the provisions and effective dates specified in this final rule. It is found that the specified expenses and assessment rates will tend to effectuate the declared policy of the act.

List of Subjects in 7 CFR Parts 911, 915, 921, 922, 923, 924, 945, 947, 948, 953, 967, 984, and 985

Marketing agreements and orders, Limes (Florida), Avocados (Florida), Peaches (Washington), Apricots (Washington), Cherries (Washington), Prunes (Washington-Oregon), Potatoes (Idaho-Oregon), Potatoes (Oregon-California), Potatoes (Colorado), Potatoes (Virginia-North Carolina), Celery (Florida), Walnuts (California), and Spearmint Oil (Far West).

1. The authority citation for 7 CFR Parts 911, 915, 921, 922, 923, 924, 945, 947, 948, 953, 967, 984, and 985 continues to read as follows:

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

New §§ 911.225, 915.225, 921.225, 922.226, 923.226, 924.226, 945.239, 947.239, 948.294, 953.223, 967.222, 985.306, are added and § 984.377 is amended to read as follows (the following sections

prescribe the annual expenses and assessment rates and will not be published in the Code of Federal Regulations):

PART 911—LIMES GROWN IN FLORIDA

§ 911.225 Expenses and assessment rate.

Expenses of \$204,000 by the Florida Lime Administrative Committee are authorized, and an assessment rate of \$0.15 per bushel of limes is established for the fiscal year ending March 31, 1987. Unexpended funds from the 1985-86 fiscal year may be carried over as a reserve.

PART 915—AVOCADOS GROWN IN SOUTH FLORIDA

§ 915.225 Expenses and assessment rate.

Expenses of \$193,000 by the Avocado Administrative Committee are authorized, and an assessment rate of \$0.11 per bushel of avocados is established for the fiscal year ending March 31, 1987. Unexpended funds from the 1985-86 fiscal year may be carried over as a reserve.

PART 921—FRESH PEACHES GROWN IN DESIGNATED COUNTIES IN WASHINGTON

§ 921.225 Expenses and assessment rate.

Expenses of \$23,439 by the Washington Fresh Peach Marketing Committee are authorized, and an assessment rate of \$1.25 per ton of peaches is established for the fiscal year ending March 31, 1987.

PART 922—APRICOTS GROWN IN DESIGNATED COUNTIES IN WASHINGTON

§ 922.226 Expenses and assessment rate.

Expenses of \$5,573 by the Washington Apricot Marketing Committee are authorized, and an assessment rate of \$1.75 per ton of apricots is established for the fiscal year ending March 31, 1987.

PART 923—SWEET CHERRIES GROWN IN DESIGNATED COUNTIES IN WASHINGTON

§ 923.226 Expenses and assessment rate.

Expenses of \$79,278 by the Washington Cherry Marketing Committee are authorized, and an assessment rate of \$1.50 per ton of cherries is established for the fiscal year ending March 31, 1987.

PART 924—FRESH PRUNES GROWN IN DESIGNATED COUNTIES IN WASHINGTON AND UMITILLA COUNTY, OREGON

§ 924.226 Expenses and assessment rate.

Expenses of \$27,693 by the Washington-Oregon Fresh Prune Marketing Committee are authorized, and an assessment rate of \$2.00 per ton of prunes is established for the fiscal year ending March 31, 1987.

PART 945—IRISH POTATOES GROWN IN CERTAIN DESIGNATED COUNTIES IN IDAHO, AND MALHEUR COUNTY, OREGON

§ 945.239 Expenses and assessment rate.

Expenses of \$69,770 by the Idaho-Eastern Oregon Potato Committee are authorized, and an assessment rate of \$0.0026 per hundredweight of potatoes is established for the fiscal period ending July 31, 1987. Unexpended funds may be carried over as a reserve.

PART 947—IRISH POTATOES GROWN IN MODOC AND SISKIYOU COUNTIES IN CALIFORNIA AND ALL COUNTIES IN OREGON EXCEPT MALHEUR COUNTY

§ 947.239 Expenses and assessment rate.

Expenses of \$36,510 by the Oregon-California Potato Committee are authorized, and an assessment rate of \$0.004 per hundredweight of potatoes is established for the fiscal period ending June 30, 1987. Unexpended funds may be carried over as a reserve.

PART 948—IRISH POTATOES GROWN IN COLORADO

§ 948.294 Expenses and assessment rate.

Expenses of \$3,292.50 by the Colorado Area III Potato Committee are authorized, and an assessment rate of \$0.005 per hundredweight of potatoes is established for the fiscal period ending June 30, 1987. Unexpended funds may be carried over as a reserve.

PART 953—IRISH POTATOES GROWN IN SOUTHEASTERN STATES

§ 953.223 Expenses and assessment rate.

Expenses of \$10,000 by the Southeastern Potato Committee are authorized, and an assessment rate of \$0.005 per hundredweight of potatoes is established for the fiscal period ending May 31, 1987. Unexpended funds may be carried over as a reserve.

PART 967—CELERY GROWN IN FLORIDA**§ 967.222 Expenses and assessment rate.**

Expenses of \$126,000 by the Florida Celery Committee are authorized, and an assessment rate of \$0.02 per crate of celery is established for the fiscal year ending July 31, 1987. Unexpended funds may be carried over as a reserve.

PART 984—WALNUTS GROWN IN CALIFORNIA**§ 984.337 [Amended]**

Section 984.337 is amended by changing \$1,180,322 to \$1,255,322.

PART 985—SPEARMINT OIL PRODUCED IN THE FAR WEST**§ 985.306 Expenses and assessment rate.**

Expenses of \$140,000 by the Spearmint Oil Administrative Committee are authorized, and an assessment rate payable by each handler in accordance with § 985.41 is fixed at \$0.08 per pound for salable spearmint oil for the 1986-87 marketing year ending May 31, 1987. Unexpended funds may be carried over as a reserve.

Dated: July 14, 1986.

Thomas R. Clark,

Deputy Director, Fruit and Vegetable Division.

[FR Doc. 86-16237 Filed 7-17-86; 8:45 am]

BILLING CODE 3410-02-M

Agricultural Stabilization and Conservation Service**7 CFR Part 781****Disclosure of Foreign Investment in Agricultural Land**

AGENCY: Agricultural Stabilization and Conservation Service, USDA.

ACTION: Final rule.

SUMMARY: This final rule provides a procedure under which a foreign person may obtain permission to file a report with respect to investment in United States agricultural land with the Agricultural Stabilization and Conservation Service (ASCS) office in Washington, DC, when complex filings are involved, such as where the report involves land located in more than one county. The final rule will reduce the amount of correspondence between the foreign person and the agency.

EFFECTIVE DATE: July 18, 1986.

FOR FURTHER INFORMATION CONTACT: William A. Brown, Emergency

Operations and Livestock Programs Division, ASCS, USDA, Room-4095 South Building, P.O. Box 2415, Washington, DC 20013, telephone (202) 447-6833.

SUPPLEMENTARY INFORMATION:

Information collection requirements contained in this regulation (7 CFR Part 781) have been approved by the Office of Management and Budget in accordance with the provisions of 44 U.S.C. Chapter 35 and OMB Number 0560-0097 has been assigned.

This final rule has been reviewed under U.S. Department of Agriculture (USDA) procedures established in accordance with provisions of Executive Order 12291 and Departmental Regulation No. 1512-1 and has been classified as "not major." It has been determined that this rule will not result in: (1) An annual effect on the economy of \$100 million or more; (2) major increases in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or (3) 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.

It has been determined that the Regulatory Flexibility Act is not applicable to the final rule since ASCS is not required by 5 U.S.C. 553 or any other provision of law to publish a notice of proposed rulemaking with respect to the subject matter of this proposed rule.

This program/activity is not subject to provisions of Executive Order 12372 which requires intergovernmental consulting with State and local officials. See Notice related to 7 CFR Part 3015, Subpart V, published at 48 FR 29115 (June 24, 1983).

It has been determined by an environmental evaluation that this action will have no significant impact on the quality of human environment. Therefore, neither an environmental assessment nor an Environmental Impact Statement is needed.

The regulations at 7 CFR 781.3(a) provide that all reports required to be filed pursuant to the regulations shall be filed with the ASCS County office in the county where the land with respect to which such report must be filed is located. This requirement has been found to be unduly burdensome to both foreign persons and the ASCS, particularly in situations where foreign

persons are either purchasing or selling land in more than one county. Therefore, § 781.3(a) is amended to permit foreign persons to request authority to file a report directly with the ASCS office in Washington, DC, when complex filings are involved, such as where they would otherwise have to file reports in more than one ASCS county office.

Since the changes made by this final rule are technical in nature with no changes being made in the terms, and conditions are set forth in the reporting requirements under 7 CFR Part 781, it has been determined that no further public rulemaking is required. Accordingly, this rule shall become effective July 18, 1986.

List of Subjects in 7 CFR Part 781

Administrative practice and procedure, Agriculture, Foreign investment in United States, Penalties, Reporting and recordkeeping requirements.

Final rule**PART 781—[AMENDED]**

Accordingly, the regulations at 7 CFR Part 781 are amended as follows:

1. The authority citation for 7 CFR Part 781 continues to read as follows:

Authority: Secs. 1-10, 92 Stat. 1266, 7 U.S.C. 3501 *et seq.*

2. Section 781.3(a) is amended to read as follows:

§ 781.3 Reporting Requirements.

(a) All reports required to be filed pursuant to this part shall be filed with the ASCS County office in the county where the land with respect to which such report must be filed is located or where the ASCS County office administering programs carried out on such land is located; Provided, that the ASCS office in Washington, DC, may grant permission to foreign persons to file reports directly with its Washington office when complex filings are involved, such as where the land being reported is located in more than one county.

Signed at Washington, DC on July 15, 1986.

Milton J. Hertz,

Acting Administrator, Agricultural Stabilization and Conservation Service.

[FR Doc. 86-16244 Filed 7-17-86; 8:45 am]

BILLING CODE 3410-05-M

Animal and Plant Health Inspection Service**9 CFR Part 77**

[Docket No. 86-062]

Tuberculosis in Cattle; State Designations**AGENCY:** Animal and Plant Health Inspection Service, USDA.**ACTION:** Affirmation of interim rule.

SUMMARY: This document affirms the interim rule which amended the regulations governing the interstate movement of cattle because of tuberculosis by raising the designation of Alaska from a modified accredited area to an accredited-free State. This rule is necessary because it has been determined that Alaska meets the criteria for designation as an accredited-free State.

The regulations do not impose restrictions on the interstate movement of cattle not known to be affected with or exposed to tuberculosis from either accredited-free States or modified accredited areas. However, the designation for any given jurisdiction can affect the marketability of cattle from that jurisdiction, since some prospective cattle buyers prefer to buy cattle from accredited-free States.

EFFECTIVE DATE: July 18, 1986.

FOR FURTHER INFORMATION CONTACT: Dr. Ralph L. Hosker, Domestic Program Support Staff, VS, APHIS, USDA, Room 815, Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782, 301-436-8715.

SUPPLEMENTARY INFORMATION:**Background**

A document published in the *Federal Register* on March 28, 1986 (51 FR 10611-10612), amended the tuberculosis regulations in 9 CFR Part 77 by raising the designation of Alaska from a modified accredited area to an accredited-free State. The amendment was effective on March 28, 1986. Comments were solicited for 60 days after publication of the amendment. No comments were received. The factual situation which was set forth in the document of March 28, 1986, still provides a basis for the amendment.

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 Alaska will not cause a significant effect on 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 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 Part 3015, Subpart V).

List of Subjects in 9 CFR Part 77

Animal diseases, Cattle, Transportation, and Tuberculosis.

PART 77—TUBERCULOSIS IN CATTLE

Accordingly, the interim rule amending 9 CFR Part 77 which was published at 51 FR 10611-10612 on March 28, 1986, is adopted as a final rule.

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

Done at Washington, DC, this 15th day of July 1986.

J.K. Atwell,

Deputy Administrator, Veterinary Services.
[FR Doc. 86-16241 Filed 7-17-86; 8:45 am]

BILLING CODE 3410-34-M

9 CFR Part 94

[Docket No. 86-068]

Change in Disease Status of Great Britain Because of Hog Cholera**AGENCY:** Animal and Plant Health Inspection Service, USDA.**ACTION:** Affirmation of interim rule.

SUMMARY: This document affirms the interim rule which amended the regulations concerning the importation into the United States of swine, pork, and pork products by removing Great Britain (England, Scotland, Wales, and Isle of Man) from the lists of countries where hog cholera is not known to exist. This action imposes certain prohibitions and restrictions on the importation of swine, pork, and pork products from Great Britain. The amendment is necessary in order to help prevent the introduction of hog cholera into the United States.

EFFECTIVE DATE: July 18, 1986.

FOR FURTHER INFORMATION CONTACT: Dr. Mark P. Dulin, Import-Export and Emergency Planning Staff, VS, APHIS, USDA, Room 805, Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782, 301-436-8499.

SUPPLEMENTARY INFORMATION:**Background**

The regulations in 9 CFR Part 94 (the regulations) regulate the importation into the United States of specified animals and animal products in order to prevent the introduction into the United States of various diseases, including hog cholera.

A document published in the *Federal Register* on April 17, 1986 (51 FR 12987-12988), amended §§ 94.9 and 94.10 of the regulations by removing Great Britain (England, Scotland, Wales, and Isle of Man) from the lists of countries in which hog cholera is not known to exist. Great Britain was removed from the lists because an outbreak of hog cholera had been diagnosed in swine in that country.

The interim rule was made effective upon signature, April 11, 1986. Comments were solicited for 60 days after publication of the amendments. No comments were received. The factual situation which was set forth in the document of April 17, 1986, still provides a basis for the amendments.

Executive Order 12291 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 have no 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.

The amount of swine, pork, and pork products imported into the United States from Great Britain prior to the effective date of the interim rule was less than one percent of the amount of these items imported into the United States annually. Further, the importation of any of these items from Great Britain was not the primary business activity of any business in the United States.

Under the circumstances explained above, 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 Part 3015, Subpart V).

List of Subjects in 9 CFR Part 94

African swine fever, Animal diseases, Exotic Newcastle disease, Foot-and-mouth disease, Fowl pest, Garbage, Hog Cholera, Imports, Livestock and Livestock Products, Meat and Meat Products, Milk, Poultry and Poultry Products, Rinderpest, and Swine Vesicular Disease.

PART 94—RINDERPEST, FOOT-AND-MOUTH DISEASE, FOWL PEST (FOWL PLAGUE), NEWCASTLE DISEASE (AVIAN PNEUMOENCEPHALITIS), AFRICAN SWINE FEVER, AND HOG CHOLERA: PROHIBITED AND RESTRICTED IMPORTATIONS

Accordingly, the interim rule amending 9 CFR Part 94 which was published at 51 FR 12987-12988 on April 17, 1986, is adopted as a final rule.

Authority: 7 U.S.C. 147a, 150ee, 161, 162, 450; 19 U.S.C. 1306; 21 U.S.C. 111, 114a, 134a,

134b, 134c, 134f; 42 U.S.C. 4331, 4332; 7 CFR 2.17, 2.51, and 371.2(d).

Done at Washington, DC, this 15th day of July 1986.

J.K. Atwell,

Deputy Administrator, Veterinary Services.

[FR Doc. 86-16240 Filed 7-17-86; 8:45 am]

BILLING CODE 3410-34-M

9 CFR Part 94

[Docket No. 86-066]

Change in Disease Status of The Netherlands Because of African Swine Fever

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Affirmation of interim rule.

SUMMARY: This document affirms the interim rule which amended the regulations concerning the importation into the United States of pork and pork products by adding The Netherlands to the list of countries where African swine fever (ASF) exists or where there is reason to believe that ASF exists. The effect of the amendment is to add certain restrictions on the importation of pork and pork products from The Netherlands. This is necessary in order to help prevent the introduction of ASF into the United States.

EFFECTIVE DATE: Effective date is July 18, 1986.

FOR FURTHER INFORMATION CONTACT: Dr. Mark P. Dulin, Import-Export and Emergency Planning Staff, VS, APHIS, USDA, Room 805, Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782, 301-436-8499.

SUPPLEMENTARY INFORMATION:

Background

On April 8, 1986, an interim rule was published in the *Federal Register* (51 FR 11902-11903) which amended the regulations in 9 CFR Part 94 adding The Netherlands to the list of countries where African swine fever (ASF) exists or where there is reason to believe that ASF exists.

The interim rule became effective on the date it was signed, April 3, 1986. Comments were solicited for 60 days following publication. No comments were received. The factual situation which was set forth in the interim rule still provides a basis for the amendment.

Executive Order 12291 and Regulatory Flexibility Act

This action has been reviewed in accordance with Executive Order 12291 and has been determined to be not a major rule. The Department has

determined that this rule will not have a significant annual 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 have no significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

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

The amount of swine, pork, or pork products imported into the United States from The Netherlands prior to the effective date of the interim rule was less than one percent of the amount of these items imported into the United States annually. Further, the importation of any of these items from The Netherlands was not the primary business activity of any business in the United States.

Under circumstances explained above, the Deputy 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 Part 3015, Subpart V).

List of Subjects in 9 CFR Part 94

African Swine Fever, Animal diseases, Exotic Newcastle Disease, Foot-and-Mouth Disease, Fowl pest, Garbage, Hog Cholera, Imports, Livestock and livestock products, Meat and meat products, Milk, Poultry, and poultry products, Rinderpest, and Swine Vesicular Disease.

PART 94—RINDERPEST, FOOT-AND-MOUTH DISEASE, FOWL PEST (FOWL PLAGUE), NEWCASTLE DISEASE (AVIAN PNEUMOENCEPHALITIS), AFRICAN SWINE FEVER, AND HOG CHOLERA: PROHIBITED AND RESTRICTED IMPORTATIONS

Accordingly, the interim rule amending 9 CFR Part 94 which was published at 51 FR 11902-11903 on April 8, 1986, is adopted as a final rule.