

basis; (2) the 1996–97 fiscal period began on July 1, 1996, and the marketing order requires that the rate of assessment for each fiscal period apply to all assessable potatoes handled during such fiscal period; (3) handlers are aware of this action which was unanimously recommended by the Committee at a public meeting and is similar to other assessment rate actions issued in past years; and (4) an interim final rule was published on this action and provided for a 30-day comment period, and no comments were received.

List of Subjects in 7 CFR Part 958

Marketing agreements, Onions, Reporting and recordkeeping requirements.

Accordingly, the interim final rule amending 7 CFR part 958 which was published at 61 FR 27250 on May 31, 1996, is adopted as a final rule with the following change:

PART 958—ONIONS GROWN IN CERTAIN DESIGNATED COUNTIES IN IDAHO, AND MALHEUR COUNTY, OREGON

1. The authority citation for 7 CFR part 958 continues to read as follows:

Authority: 7 U.S.C. 601–674.

2. Part 958 is amended by adding a new subpart heading immediately preceding § 958.328 to read as follows:

Note: This subpart heading will appear in the Code of Federal Regulations.

Subpart—Handling Regulations

Dated: August 16, 1996.

Robert C. Keeney,

Director, Fruit and Vegetable Division.

[FR Doc. 96–21492 Filed 8–22–96; 8:45 am]

BILLING CODE 3410–02–P

Animal and Plant Health Inspection Service

9 CFR Part 92

[Docket No. 95–079–2]

Importation of Horses

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Final rule.

SUMMARY: We are amending the horse importation regulations to add vesicular stomatitis to the list of diseases from which a premises, and adjoining premises, must be free before a horse from that premises may be imported into the United States. This action appears necessary to prevent the

introduction of vesicular stomatitis into the United States.

EFFECTIVE DATE: September 23, 1996.

FOR FURTHER INFORMATION CONTACT: Dr. Gary Colgrove, Chief Staff Veterinarian, National Center for Import and Export, VS, APHIS, 4700 River Road Unit 38, Riverdale, MD 20737–1231, (301) 734–3276.

SUPPLEMENTARY INFORMATION:

Background

The regulations in 9 CFR part 92 (referred to below as “the regulations”) govern the importation into the United States of specified animals, including horses, to prevent the introduction of various animal diseases into the United States.

Under § 92.314, horses imported into the United States must be accompanied by a health certificate. The health certificate must contain certain information to ensure that the horses intended for importation into the United States are free from communicable diseases. Among other things, the health certificate must state that no cases of certain communicable diseases, including African horse-sickness, dourine, glanders, surra, epizootic lymphangitis, ulcerative lymphangitis, equine piroplasmosis, Venezuelan equine encephalomyelitis, and equine infectious anemia, have occurred on the horses’ premises of origin, or an adjoining premises, in the 60 days preceding the horses’ importation into the United States.

On April 1, 1996, we published in the Federal Register (61 FR 14268–14269, Docket No. 95–079–1) a proposal to amend the regulations by adding vesicular stomatitis to the list of diseases from which a horse’s premises of origin and adjoining premises must be free before the horse may be imported into the United States.

We solicited comments concerning our proposal for 60 days ending May 31, 1996. We received four comments by that date. They were from representatives of industry, a researcher, and a veterinary association. One commenter supported the proposed rule. The three other commenters had concerns about limiting the proposed restrictions to the importation of horses. All three of these commenters requested that we extend our proposed restrictions to the importation of all species susceptible to vesicular stomatitis, including cattle, swine, sheep, and llamas.

With few exceptions, the regulations require that horses, swine, and ruminants imported into the United States be accompanied by a certificate

stating, among other things, that the animals were inspected prior to importation and were found free of evidence of communicable disease and, insofar as could be determined, exposure to communicable disease within the 60 days preceding importation. The regulations further require that horses, swine, and ruminants presented for entry into the United States be inspected again at the port of entry and found free of evidence of communicable disease and exposure to communicable disease. With certain exceptions, these animals must then undergo quarantine in the United States before being released. In most cases, these restrictions are sufficient to ensure that an animal infected with vesicular stomatitis would not be added to U.S. herds. However, the possibility exists that an animal could be exposed to vesicular stomatitis prior to importation, unbeknownst to the veterinarian signing the required certificate, and that the animal could arrive in the United States before showing any symptoms of the disease. If quarantine were not required, as in the case of certain ruminants from Canada and Mexico, or if the required quarantine period were short, as it is for most horses, the animal could be released even though it was incubating the disease.

Swine, cattle, and other ruminants imported into the United States are imported primarily for slaughter, with a much smaller number imported for breeding. The slaughter animals are either consigned directly to slaughter or are consigned to pastures or feedlots for finish feeding prior to slaughter. Most breeding animals are integrated into U.S. herds.

While a small number of horses are imported for slaughter or breeding, most are imported for exhibition or racing, and they are shipped to multiple locations in the United States, where they have contact with other horses which are also shipped to multiple locations within the United States. As such, imported horses present a relatively high risk, compared to other imported livestock, of spreading vesicular stomatitis if they are incubating the disease when they arrive in the United States. For this reason, our regulations address horses, not other susceptible livestock. We continue to believe that the existing regulations for other livestock are sufficient to ensure that these animals do not present a significant risk of spreading vesicular stomatitis to U.S. herds. Therefore, we are making no change based on these comments.

Therefore, based on the rationale set forth in the proposed rule and in this

document, we are adopting the provisions of the proposal as a final rule without change.

Executive Order 12866 and Regulatory Flexibility Act

This final rule has been reviewed under Executive Order 12866. The rule has been determined to be not significant for the purposes of Executive Order 12866 and, therefore, has not been reviewed by the Office of Management and Budget.

We are amending the regulations by adding vesicular stomatitis to the list of diseases from which a horse's premises of origin and adjoining premises must be free before the horse may be imported into the United States. Vesicular stomatitis is recognized internationally as a serious disease of horses, cattle, swine, and llamas. Animals that are infected with vesicular stomatitis develop lesions in the mouth and on the dental pad, tongue, lips, nostrils, hooves, and teats. These lesions swell and break, exposing raw tissue. This raw tissue is so painful for the infected animals that they often refuse to eat and show signs of lameness. Substantial weight loss normally follows. As a result of infection, dairy cows often develop mastitis, infection of the udder, and many go dry.

Many countries that import U.S. livestock and animal products could refuse to import such products from the United States if vesicular stomatitis were allowed to spread across the United States. Currently, no premises in the United States are under quarantine because of vesicular stomatitis, but as recently as the summer of 1995, several premises in four Western States were under quarantine because of vesicular stomatitis. This rule will help prevent future outbreaks of this disease.

This rule will involve no additional costs for U.S. horse importers, large or small. Additionally, we do not expect this rule to affect the availability of horses for importation to the United States. Restrictions will only be placed on horses from specific premises.

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 12988

This rule has been reviewed under Executive Order 12988, Civil Justice Reform. This rule: (1) Preempts all State and local laws and regulations that are inconsistent with this rule; (2) has no retroactive effect; and (3) does not require administrative proceedings

before parties may file suit in court challenging this rule.

Paperwork Reduction Act

This rule contains no new information collection or recordkeeping requirements under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

List of Subjects in 9 CFR Part 92

Animal diseases, Imports, Livestock, Poultry and poultry products, Quarantine, Reporting and recordkeeping requirements.

Accordingly, 9 CFR part 92 is amended as follows:

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

1. The authority citation for part 92 continues to read as follows:

Authority: 7 U.S.C. 1622; 19 U.S.C. 1306; 21 U.S.C. 102–105, 111, 114a, 134a, 134b, 134c, 134d, 134f, 135, 136, and 136a; 31 U.S.C. 9701; 7 CFR 2.22, 2.80, and 371.2(d).

§ 92.314 [Amended]

2. In § 92.314, the first sentence is amended by adding "vesicular stomatitis," immediately following "Venezuelan equine encephalomyelitis,".

Done in Washington, DC, this 20th day of August 1996.

A. Strating,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 96–21557 Filed 8–22–96; 8:45 am]

BILLING CODE 3410–34–P

FEDERAL DEPOSIT INSURANCE CORPORATION

12 CFR Part 310

RIN 3064–AB80

Privacy Act Regulations

AGENCY: Federal Deposit Insurance Corporation.

ACTION: Final rule.

SUMMARY: The FDIC's Privacy Act Regulations were reviewed in accordance with the requirements of section 303 of the Riegle Community Development and Regulatory Improvement Act of 1994 (RCDRIA) and the FDIC's ongoing Regulatory Review Program. As a result of this review, the FDIC is amending its Privacy Act

Regulations in order to delete outmoded terms and otherwise update and clarify the regulations. The revisions are minor and technical in nature.

EFFECTIVE DATE: August 23, 1996.

FOR FURTHER INFORMATION CONTACT:

Dianne M. Salva, Senior Attorney, Office of the Executive Secretary, (202) 898–3819; Richard White, Attorney, Office of the Executive Secretary, (202) 898–7247; Michelle Borzillo, Counsel, Legal Division, (202) 898–7400; Karen L. Main, Senior Attorney, Legal Division, (202) 898–8838, Federal Deposit Insurance Corporation, 550 17th Street, NW., Washington, DC. 20429.

SUPPLEMENTARY INFORMATION:

I. Discussion

Part 310 of the FDIC's Rules and Regulations implements the Privacy Act of 1974, 5 U.S.C. 552a. The Privacy Act is a records management statute designed to balance the government's need to maintain information about individuals with the rights of individuals to be protected against unwarranted invasions of their privacy stemming from federal agencies' collection, maintenance, use, and disclosure of personal information about them.

Consistent with the Privacy Act, part 310 provides a means by which individuals may obtain non-exempt FDIC records indexed under their name. It also permits the amendment of inaccurate records and places restrictions on the release of covered information within and outside the FDIC.

The FDIC's Privacy Act Regulations were reviewed in accordance with the requirements of section 303 of the RCDRIA and the FDIC's ongoing Regulatory Review Program. As a result of this review, the FDIC is amending Part 310 through this final rule in order to delete outmoded terms and otherwise update and clarify the regulations.

The revisions are minor and technical in nature. More specifically, the final rule would (1) clarify the regulatory statement of purpose and scope; (2) replace references to the "Civil Service Commission" with "United States Office of Personnel Management"; (3) replace references to the "Records Unit" with "FOIA/PA Unit"; (4) clarify that access to, or amendment of, government-wide systems of records shall be controlled by the regulations and notices prescribed by the sponsoring government agency; (5) conform part 310 to a court ruling permitting the use of an unsworn declaration under penalty of perjury in lieu of a notarized certification to