

TABLE 1—Continued

Column A variety	Column B maturity guide
Redglobe .....	C
Redhaven .....	G
Red Lady .....	G
Redtop .....	G
Regina .....	G
Rich Lady .....	J
Rich May .....	H
Rio Oso Gem .....	I
Royal Lady .....	J
Royal May .....	G
Ruby May .....	H
Ryan Sun .....	I
Scarlet Lady .....	F
September Sun .....	I
Sierra Crest .....	H
Sierra Lady .....	I
Sparkle .....	I
Springcrest .....	G
Spring Lady .....	H
Springold .....	D
Sugar Lady .....	J
Summer Lady .....	L
Summerset .....	I
Suncrest .....	G
Topcrest .....	H
Tra Zee .....	J
Willie Red .....	G
Zee Lady .....	L

**Note:** Consult with the Federal or Federal-State Inspection Service Supervisor for the maturity guides applicable to the varieties not listed above.

(ii) \* \* \*

(iii) Container tolerances. The contents of individual packages in the lot are subject to the following limitations, provided the averages for the entire lot are within the tolerances specified in this part:

(A) For packages which contain more than 10 pounds, and a tolerance of 10 percent or more is provided, individual packages shall have not more than one and one-half times the tolerance specified. For packages which contain more than 10 pounds and a tolerance of less than 10 percent is provided, individual packages shall have not more than double the tolerance specified.

(B) For packages which contain 10 pounds or less, individual packages are not restricted as to the percentage of defects.

\* \* \* \* \*

(5) Any package or container of Babcock, Crimson Lady, Crown Princess, David Sun, Early May Crest, Flavorcrest, Golden Crest, Honey Red, June Lady, June Sun, Kern Sun, Kingcrest, Kings Red, May Crest, May Sun, Merrill Gemfree, Queencrest, Ray Crest, Redtop, Rich May, Rich Mike, Snow Brite, Snow Flame, Springcrest,

Spring Lady, Sugar May, Sweet Gem, or Sweet Scarlet variety of peaches unless:

\* \* \* \* \*

(6) Any package or container of Amber Crest, August Lady, August Sun, Autumn Crest, Autumn Flame, Autumn Gem, Autumn Lady, Autumn Rose, Belmont (Fairmont), Berenda Sun, Blum's Beauty, Cal Red, Carnival, Cassie, Champagne, Diamond Princess, Early Elegant Lady, Early O'Henry, Elegant Lady, Fairtime, Fancy Lady, Fay Elberta, Fire Red, Flamecrest, John Henry, July Sun, June Pride, Kaweah, Kings Lady, Lacey, Late Ito Red, Mary Anne, O'Henry, Prima Gattie, Prima Lady, Red Dancer, Red Sun, Rich Lady, Royal Lady, Ryan Sun, Scarlet Snow, September Snow, September Sun, Sierra Lady, Snow Ball, Snow Diamond, Snow Giant, Snow King, Sparkle, Sprague Last Chance, Sugar Giant, Sugar Lady, Summer Lady, Summer Sweet, Summer Zee, Suncrest, Tra Zee, Vista, White Lady, or Zee Lady variety of peaches unless:

\* \* \* \* \*

Dated: March 24, 1997.

**Eric M. Forman,**

*Acting Director, Fruit and Vegetable Division.*

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## DEPARTMENT OF JUSTICE

### Immigration and Naturalization Service

#### Executive Office for Immigration Review

#### 8 CFR Parts 3, 208 and 236

[INS 1788-96; AG Order No. 2071-97]

RIN 1115-AE47

#### Inspection and Expedited Removal of Aliens; Detention and Removal of Aliens; Conduct of Removal Proceedings; Asylum Procedures; Correction

**AGENCY:** Immigration and Naturalization Service and Executive Office for Immigration Review.

**ACTION:** Correction to interim regulation.

**SUMMARY:** This document contains corrections to the interim regulation, published Thursday, March 6, 1997 (62 FR 10312), relating to inspection and expedited removal of aliens, detention and removal of aliens, conduct of removal proceedings, and asylum procedures.

**EFFECTIVE DATE:** April 1, 1997.

**FOR FURTHER INFORMATION CONTACT:** Margaret M. Philbin (703) 305-0470 (not a toll free call).

## SUPPLEMENTARY INFORMATION:

### Background

The interim regulation that is the subject of these corrections amends the regulations of the Immigration and Naturalization Service (INS) and Executive Office for Immigration Review (EOIR) to implement the provisions of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA) governing expedited and regular removal proceedings, handling of asylum claims, and other activities involving the apprehension, determination, hearing of claims and ultimately the removal of inadmissible and deportable aliens. This rule also incorporates a number of changes which are part of the Administration's reinvention and regulation streamlining effort.

### Need for Correction

As published, the interim regulation contains errors which may prove to be misleading and are in need of clarification.

### Correction of Publication

Accordingly, the publication on March 6, 1997 of the interim regulation (INS No. 1788-96; AG ORDER No. 2071-97), which was the subject of FR Doc. 97-5250, is corrected as follows:

#### § 3.1 [Corrected]

1. On page 10330 in the third column, in § 3.1(b)(7), line 4, the words "and 8 CFR part 240, subpart E" are deleted.

#### § 3.23 [Corrected]

2a. On page 10333, in the third column, in § 3.23(b)(4)(ii), lines 1 and 2, the words "in asylum proceedings or" are deleted and in lines 4 through 6, the words "in asylum proceedings pursuant to § 208.2(b) of this chapter or" are deleted.

2b. On page 10334, in the first column, in § 3.23(b)(4)(ii), lines 5 and 6, the words "pursuant to § 208.2(b) of this chapter or" are deleted.

#### § 3.26 [Corrected]

3. On page 10334, in the third column, in § 3.26(c), paragraph (2), the words "or the alien's counsel of record" are added before the period at the end of the paragraph.

#### § 208.2 [Corrected]

4. On page 10337, in the third column, in § 208.2(b)(2)(i), line 2, the words "Except as provided in this section," are added before the word "Proceedings" and the capital "P" in "Proceedings" is changed to a lower case "p."

**§ 235.4 [Corrected]**

5a. On page 10358, in the first column, in § 235.4, line 1, the letter “(a)” is deleted.

5b. On page 10358, in the first column, in § 235.4, paragraph (b), the letter “(b)” is deleted and the text of that paragraph is moved to § 240.1 as a new paragraph (d) with the following heading: “(d) *Withdrawal of application for admission.*”

**§ 236.1 [Corrected]**

6a. On page 10360, in the third column, in § 236.1 paragraph (c)(1) is redesignated as paragraph (c)(1)(i) and a new paragraph (c)(1)(ii) is added to read as follows:

**§ 236.1 Apprehension, custody, and detention.**

\* \* \* \* \*

(c)(1)(i) \* \* \*

(ii) While the Transition Period Custody Rules remain in effect, this paragraph and paragraph (d) of this section shall be subject to those Rules.

\* \* \* \* \*

6b. On page 10360, in the third column, in § 236.1(c), paragraph (2), the following is added at the end of the paragraph: “Such an officer may also, in the exercise of discretion, release an alien in deportation proceedings pursuant to the authority in section 242 of the Act (as designated prior to April 1, 1997), except as otherwise provided by law.

6c. On page 10361, in the first column, in § 236.1(d)(1), line 13, after the phrase “236 of the Act” the following phrase is added: “(or section 242(a)(1) of the Act as designated prior to April 1, 1997 in the case of an alien in deportation proceedings).”

**Rosemary Hart,**

*Federal Register Liaison Officer.*

[FR Doc. 97-8105 Filed 3-31-97; 8:45 am]

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**DEPARTMENT OF AGRICULTURE****Grain Inspection, Packers and Stockyards Administration****9 CFR Part 205**

RIN 0580-AA50

**Clear Title—Protection for Purchasers of Farms Products**

**AGENCY:** Grain Inspection, Packers and Stockyards Administration, USDA.

**ACTION:** Final rule.

**SUMMARY:** This document makes final an interim rule amending regulations relating to the establishment and

management of statewide central filing systems as they pertain specifically to the filing of “effective financing statements” for “farm products” as defined in section 1324 of the Food Security Act of 1985 (7 U.S.C. 1631) by allowing electronic filing of effective financing statements without the prior signature of the debtor provided State law authorizes such a filing. The interim rule brought the regulations into conformity with Sections 662 and 663 of the Federal Agriculture Improvement and Reform Act of 1996.

**EFFECTIVE DATE:** October 22, 1996.

**FOR FURTHER INFORMATION CONTACT:**

Gerald E. Grinnell, Industry Analysis Staff, Packers and Stockyards Programs, Grain Inspection, Packers and Stockyards Administration, STOP 3647, Room 3052, South Building, 1400 Independence Avenue S.W., Washington, D.C. 20250-3647, (202) 720-7455. Kimberly D. Hart, Esquire, Trade Practices Division, Office of the General Counsel, STOP 1413, Room 2430, South Building, 1400 Independence Avenue S.W., Washington, D.C. 20250-1413, (202) 720-8160.

**SUPPLEMENTARY INFORMATION:****Background**

An interim rule was published in the **Federal Register** on October 22, 1996 (61 FR 54727) which allows electronic filing of effective financing statements without the signature of the debtor provided State law authorizes such a filing. The interim rules also allows States to distribute the master list by electronic means if requested by registrants.

Section 1324 of the Food Security Act of 1985 (Pub. L. 99-198) (7 U.S.C. 1631) (hereinafter “the Act”) provides that certain persons may be subject to a security interest in a farm product created by the seller under certain circumstances in which a lender files an “effective financing statement” with the “system operator” in a State which has a certified central filing system as defined by the Act. The Act requires the Secretary of Agriculture to prescribe regulations “to aid States in the implementation and management of a central filing system.” The Grain Inspection, Packers and Stockyards Administration was delegated with the Secretary’s responsibilities under the Act. Those regulations (9 CFR 205) were published on August 18, 1986 (51 FR 29450).

The Secretary’s authority and responsibility under the Act is limited to certification and prescribing regulations to aid in the implementation

and management of certified central filing systems. The Act does not give the Secretary the authority or responsibility for such matters as direct notification by secured parties, sales of and payment for products, procedures for payment or procedures for personal liability protection. Those matters are governed by State law. The Act does not contain any enforcement mechanism for noncompliance with the Act or its regulations.

Section 662 of the Federal Agriculture Improvement and Reform Act of 1996 (hereinafter “the Statute”) amended the Act and section 663 of the Statute provided that the amendment become effective upon enactment. The Act was amended because of concerns of States with certified central filing systems who desired to implement electronic filing procedures but could not because of the Act’s requirement that the debtor must sign the effective financing statement. Commercial lenders also expressed concern and confusion due to the vagueness of the continuation provisions for effective financing statements included in the Act and its inconsistency with Article IX of the Uniform Commercial Code.

Prior to the Act’s amendment by the Statute, lenders could not electronically file effective financing statements or amendments to the effective financing statements with State certified central filing systems because such statements were required to contain the signature of the debtor which could not be transmitted electronically. The amendment contained in the Statute was intended to remedy these concerns.

Section 662 of the Statute amended the Act. Section 663 of the Statute provided that the amendment become effective upon enactment. It is therefore necessary to amend the regulations to conform to the amendment to the Act.

Since prior notice and other public procedures with respect to the interim rule were impracticable and contrary to the public interest under these conditions, and because the rule relieves a regulatory restriction, there was good cause under 5 U.S.C. 553 to make it effective upon publication.

**Comments Received**

Two comments were received in response to the interim rule, one from a national bankers association and the other from a State bankers association. The comments support removal of the signature requirement for effective financing statements and encourage the Department to remove the signature requirement for paper-based continuation statements. Section 205.209(d) of the regulations currently