b. In paragraph (d)(2)(iv) by adding the words ''or other method'' to follow the word ''lot'';

c. In paragraph (e)(1) by removing the words ''result in a transfer'' and adding the words ''result in a temporary transfer'' in its place;

d. In paragraph (f)(1)(iii)(A) by adding to the end of the sentence the words ''prior to adjustment for temporary seed quota allocated to the farm'';

e. In paragraph (l) by removing the words ''and all out-of-county transfers''; and

f. By revising paragraphs (f)(3) (i) and (m) to read as follows:

§ 729.214 Transfer of quota by sale, lease, owner, or operator.

* * * * *

(f) *Other transfer provisions*—* * *

(3) *Permanent transfer of quota from a farm.* * * *

(i) *Permanent transfer of quota to the farm.* For the amount of quota purchased or otherwise permanently transferred to the farm in the current year and during the base period, as adjusted for any increase or decrease in such quota due to adjustment in the national quota during the base period, except that a transfer of a tenant's share of any peanut quota increase shall not be considered for purposes of determinations made under the provisions of this paragraph.

* * * * *

(m) *Considered produced credit.* Quota that is leased and transferred from a farm shall be considered produced on such farm to the extent of considered produced credit set forth in the definition of ''Considered produced credit'' in § 729.103 of this part.

Signed at Washington, D.C., on April 30, 1997.

Bruce R. Weber,

Acting, Administrator Farm Service Agency.

[FR Doc. 97–11788 Filed 5–8–97; 8:45 am]

BILLING CODE 3410–05–P

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

9 CFR Part 94

[Docket No. 94–106–6]

RIN 0579–AA71

Importation of Pork from Sonora, Mexico

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Final rule.

SUMMARY: We are amending the regulations concerning the importation of animal products to allow, under certain conditions, the importation of fresh, chilled or frozen pork from the State of Sonora, Mexico. This change is warranted because it removes unnecessary restrictions on the importation of pork from Sonora, Mexico, into the United States.

EFFECTIVE DATE: July 8, 1997.

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) 734–8590.

SUPPLEMENTARY INFORMATION:

Background

The Animal and Plant Health Inspection Service (APHIS), United States Department of Agriculture (USDA), has promulgated regulations regarding the importation of animals and animal products in order to guard against the introduction into the United States of animal diseases not currently present or prevalent in this country. These regulations are set forth in the Code of Federal Regulations (CFR), title 9, chapter I, subchapter D.

On April 18, 1996, we published in the **Federal Register** a proposed rule (61 FR 16978–17105, Docket No. 94–106–1) to revise the regulations in six different parts of 9 CFR to establish importation criteria for certain animals and animal products based on the level of disease risk in specified geographical regions. In proposing the amendments to the regulations, we stated that we considered the proposed regulatory changes to be consistent with and to meet the requirements of international trade agreements that had recently been entered into by the United States.

We solicited comments concerning our proposal for 90 days ending July 17, 1996. During the comment period, several commenters requested that we extend the period during which we would accept comments. In response to these requests, on July 11, 1996, we published in the **Federal Register** a notice that we would consider comments on the proposed rule for an additional 60 days ending September 16, 1996 (61 FR 36520, Docket No. 94–106–4). During the comment period, we conducted four public hearings at which we accepted oral and written comments from the public. These public hearings (announced in the **Federal Register** on May 6 and May 29, 1996, 61 FR 20190–20191 and 26849–26850, Docket Nos. 94–106–2 and 94–106–3, respectively) were held in Riverdale, MD; Atlanta, GA; Kansas City, MO; and Denver, CO.

We received 113 comments on the proposed rule on or before September 16, 1996. These comments came from representatives of State and foreign governments, international economic and political organizations, veterinary associations, State departments of agriculture, livestock industry associations and other agricultural organizations, importing and exporting associations, members of academia and the research community, brokerage firms, exhibitors, animal welfare organizations, and other members of the public.

Based on our review of the comments received on our proposed rule, it is clear that drafting a final rule in response to recommendations submitted by commenters will require close analysis of numerous and complex issues. However, it is also clear to us that there are a limited number of provisions within the proposal that we can make final at this time. Where these provisions involve trade, we believe that delaying their implementation is unwarranted and not in the best interests of trade relations with other countries. In this final rule we are establishing provisions based on the importation procedures set forth in our proposed rule, described below, to allow the importation, under certain conditions, of fresh, chilled or frozen pork from the State of Sonora, Mexico.

Under the regulations prior to the effective date of this final rule (9 CFR 94.9), the entire country of Mexico was considered to be a country in which hog cholera existed. As part of our proposed rule, we proposed to classify the State of Sonora, Mexico, as a region that presents only a slight risk of introducing hog cholera into the United States. In meeting the criteria for the proposed classification of a ''slight risk'' for hog cholera, Sonora also met all of the criteria currently used to designate countries free of hog cholera, as discussed below. However, due to additional factors, such as the disease status of surrounding regions, we determined that the region of Sonora posed more than a negligible risk of introducing hog cholera into the United States if mitigating measures were not applied to the importation of fresh, chilled or frozen pork from that region. These measures included the requirements that the pork come from swine that were raised and slaughtered in Sonora, and that an authorized official of Mexico certify as to the origin of the pork. Additionally, an authorized official of Mexico would need to certify that the pork had not been in contact with pork from areas of greater risk than Sonora for hog cholera.

Of the comments we received on our proposed rule, a small number addressed our proposed classification of Sonora, Mexico, and mitigating measures for animal products from that region. Commenters on these issues included United States State departments of agriculture, foreign governmental representatives, foreign industry associations, and other members of the public.

One commenter opposed allowing the importation of fresh pork products from Sonora, stating that the potential danger of introducing hog cholera into the United States would be too great. The commenter did not include any supporting information. We are making no changes based on this comment. In June 1994, the Department received a request from the Chief Animal Health Official in Mexico for recognition of the State of Sonora as a region free of hog cholera under the sanitary and phytosanitary provisions of the North American Free Trade Agreement (NAFTA) and the General Agreement on Tariffs and Trade (GATT). A team of APHIS personnel reviewed this request and conducted a site visit in October 1994, which confirmed the facts of the request from the Mexican government. Based on this site visit and our analysis of data provided to APHIS by Mexico, we consider it appropriate to classify Sonora, Mexico, as a region from which fresh, chilled or frozen pork can be imported with negligible risk, provided the mitigating measures described above are applied.

Several commenters supported the proposed classification of Sonora. Several other commenters stated that the proposed classification of Sonora does not include the final risk analysis necessary for considering Sonora a region of slight risk for hog cholera, and that such information should be published in the regulations. In this final rule, we are allowing the importation of fresh, chilled or frozen pork from Sonora, Mexico. In our proposed rule, we published the criteria we considered in classifying Sonora as a region from which fresh pork could be imported with negligible risk under specified conditions.

Our decision to consider Sonora such a region, made following a 1994 site visit to Sonora and elsewhere in Mexico, was based on analysis of the following factors: (1) That hog cholera virus has not been diagnosed in Sonora, Mexico, since 1985; (2) that there are currently no reported outbreaks of hog cholera in any of the States of Mexico or the United States that adjoin the State of Sonora, Mexico (the last reported outbreak in any of these States occurred in 1990); (3) that vaccination for hog cholera has been prohibited in Sonora since 1989; (4) that adjacent States of Mexico are separated by natural physical barriers or manmade fences; (5) that all border access points from adjacent States of Mexico are controlled to prevent movement of swine or swine products into the State of Sonora; (6) that movements of swine and swine products into the State of Sonora from other States of Mexico are effectively restricted; (7) that the State of Sonora maintains effective passive and active surveillance systems; and (8) that the laws, regulations, policies, and infrastructure in the State of Sonora and the country of Mexico have been reviewed by the Administrator and have been determined to be adequate to detect and rapidly eradicate hog cholera in the event of an outbreak. By meeting the criteria described above in this paragraph in points (1), (2), (6), (7), and (8), Sonora also met the criteria we use under the current regulations to determine a country to be free from hog cholera.

In order to reduce from a slight level to a negligible level the risk of the introduction of hog cholera from Sonora, we proposed to require that fresh pork imported from Sonora not have been in contact with pork from any region classified as having more than a slight risk for hog cholera, and that this be certified to by an authorized official of the Mexican government. This requirement ensures that only fresh pork from Sonora that has not been in contact with pork from regions with a higher risk for hog cholera is imported into the United States. The details of the 1994 on-site evaluation are available by contacting the person listed under **FOR FURTHER INFORMATION CONTACT**.

One commenter stated that although the proposed classification of Sonora appears to be valid using qualitative criteria, it is not clear whether the risk classification did or will include a quantitative risk analysis. The commenter stated that because the classification of Sonora was included in the proposed rule, a quantitative risk assessment should not be necessary. In our proposed rule, we based the proposed provisions regarding Sonora on the fact that it met the proposed qualitative criteria as a ''slight risk'' region for hog cholera. Therefore, fresh, chilled or frozen pork could be exported from that region with negligible risk of introducing hog cholera into the United States, provided mitigating measures were met. We are basing the provisions of this final rule on that assessment.

Some commenters objected to our proposal to apply mitigating measures to importations of fresh pork from Sonora. The commenters recommended instead that Sonora be treated simply as a region in which hog cholera is not known to exist. We are making no changes based on these comments. Although, as proposed, we would consider Sonora a region where there is only a a slight risk of introducing hog cholera, we stated that other factors, including vaccination history and adjacency to higher risk areas, require adding certain mitigating measures on fresh pork importations from Sonora. We consider the fact that Sonora is adjacent to other regions of Mexico not considered to be free of hog cholera to create a slight risk of the introduction of hog cholera from fresh pork from Sonora, unless mitigating measures are applied. The slight risk of hog cholera from unmitigated importation of fresh, chilled or frozen pork from Sonora is reduced to a negligible level if an authorized official certifies that the pork came from swine raised and slaughtered in Sonora and that it has not been in contact with pork from areas of greater risk for hog cholera.

One commenter stated that the proposed requirements for the importation of animal products under part 94 do not allow for the importing countries to apply different, but equivalent, risk mitigation measures. The commenter stated that such an omission is contrary to the equivalence principle under the World Trade Organization Agreement on the Application of Sanitary and Phytosanitary Measures, established under the General Agreement on Tariffs and Trade. We are making no changes based on this comment at this time. In our proposal, we proposed quantitative risk assessment options that would allow different risk mitigation measures. We are currently reviewing the comments we received on these options and will address them in future rulemaking. Additionally, should alternative risk mitigation measures be submitted to APHIS, we will review them carefully and, when appropriate, we will propose changes in the future with regard to the regulatory assessment of their use.

Change to Section 94.15

In § 94.15(b) of the existing regulations, provisions are set forth to allow fresh pork and pork products to transit through the United States for immediate export, even though such pork and pork products are not otherwise allowed entry into the United States. This transiting must take place under specified conditions, including sealing of the container carrying the pork and pork products with APHIS-approved seals in the region of origin, and movement through the United States under Customs bond. Under the existing regulations, the only fresh pork and pork products that may transit the United States under these conditions must be from either Chihuahua, Sonora, or Yucatan, Mexico. Under this final rule, pork from Sonora that could previously only transit the United States for export under § 94.15 may now also be entered into the United States if the conditions of § 94.20 are met.

Executive Order 12866 and Regulatory Flexibility Act

This rule has been reviewed under Executive Order 12866. The rule has been determined to be significant for purposes of Executive Order 12866 and, therefore, has been reviewed by the Office of Management and Budget. The analyses required by Executive Order 12866 and the Regulatory Flexibility Act are set forth below.

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), we are required to include in our Regulatory Flexibility Analysis a description of significant alternatives to this rule. In developing this rule, APHIS considered either (1) taking no action on the proposed requirements for the importation of fresh, chilled or frozen pork from Sonora, Mexico, (2) allowing the importation of fresh, chilled or frozen pork from Sonora under conditions different from those proposed, or (3) adopting the proposed conditions.

We rejected the first alternative, because it would retain the restrictions on the importation of fresh, chilled and frozen pork from the entire country of Mexico that are set forth in the existing regulations. Because fresh, chilled, or frozen pork can be imported under specified conditions from Sonora with negligible hog cholera risk, taking no action would not be scientifically defensible and would be contrary to trade agreements entered into by the United States. We also rejected the second alternative, which would allow the importation of fresh, chilled, or frozen pork from Sonora under conditions other than those proposed. In developing the proposed criteria for the importation of such pork, we determined that criteria and mitigating measures less stringent than those proposed would increase the risk of the introduction of hog cholera into the United States to more than a negligible level, and that more stringent conditions would be unnecessarily restrictive. We consider the proposed conditions to be both effective and necessary in reducing to a negligible level the risk of the introduction of hog cholera because of fresh pork imports from Sonora.

Under 5 U.S.C. 604, we are also required to include in this analysis an assessment of comments received on our Initial Regulatory Flexibility Analysis. When we proposed the conditions for the importation of fresh pork from Sonora, Mexico, we did so based on the information available to us from Mexico, USDA sources, an APHIS site visit to Mexico, and scientific literature. We requested comments on the proposed conditions for such importation of fresh pork, along with the rest of the proposed rule. We received and considered comments on the proposed conditions, and discuss our responses to these comments in the ‘‘Supplementary Information’’ section, above. After reviewing the comments received, we continue to consider the proposed conditions for the importation of fresh pork from Sonora, Mexico, to be effective in reducing the risk of the introduction of hog cholera to a negligible level, and have determined that it is neither warranted nor necessary to revise those conditions in this final rule.

Anticipated Economic Impacts

Under this rule, fresh, chilled and frozen pork may be imported from Sonora, Mexico. Under the regulations already in effect, pork processed by cooking or curing is allowed to be imported from Mexico under specified conditions. Pork that has not been processed sufficiently to meet the conditions of the existing regulations is considered fresh. Fresh pork is customarily shipped chilled or frozen. This rule change could significantly alter current fresh pork production and exports from Sonora over time, because commercial production in that region is relatively new, and because the United States has imposed restrictions on the importation of swine and fresh pork products from Mexico for over 20 years. Both of these factors make it difficult to make projections on possible future fresh pork production and trade from Sonora. However, based on various assumptions, we expect that fresh pork products from Sonora will be exported to the United States. The most important of these assumptions are the following:

1. Production of live hogs in Sonora will be maintained at the current 1.2 million head level;

2. Thirty-five percent of total hog production will continue to be shipped live out of the region for slaughter and processing elsewhere (currently most of these live animal shipments go to Mexico City, some 1,500 miles away);

3. The remaining 65 percent of hog production will be processed in Sonora, with 14 percent going as specialized pork cuts to Japan; the remaining 86 percent will be available for use in Mexico or shipment to the United States;

4. The U.S. base year is assumed to be 1994. United States marketings of 95.697 million head of slaughter hogs were registered in that year at the average price of $40.03 per hundred weight (CWT), liveweight equivalent (LWE);

5. A low-impact scenario assumes that fresh pork imports from Sonora will represent products from about 67,000 hogs. This level of imports would represent about 10 percent of the pork production of Sonora. Imported Sonora fresh pork would be assumed to substitute perfectly for U.S. pork and displace it. The low-impact scenario also assumes that U.S. hog supply elasticity in the United States is 0.15. Hog demand elasticity is assumed to hold at -0.44 in both the low impact and the high impact scenarios;

6. A high-impact scenario assumes that fresh pork imports from Sonora will represent products from 134,160 hogs. This level of imports would represent about 20 percent of the pork production in Sonora. The high impact scenario assumes that U.S. supply elasticity is 0.075, one-half of the U.S. hog supply elasticity assumed in the low impact scenario. Again, imported fresh pork products would be assumed to substitute perfectly for U.S. pork and displace it.

The future economic impact on U.S. swine producers will depend on demand-side factors, such as consumer acceptance of Mexican fresh pork, but probably most heavily on two supply-side factors: (1) Increases in total Mexican fresh pork production, and (2) the composition of fresh pork shipped from Sonora, Mexico. Mexican export pork supply will also be heavily affected by the long-term exchange rate between the United States and Mexico.

The impact of fresh pork imports is difficult to forecast because of the uncertainty as to how they will substitute for current foreign and/or domestic fresh pork products. For example, certain Mexican fresh pork imports may not affect U.S. producers at all, *i.e.*, they may not substitute for similar U.S.-produced pork, but, rather, completely substitute for and displace similar fresh pork products currently imported from another country. In this analysis, we are assuming that Mexican fresh pork from Sonora will displace a similar U.S. product, causing U.S. farm prices to decrease by .05 cents to .11 cents per pound, liveweight. This small price decline elicits a corresponding small U.S. producer cutback in production. It is estimated that this cutback could represent .018 to .02 percent of U.S. production.

Impact on U.S. Consumers: Assuming Mexican producers find it in their interest to ship fresh pork from Sonora to the United States, consumer welfare gains of $10.7 million (low impact scenario) to $24.5 million (high impact scenario) annually are possible depending on the volume of fresh pork imports from Sonora and the sensitivity of U.S. pork product supply and demand to Mexican imports. This volume of pork imports could range from 7 million to 15 million pounds of additional retail pork available to U.S. consumers.

Impact on U.S. Livestock Sector: Primary producers of livestock and swine products would be detrimentally affected by fresh pork imports. Producer losses would nearly offset net gains to consumers. A breakdown of the anticipated potential impact on the U.S. livestock sector follows:

1. *Impact on Farrow-to-Finish Swine Operators:* Imports under the low-impact scenario are assumed to represent pork from about 67,000 hogs per year. Barrow and gilt slaughter hog prices would be expected to decrease by about 5 cents per CWT LWE. This lower price would elicit a cut in total U.S. hog production of between 10,000 and 17,000 hogs per year (depending on the supply elasticity assumed). The lower production level at a slightly lower price would reduce producer receipts and nearly offset net gains to consumers.

Under the high-impact scenario, increased imports would be expected to represent pork from about 134,000 hogs per year. Barrow and gilt slaughter hog prices would be expected to decrease by about 11 cents per CWT LWE. This lower price would elicit a cut in total U.S. hog production in the range of 20,000 to 34,000 hogs per year. This lower production level—along with a lower price—would reduce producer receipts by about $24.5 million per year.

Although the aggregate potential producer welfare losses appear substantial, total industry sales and the large number of swine operations would make the per farm producer losses relatively small. In 1992, there were about 191,347 hog and pig farms in the United States, of which it is estimated that about 96.4 percent would be considered ‘‘small’’ entities (annual sales of less than $0.5 million, according to Small Business Administration (SBA) size criteria).[1] Total value of hog inventories in December 1992 exceeded $4.147 billion, producing $9.9 billion in sales[2]. Small hog and pig entities maintain over 70 percent of these hog and pig inventories. Historical U.S. data show declining farm numbers (but almost stable production) and persistent competitive pressure on producers to adopt as many ‘‘least-cost’’ production methods as possible. Dividing the adjusted aggregate economic impact generated under the two scenarios listed above (low- and high-impact scenarios) by the number of small swine operations would produce drops in net annual farm income of almost $67 and $143, respectively.

2. *Impact on Live-Hog Dealers/ Transporters:* Under either the low-impact scenario or the high-impact scenario, the effect on live-hog dealers/ transporters is expected to be minimal. Reductions in transporting trips of U.S. hogs would be expected to decline by 86 or 125 trips, respectively, based on either low impact or high impact.[3] The reduction in activity in the high-impact scenario is slight in relation to the estimated 500,000 hauls of U.S. hog shipments in 1994.

Most dealers/transporters are considered ‘‘small’’ according to SBA guidelines (that is, sales of less than $12.5 million and employment of fewer than 500 employees). Firms in this industry are assumed to be classified in the general Census category of ‘‘motor freight transportation and warehousing’’ (‘‘Standard Industry Classification’’ (SIC) 4212 and 4213), with over 10,600 firms in 1992.[4] In SIC 4212 (other local trucking (without storage) of agricultural products), there are 6,203 establishments with $2.197 billion in revenue in 1992 and employment of 26,897 employees. The average firm revenue was $354,183, with employment of 4 to 5 workers. Thus, the average firm in the industry would fall under the SBA category of ‘‘small,’’ with sales of less than $12.5 million and fewer than 500 employees. In SIC 4213 (trucking, except local, of agricultural products), there are 4,483 establishments with $3.3 billion in revenue in 1992 and employment of 30,518 employees. The average firm revenue was $736,114, with employment of 6 to 7 workers. Thus, the average firm in the industry would fall under the SBA category of ‘‘small,’’ with sales of less than $12.5 million and employment of fewer than 500 employees. More detailed data on the actual distribution of firms by size are not available at this time.

Estimation of the potential impact of this rule on the live-hog dealer/ transporter sub-sector is not possible given the available data. Census data on transporters is in a general category with other agricultural product shipments. Thus, it is unclear how important livestock transportation is to a particular ‘‘small’’ firm's business. Additional data are also needed on average miles traveled and net returns per trip. The relatively small anticipated reduction in trips suggests that the economic impact on this sub-sector will probably be very small. Further, if we assume that these reductions will fall evenly across all firms, this reduced level of economic activity is not expected to drive any one small livestock dealer/transporter out of business.

3. *Impact on Hog Processing Plants:* As discussed, the reduction in swine marketings is expected to be very small in relation to current marketings. The loss of processing activity generated by the displacement of 17,000 to 34,000 hogs (depending on the assumed levels of imports) would be slight compared with slaughter levels of almost 96 million head in 1994.

The size distribution of firms in this sub-sector makes it difficult to allocate the small losses estimated above across large and small firms. In the past, the desire to cut transportation costs of livestock and livestock products, to gain economies of scale in plant operations, and to shift to newer plants (without existing labor contracts) have led to increased industry concentration in this U.S. sub-sector. The exit of many older, smaller plants and companies has also contributed to increased market concentration. Most firms have multimillion dollar operations made up of new, large, state-of-the-art slaughter and packing plants. In 1992, there were 1,385 meat packing establishments in the United States, down from 1,434 such establishments in 1987[5]. The 1987 data indicate that 88 pork-slaughter companies had more than 20 employees. These companies had

[1] Source: *1992 Census of Agriculture,* Part 51, ‘‘United States Summary and State Data’’, Table 50, Pg. 123.

[2] Source: *Agricultural Statistics, 1994,* USDA, Tables 399 (pg. 238) and 392 (pg. 233).

[3] This estimate is based on livestock requirements reported in *Livestock Conservation Institute,* Colorado State University. This reference states that trucks measuring 44 feet long, 92 inches wide and 8 feet high, should be able to handle about 200 head of slaughter hogs.

[4] Census information was obtained from Mr. Dennis Shoemaker, Agricultural Statistician, Bureau of the Census, March 1995.

[5] Source: 1992 Census of Manufacturers, MC92–SUM–1(P), Preliminary Report, Summary Series, pg. 9.

34,300 employees in all, with a payroll of $713.8 million and shipments of pork valued at $11.6 billion.[6]

Summary

Allowing the importation of fresh, chilled or frozen pork from Sonora, Mexico, could lead to some changes in Mexican fresh pork production and trade. Assuming stable production and a relatively ''neutral'' currency regime, diversion of current Mexican fresh pork trade would allow Mexico to make some minor inroads into the U.S. fresh pork market, especially in the U.S. Southwest. Two scenarios examined—a low-impact and a high-impact situation— could produce annual consumer welfare gains of .07 cents to .16 cents per pound retail weight, and producer losses of .05 cents to .11 cents per pound, liveweight. These consumer welfare gains and producer welfare losses will depend mainly on the amount of fresh pork imported, but also on how consumers react to Mexican fresh pork product imports.

Small Business Regulatory Enforcement Fairness Act of 1996

This rule has been designated by the Administrator, Office of Information and Regulatory Affairs, Office of Management and Budget, as a major rule under the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA) (Pub. L. 104–121, 5 U.S.C. 801–808). Therefore, it has been submitted for a 60-day Congressional review in accordance with that Act, and will not become effective until that review period ends.

Executive Order 12988

This rule has been reviewed under Executive Order 12988, Civil Justice Reform. This rule (1) preempts all State and local laws 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.

National Environmental Policy Act

An environmental assessment and finding of no significant impact have been prepared for this rule. The assessment provides a basis for the conclusion that the actions required or authorized by this rule will not present a significant risk of introducing or disseminating hog cholera disease agents into the United States and will not have a significant impact on the quality of the human environment. Based on the finding of no significant impact, the Administrator of the Animal and Plant Health Inspection Service has determined that an environmental impact statement need not be prepared.

The environmental assessment and finding of no significant impact were prepared in accordance with: (1) The National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321 *et seq.*), (2) Regulations of the Council on Environmental Quality for implementing the procedural provisions of NEPA (40 CFR parts 1500–1508), (3) USDA regulations implementing NEPA (7 CFR part 1b), and (4) APHIS' NEPA Implementing Procedures (7 CFR part 372).

Copies of the environmental assessment and finding of no significant impact are available for public inspection at USDA, room 1141, South Building, 14th Street and Independence Avenue SW, Washington, between 8 a.m. and 4:30 p.m., Monday through Friday, except holidays. Persons wishing to inspect copies are requested to call ahead on (202) 690–2817 to facilitate entry into the reading room. In addition, copies may be obtained by writing to the individual listed under **FOR FURTHER INFORMATION CONTACT.**

Paperwork Reduction Act

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the information collection or recordkeeping requirements included in this final rule have been approved by the Office of Management and Budget (OMB). The assigned OMB control number is 0579–0015.

Unfunded Mandates Reform Act of 1995

Title II of the Unfunded Mandates Reform Act of 1995 (UMRA), Pub. L. 104–4, establishes requirements for Federal agencies to assess the effects of their regulatory actions on State, local, and tribal governments and the private sector. Under section 202 of the UMRA, APHIS generally must prepare a written statement, including a cost-benefit analysis, for proposed and final rules with ''Federal mandates'' that may result in expenditures by State, local, or tribal governments, in the aggregate, or to the private sector, of $100 million or more in any one year. When such a statement is needed for a rule, section 205 of the UMRA generally requires APHIS to identify and consider a reasonable number of regulatory alternatives and adopt the least costly, more cost-effective, or least burdensome alternative that achieves the objectives of the rule.

This rule contains no Federal mandates (under the regulatory provisions of Title II of the UMRA) that may result in expenditures by State, local, and tribal governments, in the aggregate, or to the private sector, of $100 million or more in any one year. Thus, this rule is not subject to the requirements of sections 202 and 205 of the UMRA.

List of Subjects in 9 CFR Part 94

Animal diseases, Imports, Livestock, Meat and meat products, Milk, Poultry and poultry products, Reporting and recordkeeping requirements.

Accordingly, 9 CFR part 94 is amended as follows:

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

1. The authority citation for part 94 continues to read as follows:

Authority: 7 U.S.C. 147a, 150ee, 161, 162, and 450; 19 U.S.C. 1306; 21 U.S.C. 111, 114a, 134a, 134b, 134c, 134f, 136, and 136a; 31 U.S.C. 9701; 42 U.S.C. 4331 and 4332; 7 CFR 2.22, 2.80, and 371.2(d).

2. A new § 94.20 is added to read as follows:

§ 94.20 Importation of pork from Sonora, Mexico.

Notwithstanding any other provisions of this part, fresh, chilled or frozen pork from the State of Sonora, Mexico, may be imported into the United States under the following conditions:

(a) The pork is meat from swine that have been raised and slaughtered in Sonora;

(b) The pork has not been in contact with pork from countries other than those listed in § 94.9(a) as countries where hog cholera is not known to exist; and

(c) An authorized official of Mexico certifies on the foreign meat inspection certificate required by § 327.4 of this title that the above conditions have been met.

Done in Washington, DC, this 5th day of May 1997.

Terry L. Medley,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 97–12162 Filed 5–8–97; 8:45 am]

BILLING CODE 3410–34–P

[6] Source: Agricultural Input and Processing Industries, Iowa State University, RD–05, April 1992, pg. 17.