

# Rules and Regulations

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## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

#### 7 CFR Part 201

[Docket No. 95-004-1]

#### Federal Seed Act Regulations

**AGENCY:** Animal and Plant Health Inspection Service, USDA.

**ACTION:** Final rule.

**SUMMARY:** We are amending the Federal Seed Act regulations to remove the staining requirements for seed of alfalfa and red clover imported into the United States. The removal of the requirements is necessary to make the regulations conform to the amendment of the Federal Seed Act by the Uruguay Round Agreements Act. This action relieves a restriction on the importation of alfalfa and red clover seed into the United States.

**EFFECTIVE DATE:** April 4, 1995.

**FOR FURTHER INFORMATION CONTACT:** Ms. Polly Lehtonen, Botanist, Biological Assessment and Taxonomic Support, Operational Support, Plant Protection and Quarantine, APHIS, USDA, 4700 River Rd., Unit 133, Riverdale, MD 20737-1228, (301) 734-8896.

#### SUPPLEMENTARY INFORMATION:

##### Background

We are amending the Federal Seed Act Regulations in 7 CFR part 201 (referred to below as the regulations) by removing the provisions concerning staining of seed of alfalfa and red clover imported into the United States.

Legislation implementing the Uruguay Round of the General Agreements on Tariffs and Trade (referred to below as the Uruguay Round Agreements Act), Pub. L. 103-465, amended the Federal Seed Act by removing staining requirements in 7

U.S.C. 1581, 1582, 1585, and 1586 for seed imported into the United States. As a result, the Animal and Plant Health Inspection Service no longer has authority to require such staining under the regulations.

We are, therefore, amending the regulations by removing §§ 201.104 through 201.106, which contain provisions for staining. As a result of this action, no seeds of red clover and alfalfa imported into the United States for propagation will need to be stained prior to entry.

#### Immediate Action

The Administrator of the Animal and Plant Health Inspection Service has determined that good cause exists to publish this final rule without prior notice and opportunity for public comment.

The staining requirements for seed of alfalfa and red clover imported into the United States must be removed as a result of the statutory amendments discussed above.

This action relieves a restriction on the importation of alfalfa and red clover seed into the United States. Since prior notice and other public procedures with respect to this final rule are impracticable, unnecessary, and contrary to the public interest, and since this regulatory change is mandated by Congress, there is good cause under 5 U.S.C. 553 for making this final rule effective upon publication.

#### Executive Order 12866 and Regulatory Flexibility Act

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

This final rule removes the staining requirement for alfalfa and red clover seed that is imported into the United States. This action will save importers of alfalfa seed and red clover seed from certain countries the relatively small cost of staining the seed.

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 12278

This rule has been reviewed under executive Order 12278, 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 information collection or recordkeeping requirements under the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*).

#### List of Subjects in 7 CFR Part 201

Advertising, Agricultural commodities, Imports, Labeling, Reporting and recordkeeping requirements, Seeds, Vegetables.

Accordingly, 7 CFR part 201 is amended as follows:

#### PART 201—FEDERAL SEED ACT REGULATIONS

1. The authority citation for part 201 continues to read as follows:

**Authority:** 7 U.S.C. 1582.

#### PART 201—[AMENDED]

2. Part 201 is amended by removing §§ 201.104, 201.105, and 201.106, and redesignating §§ 201.107, 201.108, and 201.109 as §§ 201.104, 201.105, and 201.106, respectively.

Done in Washington, DC, this 28th day of March 1995.

**Terry L. Medley,**

*Acting Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 95-8096 Filed 4-3-95; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### 18 CFR Part 284

[Docket No. RM95-5-000; Order No. 577]

#### Release of Firm Capacity on Interstate Natural Gas Pipelines

Issued March 29, 1995.

**AGENCY:** Federal Energy Regulatory Commission.