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DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

7 CFR Part 301

[Docket No. 00–110–4]

West Indian Fruit Fly

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Affirmation of interim rules as final rule.

SUMMARY: We are adopting as a final rule, without change, two interim rules regarding West Indian fruit fly. The first interim rule established regulations restricting the movement of regulated articles from a newly established quarantined area in Cameron County, TX. The second interim rule removed the quarantine on that portion of Cameron County, TX, and thus removed the restrictions on the interstate movement of regulated articles from that area. The first interim rule was necessary to prevent the spread of West Indian fruit fly to noninfested areas of the United States, and the second interim rule was necessary to reflect our determination that the West Indian fruit fly had been eradicated from Cameron County, TX.

EFFECTIVE DATE: The first interim rule, as corrected, became effective on January 12, 2001; and the second interim rule became effective June 1, 2001.

FOR FURTHER INFORMATION CONTACT: Mr. Robert Spaide, Director for Surveillance and Emergency Programs Planning and Coordination, PPQ, APHIS, 4700 River Road Unit 134, Riverdale, MD 20737–1236; (301) 734–8247.

SUPPLEMENTARY INFORMATION:

Background

In an interim rule effective January 12, 2001, and published in the **Federal**

Register on January 22, 2001 (66 FR 6429–6436, Docket No. 00–110–1), we amended the Domestic Quarantine Notices in 7 CFR part 301 by adding a new “Subpart—West Indian Fruit Fly” (7 CFR 301.98 through 301.98–10, referred to below as the regulations). The regulations designated a portion of Cameron County, TX, as a quarantined area because of an infestation of West Indian fruit fly and restricted the interstate movement of regulated articles from the quarantined area. In a document published in the **Federal Register** on April 20, 2001 (66 FR 20186, Docket No. 00–110–2), we corrected the definition for *Day degrees* in § 301.98–1 to rectify an error in the day degrees formula provided in that definition. In a second interim rule effective on June 1, 2001, and published in the **Federal Register** on June 25, 2001 (66 FR 33631–33632, Docket No. 00–110–3), we amended the regulations by removing the quarantine on a portion of Cameron County, TX, and removing restrictions on the interstate movement of regulated articles from that area based on our determination that the West Indian fruit fly had been eradicated from that area. Upon the effective date of our June 2001 interim rule, there were no longer any areas in the continental United States quarantined for the West Indian fruit fly.

Comments on each interim rule were required to be received on or before 60 days after the date of its publication in the **Federal Register**. We did not receive any comments on either of the interim rules. Therefore, for the reasons given in the interim rules, we are adopting the interim rules as a final rule.

This action also affirms the information contained in the interim rules concerning Executive Order 12866 and the Regulatory Flexibility Act, Executive Orders 12372 and 12988, and the Paperwork Reduction Act.

Further, for this action, the Office of Management and Budget has waived the review process required by Executive Order 12866.

List of Subjects in 7 CFR Part 301

Agricultural commodities, Plant diseases and pests, Quarantine, Reporting and recordkeeping requirements, Transportation.

PART 301 DOMESTIC QUARANTINE NOTICES

Accordingly, we are adopting as a final rule, without change, the interim rule establishing “Subpart—West Indian Fruit Fly” (7 CFR 301.98 through 301.98–10) that was published at 66 FR 6429–6436 on January 22, 2001, as corrected by the document published at 66 FR 20186 on April 20, 2001, and as amended by the interim rule published at 66 FR 33631–33632 on June 25, 2001.

Authority: 7 U.S.C. 166, 7711, 7712, 7714, 7731, 7735, 7751, 7752, 7753, and 7754; 7 CFR 2.22, 2.80, and 371.3.

Section 301.75–15 also issued under Sec. 204, Title II, Pub. L. 106–113, 113 Stat. 1501A–293; sections 301.75–15 and 301.75–16 also issued under Sec. 203, Title II, Pub. L. 106–224, 114 Stat. 400 (7 U.S.C. 1421 note).

Done in Washington, DC, this 14th day of February 2002.

W. Ron DeHaven,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 02–4175 Filed 2–20–02; 8:45 am]

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DEPARTMENT OF AGRICULTURE

Farm Service Agency

7 CFR Part 764

RIN 0560–AF72

Streamlining of the Emergency Farm Loan Program Loan Regulations; Correction

AGENCY: Farm Service Agency, USDA.

ACTION: Final rule; correction.

SUMMARY: This document contains corrections to the final rule which was published Tuesday, January 8, 2002 (67 FR 791–801). Several definitions were incorrectly numbered and several regulatory sections were incorrectly cited. These errors are corrected with this document.

DATES: Effective on February 21, 2002.

FOR FURTHER INFORMATION CONTACT: Tom Witzig, (202) 205–5851.

SUPPLEMENTARY INFORMATION: In the final rule published on January 8, 2002, (67 FR 791–801) make the following corrections.

1. On page 796, in the first column, in the definition for “Established

farmer” paragraphs (a) through (e) introductory text are redesignated as paragraphs (1) through (5) and paragraphs (e)(1) through (e)(4) are redesignated as paragraphs (5)(i) through (5)(iv).

2. On page 796, in the second column, in the definition for “Family farm” paragraphs (a), (b) introductory text, (b)(1), (b)(2), (b)(3), (c) introductory text, (c)(1), (c)(2), (d) introductory text, (d)(1), (d)(2) and (e) are redesignated as paragraphs (1), (2), (2)(i), (2)(ii), (2)(iii), (3), (3)(i), (3)(ii), (4), (4)(i), (4)(ii) and (5).

3. On page 796, in the second column, in the definition for “Feasible plan” paragraphs (a) through (c) are redesignated as paragraphs (1) through (3).

4. On page 796, in the third column, in the definition for “Normal production yield” paragraphs (a) through (c) are redesignated as paragraphs (1) through (3).

5. On page 800, § 764.9, paragraphs (a) and (b)(2), the references to “§ 761.8” are corrected to read “§ 761.7”.

Signed at Washington, DC on February 12, 2002.

J.B. Penn,

*Under Secretary for Farm and Foreign,
Agricultural Services.*

[FR Doc. 02-4099 Filed 2-20-02; 8:45 am]

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DEPARTMENT OF AGRICULTURE

Rural Housing Service

Rural Business-Cooperative Service

Rural Utilities Service

Farm Service Agency

7 CFR Part 1951

RIN 0560-AG43

Farm Loan Programs Account Servicing Policies—Reduction of Amortized Shared Appreciation Recapture Amortization Rate

AGENCY: Farm Service Agency, USDA.
ACTION: Final rule.

SUMMARY: The Farm Service Agency (FSA) is amending its regulations to reduce the amortization rate on Shared Appreciation Agreement recapture and clarify the references made to Shared Appreciation (SA) loans.

Pursuant to statutory mandate, the amortization rate on all future (SA) payment agreements will be the current Homestead Protection Program interest rate less 100 basis points (1 percent). In addition, the amortization rate on all SA

payment agreements in existence as of October 28, 2000, will be similarly reduced.

Additionally, SA loans will now be referred to as SA amortized payments and the Promissory Notes used in the amortization of these amounts will be referred to as payment agreements. This change is being made to clarify the fact that SA agreements are an amortization of an existing debt which is not derived from obligated loan funds.

DATES: Effective March 25, 2002.

FOR FURTHER INFORMATION CONTACT: Michael Cumpton, Farm Loan Programs, Loan Servicing and Property Management Division, United States Department of Agriculture, Farm Service Agency, STOP 0523, 1400 Independence Avenue, SW, Washington, DC 20250-0523, telephone (202) 690-4014; electronic mail: mike_cumpton@wdc.fsa.usda.gov.

SUPPLEMENTARY INFORMATION:

Executive Order 12866

This rule has been determined to be significant and was reviewed by the Office of Management and Budget under Executive Order 12866.

Regulatory Flexibility Act

In compliance with the Regulatory Flexibility Act (5 U.S.C. 601-602), the undersigned has determined and certified by signature of this document that this rule will not have a significant economic impact on a substantial number of small entities. New provisions included in this rule will not impact a substantial number of small entities to a greater extent than large entities. Therefore, a regulatory flexibility analysis was not performed.

Environmental Evaluation

It is the determination of FSA that this action is not a major Federal action significantly affecting the environment. Therefore, in accordance with the National Environmental Policy Act of 1969, and 7 CFR part 1940, subpart G, an Environmental Impact Statement is not required.

Executive Order 12988

This rule has been reviewed in accordance with Executive Order 12988, Civil Justice Reform. In accordance with this executive order: (1) All State and local laws and regulations that are in conflict with this rule will be preempted; (2) except as specifically stated in this rule, no retroactive effect will be given to this rule; and (3) administrative proceedings in accordance with 7 CFR parts 11 and 780 must be exhausted before seeking judicial review.

Executive Order 12372

For reasons contained in the notice related to 7 CFR part 3015, subpart V (48 FR 29115, June 24, 1983), the programs within this rule are excluded from the scope of E.O. 12372, which requires intergovernmental consultation with State and local officials.

The Unfunded Mandates Reform Act of 1995

Title II of the Unfunded Mandates Reform Act of 1995 (UMRA) requires Federal agencies to assess the effects of their regulatory actions on State, local, and tribal governments or the private sector of \$100 million or more in any 1 year. When such a statement is needed for a rule, section 205 of the UMRA requires FSA to prepare a written statement, including a cost and benefit assessment, for proposed and final rules with “Federal mandates” that may result in such expenditures for State, local, or tribal governments, in the aggregate, or to the private sector. UMRA generally requires agencies to consider alternatives and adopt the more cost effective or least burdensome alternative that achieves the objectives of the rule.

This rule contains no Federal mandates, as defined under title II of the UMRA, for State, local, and tribal governments or the private sector. Thus, this rule is not subject to the requirements of sections 202 and 205 of UMRA.

Executive Order 13132

The policies contained in this rule do not have any substantial direct effect on States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Nor does this rule impose substantial direct compliance costs on State and local governments. Therefore, consultation with the States is not required.

Paperwork Reduction Act

The amendments to 7 CFR part 1951 contained in this rule require no revisions to the information collection requirements that were previously approved by OMB (0560-0161) under the provisions of 44 U.S.C. chapter 35.

Federal Assistance Programs

These changes affect the following FSA programs as listed in the Catalog of Federal Domestic Assistance:

- 10.404—Emergency Loans
- 10.406—Farm Operating Loans
- 10.407—Farm Ownership Loans